

ORDINANCE NO. 22-17

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER John Palcic ON THE 18th DAY OF September, 2017.

AN ORDINANCE TO VACATE CERTAIN EASEMENTS OVER PROPERTY LOCATED WITHIN THE GRACEWORKS LUTHERAN SERVICES - BETHANY LUTHERAN VILLAGE PROJECT AT 6451 FAR HILLS AVENUE IN THE CITY OF CENTERVILLE.

WHEREAS, the City of Centerville ("City") is the owner of property occupied and leased by Graceworks Lutheran Services ("Graceworks") located at 6451 Far Hills Avenue ("Property"); and

WHEREAS, Graceworks has requested the City of Centerville to vacate certain easements located on the Property it leases from the City within the Bethany Lutheran Village development project ("Project") located at 6451 Far Hills Avenue within the City of Centerville, which easements are no longer needed; and

WHEREAS, the ingress/egress easement of Gem City Savings Association, the gas easement of Dayton Power and Light company, the sanitary easement of the Board of County Commissions of Montgomery County, Ohio, and the sanitary and water easement of the Board of County Commissions of Montgomery County, Ohio, as shown on Exhibit A and more particularly described in Exhibits B, C, D and E attached to this ordinance and made a part herein (collectively "Easements"), will no longer be needed by the general public or the City once the Project is developed; and

WHEREAS, the City of Centerville Unified Development Code ("UDO"), Section 5.11(I) provides a procedure for the vacation of easements; and

WHEREAS, all abutting landowners have consented to this action; and

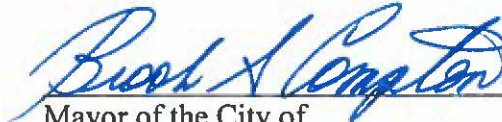
WHEREAS, the City finds that the request to vacate the Easements is for good cause, and will not be detrimental to the general interest, and is allowed pursuant to the UDO; and

WHEREAS, the City agrees to vacate the easements contingent upon written confirmation of the Easements holder's consent to vacate their easement.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY
ORDAINS:


- Section 1. That the City of Centerville hereby vacates the ingress/egress easement of Gem City Savings Association, the gas easement of Dayton Power and Light company, the sanitary easement of the Board of County Commissions of Montgomery County, Ohio, and the sanitary and water easement of the Board of County Commissions of Montgomery County, Ohio, at 6451 Far Hills Avenue as shown on Exhibit A and identified in Exhibits B, C, D and E.
- Section 2. That this vacation is contingent upon written confirmation from each easement holder's consent to vacate their easement.
- Section 3. That Graceworks will take such other actions as may be needed to record the vacations and to reflect these changes.
- Section 4. This Ordinance shall go into effect at the earliest date allowed by law.

PASSED THIS 18th day of September, 2017.



Mayor of the City of
Centerville, Ohio

ATTEST:



Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No.

22-17, passed by the Council of the City of Centerville, Ohio on the 18th day of September, 2017.

