

DEED/GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that Courseview Limited, an Ohio limited liability company (**Grantor**), the Fee Simple owner of the real estate that is recorded in Official Record Book 4539, page 647 of the Records of Warren County, Ohio, (the Property), and in consideration of Fourteen Thousand Dollars (\$14,000.00) and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, does hereby grant, bargain, sell, convey and release to the **City of Mason, Ohio** an Ohio municipal corporation, (**Grantee**), and to their agents, employees, successors and assigns forever, a **non-exclusive, permanent easement and right of way for public highway and road purposes, including but not limited to utility construction, relocation, drainage and/or utility maintenance, deemed appropriate by the Grantee, and an Access and Utility Easement** on and through that portion of the property as more specifically described in Exhibit A (the Permanent Highway Easement Area), as described in Exhibit B (the Access and Utility Easement Area), and as depicted in Exhibit C, attached hereto and made a part hereof, within the City of Mason, Ohio.

All costs and expenses associated with the **Grantee's** construction, operation, maintenance, repair, replacement and restoration activities within the Easement Areas described in Exhibits A and B shall be borne solely by the **Grantee**.

Grantor shall not construct any improvements within or upon the Easement Areas or otherwise use the Easement Areas in a manner that would materially interfere with the exercise by **Grantee** of its rights provided by this document.

The consideration mentioned herein includes total compensation for all damages caused by said construction, repair, maintenance, operation and inspection within the above described easements. **Grantee** shall, as soon as practical after the completion of any construction, maintenance, repair or replacement activities, restore the surface of the Easement Areas to the same condition or better as existed immediately prior to the commencement of such activities by **Grantee** or its agents, employees or contractors.

The terms and agreement set forth herein shall be deemed to be covenants running with the land and shall inure to the benefit of and be binding upon, as the case may be, the parties and their respective successors and assigns.

Grantor, for itself and for its successors and assigns, does hereby **COVENANT** with the said **Grantee**, its successors and assigns, that it is the true and lawful owner of the said premises, has full power to convey said easements.

It is agreed that wherever a party is named in this instrument there shall be intended and included, in each case, that party, his heirs, administrators, successors, and assigns.

Executed by Clinton A. Haynes, as authorized member of Courseview Limited, an Ohio limited liability company, who has hereunto set his hand this _____ day of _____, 2012.

Witness:

Courseview Limited, an Ohio limited liability company

By: _____
Clinton A. Haynes, authorized member

STATE OF OHIO

COUNTY OF WARREN ss:

The foregoing instrument was signed and acknowledged before me by Clinton A. Haynes, authorized member of COURSEVIEW LIMITED an Ohio limited liability company, on behalf of said entity and by authority of its board of directors.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal this ____ day of _____, 2012.

Notary Public

Witness:

ACCEPTED BY:

CITY OF MASON, OHIO

Eric Hansen, City Manager

State of Ohio, County of Warren ss:

The foregoing instrument was signed and acknowledged before me, a Notary Public, this ____ day of _____, 2012, by Eric Hansen, City Manager of the City of Mason, Ohio, an Ohio municipal corporation, on behalf of the corporation.

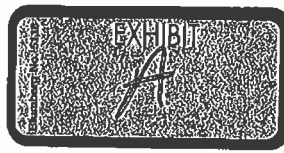
Notary Public

APPROVED AS TO FORM:

Law Director

This instrument was prepared by: Wood & Lamping, LLP.

1068397.1



**DESCRIPTION OF
LOT 16b
CITY OF MASON, WARREN COUNTY, OHIO
CONTAINING 1.308 ACRES
SEPTEMBER 7, 2012**

Situate in Section 22 and 23, Town 4, Range 2, City of Mason, County of Warren, State of Ohio, being part of Lot 16 as recorded in Plat Book 84 Page 39 and being part of a tract of land conveyed to Courseview Limited as described in O.R. Volume 4539 Page 647, more particularly bounded and described as follows (all references to deeds, microfiche, plats, surveys, etc. refer to the records of the Warren County Recorders Office, unless noted otherwise):

Beginning at an iron pin with a Kliengers cap (found) at the intersection of the southerly right-of-way line of Western Row Road (R/W varies) with the westerly right-of-way line of Interstate Route 71 (R/W varies) said point also being the northeast corner of said Lot 16;

thence along said westerly right-of-way line, South twenty degrees forty-two minutes twenty-seven seconds West (S20°42'27"W) for one hundred seventeen and 20/100 feet (117.20') to a 5/8" iron pin (set) with a HAFER cap;

thence leaving said westerly right-of-way line and across said Lot 16 along a new division line for the following four (4) courses:

1. North eighty-three degrees sixteen minutes six seconds West (N83°16'06"W) for seventy-one and 72/100 feet (71.72') to a 5/8" iron pin (set) with a HAFER cap;
2. North eighty-six degrees seventeen minutes no seconds West (N86°17'00"W) for thirty-two and 88/100 feet (32.88') to a 5/8" iron pin (set) with a HAFER cap;
3. South eighty-nine degrees twenty-six minutes seven seconds West (S89°26'07"W) for three hundred seventeen and 78/100 feet (317.78') to a 5/8" iron pin (set) with a HAFER cap;
4. South seventy-five degrees forty-six minutes six seconds West (S75°46'06"W) for sixty-seven and 78/100 feet (67.78') to a 5/8" iron pin (set) with a HAFER cap in the easterly right-of-way line of Stress Engineering Way (60' right-of-way, FKA Brown Boulevard, O.R. Vol. 5468 Pg675);

thence along said easterly right-of-way line, on a curve to the left with a radius of nine hundred thirty and 00/100 feet (930.00') for an arc distance of fifty-five and 85/100 feet (55.85'), [chord bearing North seven degrees twenty minutes fifty-five seconds East (N07°20'55"E) for fifty-five and 84/100 feet (55.84'), delta angle of said curve being three degrees twenty-six minutes twenty-seven seconds (3°26'27")] to an iron pin with a Kliengers cap (found);

thence North five degrees thirty-seven minutes forty-one seconds East (N05°37'41"E) for twelve and 72/100 feet (12.72') to an iron pin with a Kliengers cap (found) at the intersection of said easterly right-of-way line of said Stress Engineering Way with the southerly right-of-way line of said Western Row Road;

thence along said southerly right-of-way line for the following five (5) courses:

1. North sixty-three degrees thirty-three minutes forty-one seconds East (N63°33'41"E) for one hundred five and 28/100 feet (105.28') to an iron pin with a Kliengers cap (found);
2. North eighty-three degrees twenty minutes twenty-seven seconds East (N83°20'27"E) for thirty-eight and 97/100 feet (38.97') to an iron pin with a Kliengers cap (found);

3. North eighty degrees five minutes seventeen seconds East (N80°05'17"E) for two hundred twenty-two and 50/100 feet (222.50') to an iron pin with a Kliengers cap (found);
4. South seventy-nine degrees thirty-four minutes forty-four seconds East (S79°34'44"E) for one hundred twenty-four and 29/100 feet (124.29') to an iron pin with a Kliengers cap (found);
5. South seventy degrees twenty-five minutes three seconds East (S70°25'03"E) for forty-eight and 90/100 feet (48.90') to the **POINT OF BEGINNING**, containing one and 3085/1000 (1.3085) acres, more or less, subject however to all covenants, conditions, restrictions, reservations, and easements contained in any instrument of record pertaining to the above described tract of land.

Calibre Engineering

Eric W. Hafer
Ohio Professional Surveyor #8038



**DESCRIPTION OF
ACCESS AND UTILITY EASEMENT
CITY OF MASON, WARREN COUNTY, OHIO
CONTAINING 0.248 ACRES
SEPTEMBER 7, 2012**

Situate in Section 22, Town 4, Range 2, City of Mason, County of Warren, State of Ohio, being part of Lot 16 as recorded in Plat Book 84 Page 39 and being part of a tract of land conveyed to Courseview Limited as described in O.R. Volume 4539 Page 647, more particularly bounded and described as follows (all references to deeds, microfiche, plats, surveys, etc. refer to the records of the Warren County Recorders Office, unless noted otherwise):

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thence along said westerly right-of-way line, South twenty degrees forty-two minutes twenty-seven seconds West (S20°42'27"W) for one hundred seventeen and 20/100 feet (117.20') to the **TRUE POINT OF BEGINNING** of the herein described easement;

thence continuing along said westerly right-of-way line, South twenty degrees forty-two minutes twenty-seven seconds West (S20°42'27"W) for fifty-two and 62/100 feet (52.62') to a point;

thence leaving said westerly right-of-way line and across said Lot 16 for the following five (5) courses:

1. thence South eighty-nine degrees thirty-one minutes thirty-nine seconds West (S89°31'39"W) for one hundred seventy-six and 34/100 feet (176.34') to a point;
2. thence North no degrees thirty-four minutes twenty-two seconds West (N00°34'22"W) for sixty and 31/100 feet (60.31') to a point;
3. thence North eighty-nine degrees twenty-six minutes seven seconds East (N89°26'07"E) for ninety-one and 51/100 feet (91.51') to a point;
4. thence South eighty-six degrees seventeen minutes no seconds East (S86°17'00"E) for thirty-two and 88/100 feet (32.88') to a point;
5. thence South eighty-three degrees sixteen minutes six seconds East (S83°16'06"E) for seventy-one and 72/100 feet (71.72') to the **TRUE POINT OF BEGINNING**, containing no and 248/1000 (0.2482) acres, more or less.

Calibre Engineering

Eric W. Hafer
Ohio Professional Surveyor #8038

A

DESCRIPTION OF
~~PROPERTY~~ PUBLIC RIGHT OF WAY
CITY OF MASON, WARREN COUNTY, OHIO EASEMENT
CONTAINING 1.308 ACRES
SEPTEMBER 7, 2012

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Calibre Engineering

Eric W. Hafer
Ohio Professional Surveyor #8038

B

**DESCRIPTION OF
ACCESS AND UTILITY EASEMENT
CITY OF MASON, WARREN COUNTY, OHIO
CONTAINING 0.248 ACRES
SEPTEMBER 7, 2012**

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Eric W. Hafer
Ohio Professional Surveyor #8038



EXHIBIT B

PRELIMINARY SITE PLAN
SCALE: 1" = 400'



Seapine Software

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DECEMBER 12, 2011

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