Carin R. Andrew

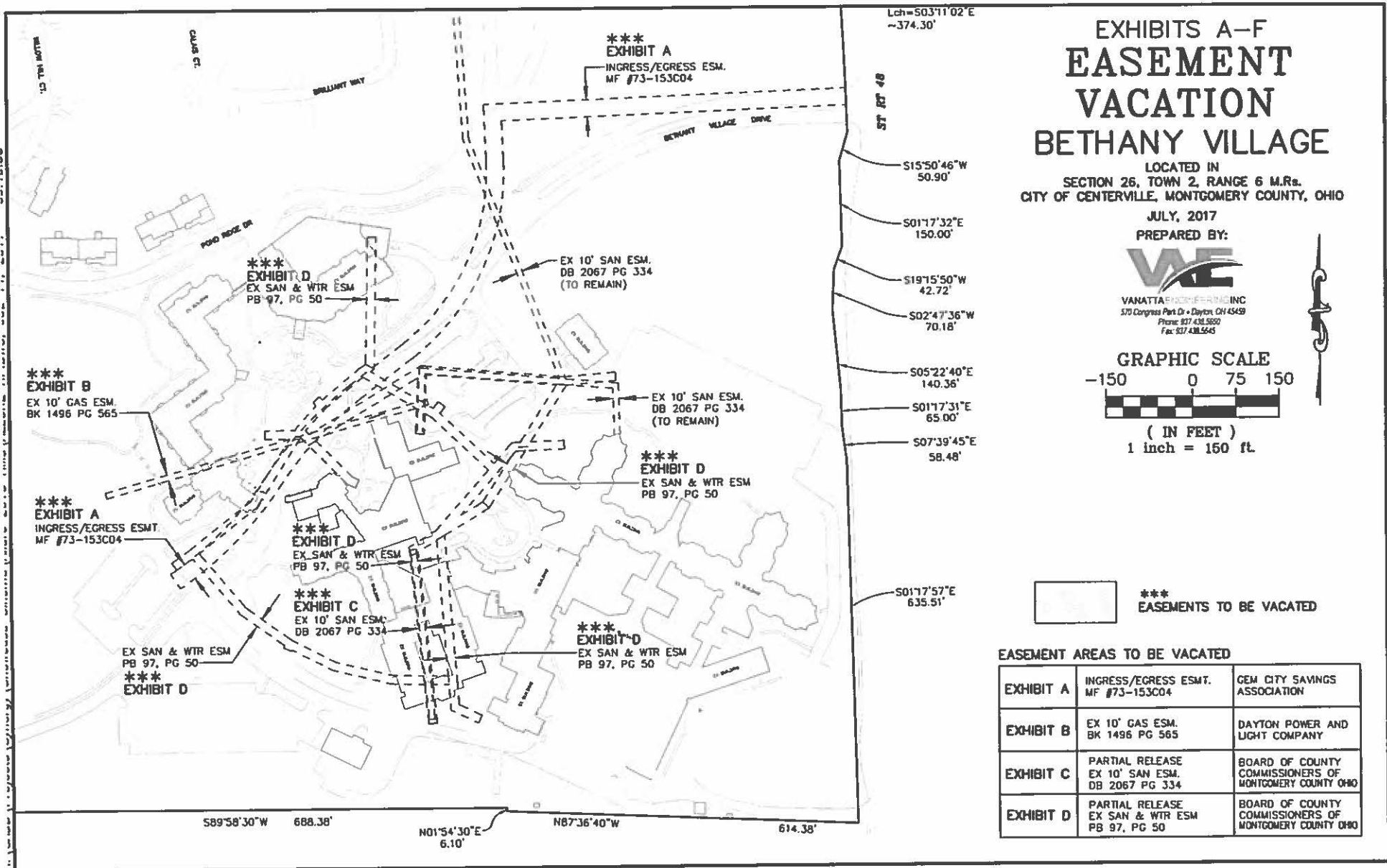
Clerk of the Council

Approved as to form, consistency with the Charter and Constitutional Provisions.

Department of Law

Scott A. Liberman

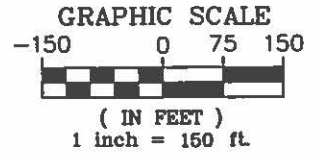
Municipal Attorney



EXHIBITS A-F EASEMENT VACATION BETHANY VILLAGE

LOCATED IN
SECTION 26, TOWN 2, RANGE 6 M.R.
CITY OF CENTERVILLE, MONTGOMERY COUNTY, OHIO

JULY, 2017
PREPARED BY:



EASEMENTS TO BE VACATED

EASEMENT AREAS TO BE VACATED

EXHIBIT	EASEMENT	ASSOCIATION
EXHIBIT A	INGRESS/EGRESS ESMT. MF #73-153C04	GEM CITY SAVINGS ASSOCIATION
EXHIBIT B	EX 10' GAS ESM. BK 1496 PG 565	DAYTON POWER AND LIGHT COMPANY
EXHIBIT C	PARTIAL RELEASE EX 10' SAN ESM. DB 2067 PG 334	BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY OHIO
EXHIBIT D	PARTIAL RELEASE EX SAN & WTR ESM PB 97, PG 50	BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY OHIO

Know All Men By These Presents:

That

The Lutheran Inner Mission League of the Miami Valley, Inc.

in consideration of One Dollar to it paid by The Dayton Power and Light Company, receipt of which is hereby acknowledged, do hereby grant and convey unto The Dayton Power and Light Company, its successors and assigns forever, a right of way and easement for a pipe line for the transmission and distribution of natural, mixed natural and artificial, and artificial gas therein, for any and all purposes for which gas is now, or may hereafter be used, with all appurtenant valves, drops, regulators and pits and all other usual and proper devices for the efficient and economical operation of said pipe line, and the right to construct, re-construct, repair, maintain, use, remove or replace said pipe line and appurtenances subject to the conditions hereinafter contained, upon, under and through the following premises.

Viz: situated in Washington Township, Montgomery County, Ohio.

and being a tract of land containing 102,166 acres, more or less, situate in Section No. 26, Township 2, Range 6 MRS., and being a part of the same premises conveyed in a Warranty Deed recorded in Deed Book No. 1160, page 461 of the Deed Records of the aforesaid County, Ohio.

Said pipe line and appurtenances shall be located on said premises and within a strip of land 10 feet in width, the center line of said strip of land shall be approximately along the following course, viz.

Beginning at a point in an existing gas line easement as described in a right-of-way grant from the grantor to the grantee herein and recorded in Deed Book No. 1214, page 300 of Montgomery County Deed Records, said point being 552.50 feet distant northwardly measured along the aforesaid gas line easement, from the grantor's south property line (said south property line also being the north line of a tract now or formerly belonging to Max J. Comisar), thence eastwardly for a distance of 587 feet to a point 713 feet distant north from said grantor's south property line.

Also, beginning at a point on said grantor's south property line (said south property line here being the north line of a tract now or formerly owned by Rudolph Platzer) 282 feet distant west, measured on said south line, from the centerline of Lebanon Pike - State Route No. 48, thence northwardly (normal) for a distance of 12.50 feet to a point, thence eastwardly for a distance of 283 feet to a point 23 feet distant north from said grantor's south property line, thence northwardly along the west side of said Lebanon Pike for a distance of 235 feet to a point 40 feet distant west from the centerline of said Lebanon Pike, thence eastwardly for a distance of 40 feet to a point on the centerline of said Lebanon Pike 258 feet distant north, measured on said centerline, from said grantor's south property line.

It is further agreed that in consideration of the signing of the right of way easement the grantee will furnish gas to the new buildings contemplated in accordance with the rates, rules and regulations existing at the time the service is requested.

The Dayton Power and Light Company, its successors and assigns, by its employees and agents, may enter upon said premises from time to time to construct, re-construct, repair, maintain, use, remove or replace said pipe line and appurtenances.

SUCCESSORS

The acceptance of this conveyance by The Dayton Power and Light Company shall operate as an agreement by it for itself, its successors and assigns to all the terms and conditions hereof, and it and they shall be bound thereby.

IN WITNESS WHEREOF, the said The Lutheran Inner Mission League of the Miami Valley, Inc.

By Melvin Oehrman, president

And Edna B. Huber, secretary

has hereunto subscribed its & their names this 7th day of January 1952

Signed and acknowledged in the presence of:

Richard W. Powell
Forest R. Stoneburner

The Lutheran Inner Mission League
of the Miami Valley, Inc.

By Melvin Oehrman
President
And Edna B. Huber
Secretary

STATE OF OHIO COUNTY OF MONTGOMERY ss:

BE IT REMEMBERED, that on the 7th day of January in the year of our Lord One Thousand Nine Hundred and Fifty-two, before me, the subscriber, a Notary Public in and for said County, personally came The Lutheran Inner Mission League of the Miami Valley, Inc.

BY Melvin Oehrman, president

And Edna B. Huber, secretary

the grantor in the foregoing instrument, and acknowledged the signing thereof to be its & their voluntary act and deed for the uses and purposes therein mentioned.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal on the day and year last aforesaid.



Charles S. Heck
NOTARY PUBLIC

Notary Public, Montgomery County, Ohio

File No. 475
Transferred N.A.
Received 1-18-52
Time 9:26 A.M.
Recorded 1-18-52
Fee \$ 1.20
CHARLES S. HECK
Montgomery County Recorder

APPROVED: LEGAL DEPARTMENT
The Dayton Power and Light Company

1/16/52
[Signature]

**RIGHT OF WAY
GRANT**

FROM	Lutheran Inner Mission League of the Miami Valley, Inc.
TO	The Dayton Power and Light Company
Transfer not Necessary	
County Auditor	
County Assessor	
County Recorder	

99-9641

EASEMENT DEED

NO TRANSFER REQUIRED
MONTGOMERY COUNTY
1951 DEC 8

KNOW ALL MEN BY THESE PRESENT:

That THE LUTHERAN INNER MISSION LEAGUE OF THE MIAMI VALLEY, INCORPORATED, a non-profit organization, duly authorized under the Laws of the State of Ohio, in consideration of the sum of One Dollar (\$1.00) and other valuable considerations to them paid by the Board of County Commissioners of Montgomery County, Ohio, does hereby grant and release to said Board of County Commissioners of Montgomery County, Ohio, and their successors in office, forever, the right, privilege and easement to construct, maintain, tap into and repair the stated utility; a sanitary sewer through the following described real estate:

Located in Section 26, Town 2, Range 6 MRS., Washington Township, County of Montgomery, State of Ohio, and being easements for the operation, maintenance, repair, replacement or removal of sanitary sewers and appurtenances, being an easement ten and 00/100 (10.00) feet wide five and 00/100 (5/00) feet on each side of a centerline described as follows: beginning at a point in the north line of land conveyed to The Lutheran Inner Mission League of the Miami Valley, Incorporated, by deed recorded in Book 1160, Page 161, in the Deed Records of Montgomery County, Ohio, said point of beginning being located in the south line of Lot No. 54 of Washington Brook Subdivision as recorded in Book RR, Page 73, in the Plat Records of Montgomery County, Ohio, said point of beginning being located, South eighty-five degrees sixteen minutes (85° 16') West and twenty-six and 95/100 (26.95) feet from the southeast corner of said Lot No. 54; thence South three degrees forty-nine minutes thirty seconds (3° 49' 30") East for four hundred eighty-nine and 27/100 (489.27) feet; thence South twenty-one degrees twenty minutes ten seconds (21° 20' 10") East for four hundred fifty-seven and 75/100 (457.75) feet to a point in the centerline of a sanitary manhole, hereinafter referred to as Point "A"; thence South eighty-five degrees eight minutes no seconds (85° 08' 00") East for ninety and 65/100 (90.65) feet; thence South one degree twenty-two minutes (1° 22') East for two hundred seventy-six and 65/100 (276.65) feet; thence South fifty-five degrees thirty-four minutes no seconds (55° 34' 00") East for two hundred seventy-four and 30/100 (274.30) feet.

Also being an easement ten and 00/100 (10.00) feet wide five and 00/100

feet on each side of a centerline described as follows: beginning at Point "A" in the above-described easement; thence North eighty-five degrees eight minutes no seconds ($85^{\circ} 08' 00''$) West for two hundred forty-seven and $35/100$ (247.35) feet; thence South two degrees fifty-one minutes ($2^{\circ} 51'$) West for one hundred ten and $60/100$ (110.60) feet to a point hereinafter referred to as Point "B"; thence South three degrees forty-eight minutes ($3^{\circ} 48'$) West for two hundred one and $40/100$ (201.40) feet; thence South five degrees forty minutes thirty seconds ($5^{\circ} 40' 30''$) East for two hundred ninety-eight and $60/100$ (298.60) feet.

Also being an easement ten and $00/100$ (10.00) feet wide five and $00/100$ (5.00) feet on each side of a centerline described as follows: beginning at Point "B" in the above-described easement; thence South eighty-nine degrees fifty-nine minutes thirty seconds ($89^{\circ} 59' 30''$) West for two hundred seventy one and $15/100$ (271.15) feet.

Note: The above-described easements are across that land conveyed to The Lutheran Inner Mission League of the Miami Valley, Inc. by deed recorded in Book 1160, Page 461, in the Deed Records of Montgomery County, Ohio.

Said property now is owned by THE LUTHERAN INNER MISSION LEAGUE OF THE MIAMI VALLEY, INCORPORATED.

Said grantees are to have the right and privilege of entering upon the above described premises through themselves, agents, employees, and contractors to construct, maintain, and repair a sanitary sewer along the line above set forth.

As further consideration for this easement grantees agree to restore the said premises to its original condition, as near as possible, after construction, repairs or replacement of said sanitary sewer.

The Grantor(s) shall have full right to use the land within said right of way and easement for any purposes consistent with the rights herein granted to the Grantee its successors and assigns; provided, however, that no buildings or other structures shall be erected within the limits of said right of way and easement by the Grantor(s) or any other party claiming title or possession under said Grantor(s).

IN WITNESS WHEREOF, the said LUTHERAN INNER MISSION LEAGUE OF THE MIAMI VALLEY, INCORPORATED, a non-profit organization, duly authorized under the laws of the State of Ohio, by

and

duly authorized members of the Executive Committee for the Lutheran Inner Mission League of the Miami Valley, Incorporated, have hereunto subscribed their names on this 24th day of October, 1961.

Executed in the presence of us:

Hella Greenwood

Paul Mumford
President

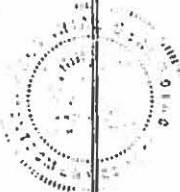
Kathleen E. Licker

Dorothy K. Wallick
Secretary

STATE OF OHIO):

Before me, the undersigned, a Notary Public for and in the State of Ohio, Montgomery County, personally appeared Paul Mumford and Dorothy K. Wallick, duly authorized members of the Executive Committee for the Lutheran Inner Mission League of the Miami Valley, Incorporated, a non-profit organization, duly authorized under the laws of the State of Ohio, the grantors in the foregoing assessment deed, and acknowledged the execution thereof to be their free and voluntary act for the uses and purposes therein set forth.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal on this 24th day of October, 1961.



Mildred D. Swanson
Notary Public, in and for the State of Ohio.
My Commission Expires April 6, 1962.

APPROVED
BY THE
Charles S. Heck
PROSECUTING ATTORNEY

File No. 17257
Transf. N-N
Rec'd. 12-11-61
Time 9:18 A.M.
Recorded 12-11-61
Fee \$ NO-FEE
CHARLES S. HECK
Montgomery County Recorder

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, THE LUTHERAN SOCIAL SERVICE OF THE MIAMI VALLEY, an Ohio corporation not for profit, hereinafter referred to as "GRANTOR", in consideration of One (\$1.00) Dollar and other good and valuable considerations, paid by GEM CITY SAVINGS ASSOCIATION of 4 North Main Street, Dayton, Ohio, hereinafter referred to as "GRANTEE", receipt of which is hereby acknowledged, does hereby grant to Gem City Savings Association, Dayton, Ohio, its successors and assigns, a certain non-exclusive easement and right of way to be used as an unobstructed driveway for vehicle and/or pedestrian use over and upon the land described as follows:

Located in Section 26, Town 2, Range 6 M. R. S., Washington Township, Montgomery County, State of Ohio and being an easement for purposes of ingress and egress, described as follows: beginning at the southeast corner of Lot 59 in Washington Brook Subdivision, Section Two as recorded in Book "R-R", Page 73 in the Plat Records of Montgomery County, Ohio, said point of beginning being on the western line of a perpetual easement for highway purposes granted to the State of Ohio by deed recorded in Book 2002, Page 428 in the Deed Records of Montgomery County, Ohio; thence South eight degrees nine minutes twenty-five seconds (8° 09' 25") east along the western line of said perpetual easement for one hundred ninety-eight and 40/100 (198.40) feet; thence on a curve to the right continuing along the western line of said perpetual easement for three hundred ten and 75/100 (310.75) feet, said curve having a radius of five thousand six hundred sixty-nine and 58/100 (5,669.58) feet and an internal angle of three degrees eight minutes twenty-five seconds (3° 08' 25"), tangent to said curve at its point of beginning bearing South five degrees eight minutes no seconds (5° 08' 00") East to the true point of beginning of said easement, said easement being thirty and 00/100 (30.00) feet in width and fifteen and 00/100 (15.00) feet on each side of the following described centerline; thence South eighty-eight degrees fifteen minutes three seconds (88° 15' 03") West for six hundred fifteen and 90/100 (615.90) feet; thence South one degree forty-four minutes fifty-seven seconds (1° 44' 57") East for eighty-four and 36/100 (84.36) feet; thence on a curve to the right for three hundred eighty-one and 06/100 (381.06) feet, said curve having a radius of four hundred and 00/100 (400.00) feet and an internal angle of fifty-four degrees thirty-four minutes fifty-seven seconds (54° 34' 57"), tangent to said curve at its point of beginning bearing South one degree forty-four minutes fifty-seven seconds (1° 44' 57") East; thence South fifty-two degrees fifty minutes no seconds (52° 50' 00") West for one hundred twenty and 00/100 (120.00) feet; thence on a curve to the left for two hundred seven and 76/100 (207.76) feet, said curve having a radius of six hundred forty and 00/100 (640.00) feet and an internal angle of eighteen degrees thirty-six minutes no seconds (18° 36' 00") tangent to said curve at its point of beginning bearing South fifty-two degrees fifty minutes no seconds (52° 50' 00") West; thence on a curve to the right for two hundred forty-eight and 47/100 (248.47) feet, said curve having a radius of six hundred forty and 00/100 (640.00) feet and an internal angle of twenty-two degrees fourteen minutes forty seconds (22° 14' 40"), tangent to said curve at its point of beginning bearing South thirty-four degrees fourteen minutes no seconds (34° 14' 00") West, and there terminate. Curved distances are measured on the arc.

TO HAVE AND TO HOLD said easement unto Gem City Savings Association, Dayton, Ohio, its successors and assigns, until the obligation secured by a certain mortgage dated , 1973 and recorded in Mortgage Book 2836, Page 634, of the Mortgage Records in the Office of the Recorder of Montgomery County, Ohio, has been fully paid and satisfied and in the event of foreclosure of said mortgage, the right of ingress and egress herein granted shall survive said foreclosure and sale to the benefit of a purchaser at such sale and the heirs, executors, administrators, successors and assigns of such purchaser.

NO TRANSFER NEEDED
ALL ORIGINALS
COUNTY AUDITOR

NR 30 73

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT, THE LUTHERAN SOCIAL SERVICE OF THE MIAMI VALLEY, an Ohio corporation not for profit, hereinafter referred to as "GRANTOR", in consideration of One (\$1.00) Dollar and other good and valuable considerations, paid by GEM CITY SAVINGS ASSOCIATION of 4 North Main Street, Dayton, Ohio, hereinafter referred to as "GRANTEE", receipt of which is hereby acknowledged, does hereby grant to Gem City Savings Association, Dayton, Ohio, its successors and assigns, a certain non-exclusive easement and right of way to be used as an unobstructed driveway for vehicle and/or pedestrian use over and upon the land described as follows:

Located in Section 26, Town 2, Range 6 M. R. S., Washington Township, Montgomery County, State of Ohio and being an easement for purposes of ingress and egress, described as follows: beginning at the southeast corner of Lot 59 in Washington Brook Subdivision, Section Two as recorded in Book "R-R", Page 73 in the Plat Records of Montgomery County, Ohio, said point of beginning being on the western line of a perpetual easement for highway purposes granted to the State of Ohio by deed recorded in Book 2002, Page 428 in the Deed Records of Montgomery County, Ohio; thence South eight degrees nine minutes twenty-five seconds (8° 09' 25") east along the western line of said perpetual easement for one hundred ninety-eight and 40/100 (198.40) feet; thence on a curve to the right continuing along the western line of said perpetual easement for three hundred ten and 75/100 (310.75) feet, said curve having a radius of five thousand six hundred sixty-nine and 58/100 (5,669.58) feet and an internal angle of three degrees eight minutes twenty-five seconds (3° 08' 25"), tangent to said curve at its point of beginning bearing South five degrees eight minutes no seconds (5° 08' 00") East to the true point of beginning of said easement, said easement being thirty and 00/100 (30.00) feet in width and fifteen and 00/100 (15.00) feet on each side of the following described centerline; thence South eighty-eight degrees fifteen minutes three seconds (88° 15' 03") West for six hundred fifteen and 90/100 (615.90) feet; thence South one degree forty-four minutes fifty-seven seconds (1° 44' 57") East for eighty-four and 36/100 (84.36) feet; thence on a curve to the right for three hundred eighty-one and 06/100 (381.06) feet, said curve having a radius of four hundred and 00/100 (400.00) feet and an internal angle of fifty-four degrees thirty-four minutes fifty-seven seconds (54° 34' 57"), tangent to said curve at its point of beginning bearing South one degree forty-four minutes fifty-seven seconds (1° 44' 57") East; thence South fifty-two degrees fifty minutes no seconds (52° 50' 00") West for one hundred twenty and 00/100 (120.00) feet; thence on a curve to the left for two hundred seven and 76/100 (207.76) feet, said curve having a radius of six hundred forty and 00/100 (640.00) feet and an internal angle of eighteen degrees thirty-six minutes no seconds (18° 36' 00") tangent to said curve at its point of beginning bearing South fifty-two degrees fifty minutes no seconds (52° 50' 00") West; thence on a curve to the right for two hundred forty-eight and 47/100 (248.47) feet, said curve having a radius of six hundred forty and 00/100 (640.00) feet and an internal angle of twenty-two degrees fourteen minutes forty seconds (22° 14' 40"), tangent to said curve at its point of beginning bearing South thirty-four degrees fourteen minutes no seconds (34° 14' 00") West, and there terminate. Curved distances are measured on the arc.

TO HAVE AND TO HOLD said easement unto Gem City Savings Association, Dayton, Ohio, its successors and assigns, until the obligation secured by a certain mortgage dated _____, 1973 and recorded in Mortgage Book 2836, Page 634, of the Mortgage Records in the Office of the Recorder of Montgomery County, Ohio, has been fully paid and satisfied and in the event of foreclosure of said mortgage, the right of ingress and egress herein granted shall survive said foreclosure and sale to the benefit of a purchaser at such sale and the heirs, executors, administrators, successors and assigns of such purchaser.

NO TRANSFER NEEDED
ALL COUNTY
COUNTY AUDITOR

NR 38 73

3 29

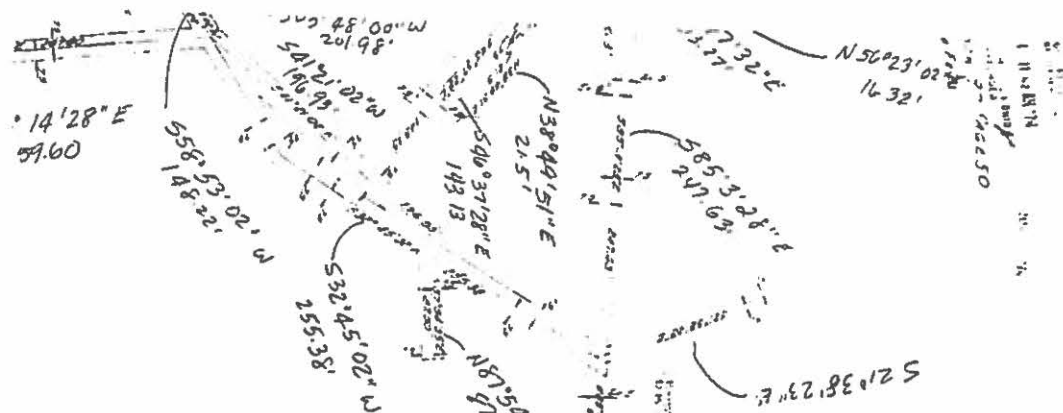
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EASEMENT PLAN
 BETHANY LUTHERAN VILLAGE
 SECTION TWO

SECTION 26, T. 2, R. 6, M. 12
 WASHINGTON COUNTY, OHIO
 SCALE 1" = 50'

RAUPH L. WOOLFE & COMPANY
 CIVIL ENGINEERS & PLANNERS
 DAYTON, OHIO 45404, JULY, 1975



Lenore C. Davis
 Witness
James D. Anderson
 Witness

State of Ohio, County of Hamilton, ss. I, *Lenore C. Davis*, being duly sworn, depose and say that the within and foregoing is a true and correct copy of the original of the within and foregoing instrument, as the same appears to me, and I am a disinterested witness. Subscribed and sworn to before me this 1st day of July, 1975.

THE WHITEHEAD NATIONAL BANK AND TRUST COMPANY OF DAYTON, OHIO
 (MORTGAGEE)
 BY: *James D. Anderson*
 Vice President

State of Ohio, County of Montgomery, ss. I, *James D. Anderson*, being duly sworn, depose and say that the within and foregoing is a true and correct copy of the original of the within and foregoing instrument, as the same appears to me, and I am a disinterested witness. Subscribed and sworn to before me this 1st day of July, 1975.

Notary Public in and for Montgomery County, Ohio
 My Commission Expires

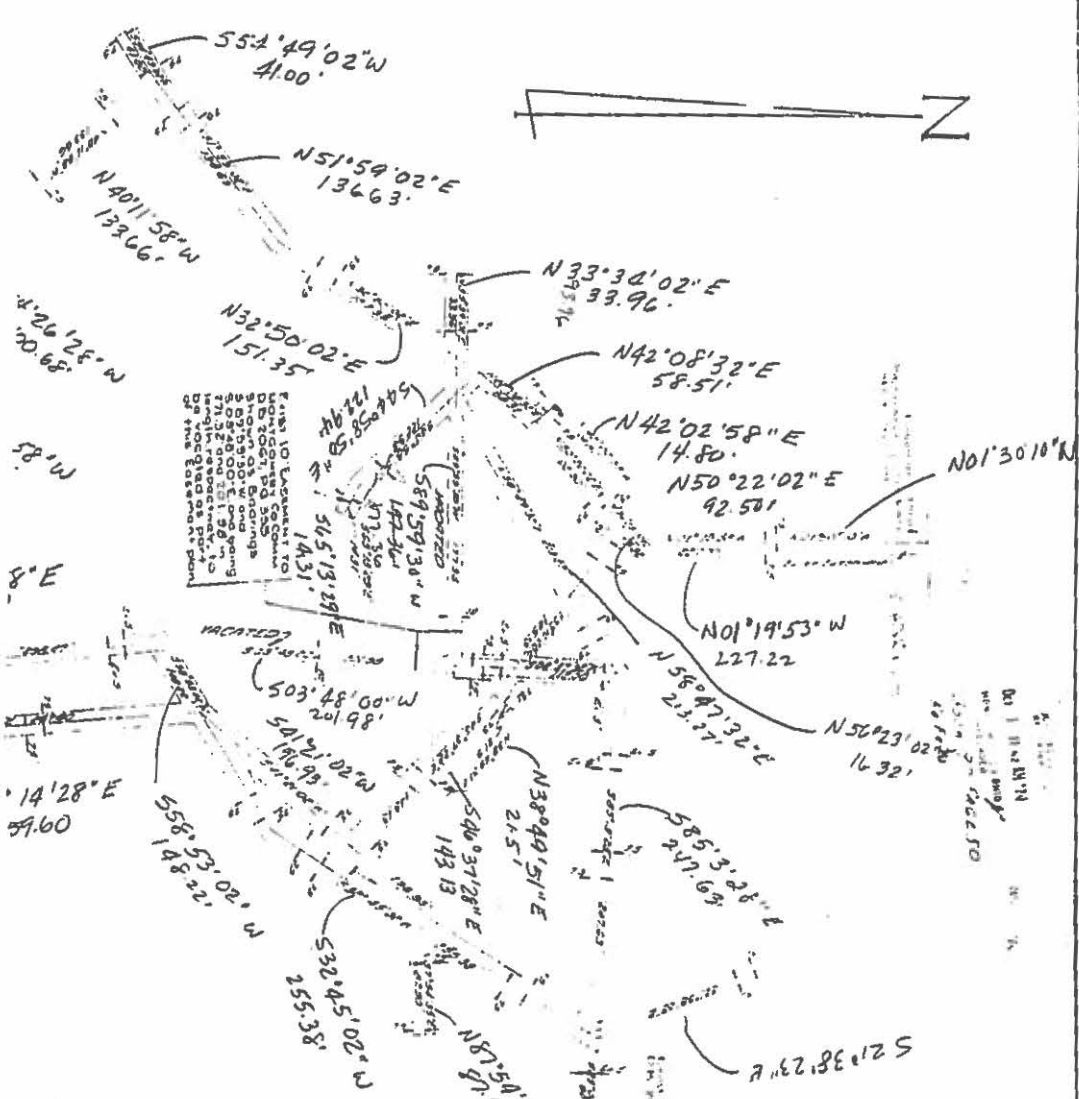
Done At Dayton, Ohio, this 1st day of July, 1975.
 State of Ohio, County of Washington, ss. I, *James D. Anderson*, being duly sworn, depose and say that the within and foregoing is a true and correct copy of the original of the within and foregoing instrument, as the same appears to me, and I am a disinterested witness. Subscribed and sworn to before me this 1st day of July, 1975.

APPROVAL

James D. Anderson
 Board of
 County
 Commissioners

James D. Anderson
 Clerk
 County Sanitary Engineer
 Date 7/1/75
 DATE

was the undersigned, being the owners and holders of the lands herein shown, do hereby acknowledge the making and signing of the easement plan to be our voluntary act and deed and do hereby dedicate the easements shown to the public use for ever.
 Easements shown are for the construction, operation, maintenance, repair, replacement or removal of water and sanitary sewer utility lines and for the express privilege and easements shown on the plan.



Notary Public and for Montgomery County, Ohio
 My Commission Expires _____

[Signature]
 Notary Public

[Signature]
 James U. Hubert, Notary Public

State of Ohio, County of Montgomery, ss. I, _____, a Notary Public, do hereby certify that the foregoing is a true and correct copy of the original instrument filed for record in my office on this _____ day of _____, 19____.

WITNESSETH my hand and the seal of my office this _____ day of _____, 19____.

THE WRITERS NATIONAL BANK AND TRUST COMPANY, DAYTON, OHIO

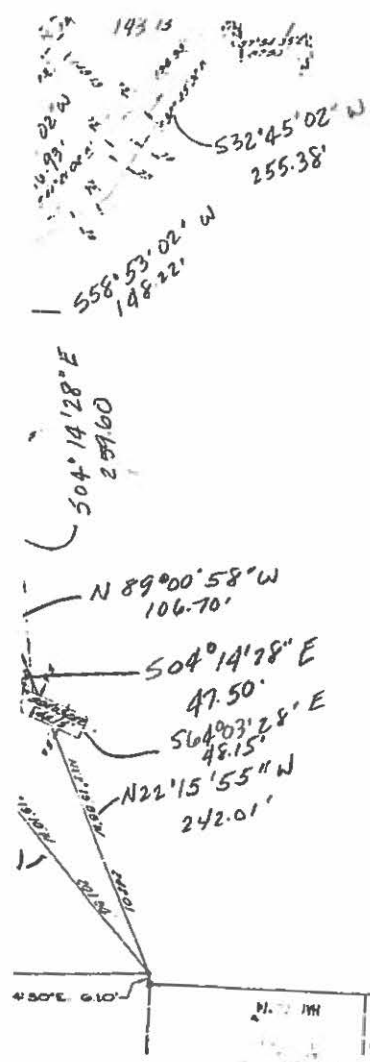
[Signature]
 President

State of Ohio, County of Montgomery, ss. I, _____, a Notary Public, do hereby certify that the foregoing is a true and correct copy of the original instrument filed for record in my office on this _____ day of _____, 19____.

Notary Public and for Montgomery County, Ohio
 My Commission Expires _____

[Signature]
 Notary Public

BETH



Finda J. L. A. ...
Witness

State of Ohio, County of Montgomery: ss
Be it Remembered, that on this 12th day of August, 1975,
before me, the undersigned, a Notary Public in and for said county
and state, personally came said Mortgagee, The Winters National
Bank and Trust Company of Dayton, Ohio, by its vice
President, Howard M. Wilson to me known and acknowledged
the signing and execution of the within easement plan to be
their voluntary act and deed.

In Testimony whereof, I have hereunto set my hand and
affixed my official seal on the day and date above written.

Notary Public in and for Montgomery County, Ohio
My Commission Expires _____

We, the undersigned, being all the owners and lienholders of
the lands herein shown, do hereby acknowledge the making and
signing of the easement plan to be our voluntary act and deed
and do hereby dedicate the easements shown to the public
use for ever.
Easements shown are for the construction, operation,
maintenance, repair, replacement or removal of water and
sanitary, sewer utility lines and for the express privilege
of removing any and all trees or other obstructions to
the free use of said utilities and for providing ingress
to and egress from the premises for said purposes and
are to be maintained as such forever.

Signed and Acknowledged
in the Presence of

(OWNER)
THE LUTHERAN SOCIAL SERVICE
OF THE MIAMI VALLEY

Alfred Bushman Witness
Carol Fabick Secretary

Raymond Manner President
Carol Fabick Secretary

State of Ohio, County of Montgomery: ss
Be it Remembered, that on this 12th day of August, 1975
before me, the undersigned, a Notary Public in and for said
county and state, personally came said owner, The Lutheran Social
Service of the Miami Valley, by Raymond Manner, its President, and
Carol Fabick its secretary, to me known and acknowledged the signing
and execution of the within easement plan, to be their voluntary
act and deed.

In Testimony whereof, I have hereunto set my hand and
affixed my official seal on the day and date above written.

John H. Hamilton
Notary Public in and for Montgomery County, Ohio
My Commission Expires June 19, 1977

COVERTIDE SUBDIVISION PLAT BOOK "B.R." Pg 72

In Testimony whereof, I have hereunto set my hand and
affixed my official seal on the day and date above written.

Notary Public in and for Montgomery County, Ohio
My Commission Expires April 17, 1977

APPROVAL

[Signature]
[Signature]

BOARD OF COUNTY COMMISSIONERS

DATE 9/27/74

CLERK
[Signature]
COUNTY SANITARY ENGINEER

APPROVAL

[Signature]
[Signature]

BOARD OF COUNTY COMMISSIONERS

DATE

CLERK
[Signature]
COUNTY SANITARY ENGINEER

CERTIFICATION

The measurements are certified correct. Distances are
measured on the centerline of easements.

RALPH L. WOOLPERT COMPANY

By [Signature]
Charles H. Black Registered Surveyor # 5147

Checked By: AFB

