

TEMPORARY EASEMENT

Eichhorn Limited Partnership, the Grantor(s), in consideration of the sum of \$6,009.00, to be paid by the State of Ohio, Department of Transportation, does grant, to the State of Ohio for the use and benefit of the Department of Transportation, the Grantee, the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 001-T

FAI – SR 37 – 6.10

Fairfield County Current Tax Parcel No. 0490261230

Prior Instrument Reference: OR 1477 Page 2270, Fairfield County Recorder's Office.

To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is 18 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The property conveyed to Grantee is being acquired for one of the statutory purposes for which the Director of Transportation may acquire property under Title LV of the Revised Code, such as but not limited to those purposes enumerated in Sections 5501.31 and 5519.01 of the Revised Code.

IN WITNESS WHEREOF Eichhorn Limited Partnership has caused its name to be subscribed by Phillip E. Eichhorn and Stephen H. Eichhorn, its general partner(s) on the _____ day of _____, _____.

EICHHORN LIMITED PARTNERSHIP

By: _____
Phillip E. Eichhorn

Stephen H. Eichhorn

STATE OF OHIO, COUNTY OF FAIRFIELD SS:

The foregoing instrument was acknowledged before me this _____ day of _____, _____, Phillip E. Eichhorn and Stephen H. Eichhorn, on behalf of Eichhorn Limited Partnership, a partnership. No oath or affirmation was administered to Phillip E. Eichhorn or Stephen H. Eichhorn with regard to the notarial act.

In Testimony Whereof, I have subscribed my name and affixed my official seal on the day and year last aforesaid.

NOTARY PUBLIC
My Commission expires: _____

This form RE 248-I was updated to conform to new notarial language requirements as per Revised Code 147.542.

This document was prepared by or for the State of Ohio, Department of Transportation, on forms approved by the Attorney General of Ohio.

EXHIBIT A

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Rev. 12/16

Ver. Date 09/11/20

PID 110412

**PARCEL 1-T
FAI-37-06.10
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
RECONSTRUCT DRIVE, REMOVE STRUCTURE, AND PERFORM GRADING
FOR 18 MONTHS FROM DATE OF ENTRY BY THE
STATE OF OHIO, DEPARTMENT OF TRANSPORTATION**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Fairfield, Township of Walnut, and being a part of Section 29, Township 16, Range 18, being part of a 113.854 acre parcel conveyed to **EICHHORN LIMITED PARTNERSHIP**, by Official Record Volume 1477, Page 2270, and being more particularly described below:

Being a parcel of land lying right of the Centerline of Right of Way of FAI-37-06.10 made by Mead & Hunt for the Ohio Department of Transportation as recorded in Plat Book _____, Page _____ in the records of Fairfield County, and being located within the following described boundary points in the boundary thereof:

Commencing from a monument box set at the intersection of the Centerline of Right of Way of State Route 37 and the Centerline of Right of Way of State Route 256, said point being the southeast corner of Section 19, said point also being the southwest corner of Section 20, said point also being the northwest corner of Section 29, said point also being the northeast corner of Section 30, said point also being the northwest corner of the Grantor, said point also being the southwest corner of a 3.12 acre parcel conveyed to Chaos, LLC by Official Record Volume 1729, Page 1874, said point also being the northeast corner of a 6.91 acre parcel conveyed to Wagner Rentals, LLC, by Original Record Volume 1434, Page 2868, said point also being the southeast corner of a 6.94 acre parcel conveyed to MAC'S CONVENIENCE STORES LLC, by Original Record Volume 1734, Page 4486, said point also being at PI Station 18+34.80 of the Centerline of Right of Way of State Route 37 and at PI Station 26+23.94 of the Centerline of Right of Way of State Route 256;

Thence South 87 Degrees 18 Minutes 17 Seconds East, along the Centerline of Right of Way of State Route 256, said line also being the northerly line of Section 29 and the southerly line of Section 20, part of said line also being the northerly line of the Grantor, said line also being the southerly line of said parcel conveyed to Chaos, LLC, a distance of **151.06 feet** to Station 27+75.00 of the Centerline of Right of Way of State Route 256;

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Thence South 02 Degrees 41 Minutes 43 Seconds West perpendicular to the Centerline of Right of Way of State Route 256, a distance of **55.00 feet** to the proposed southerly Right of Way line of State Route 256 to 55.00 feet right of Station 27+75.00 of the SR256, said point marking the **Principle Point of Beginning** for the parcel described herein;

1. **Thence South 02 Degrees 41 Minutes 43 Seconds West** perpendicular to the Centerline of Right of Way of State Route 256, a distance of **60.00 feet** to 115.00 feet right of Station 27+75.00 of the Centerline of Right of Way of State Route 256, said point being 152.41 feet right of Station 17+21.60 of the Centerline of Right of Way of State Route 37;
2. **Thence South 37 Degrees 50 Minutes 12 Seconds West**, a distance of **62.58 feet** to 117.00 feet right of Station 16+70.00 of the Centerline of Right of Way of State Route 37;
3. **Thence South 51 Degrees 14 Minutes 41 Seconds West**, a distance of **67.08 feet** to the proposed easterly Right of Way line of State Route 37, said point being 67.25 feet right of Station 16+25.00 of the Centerline of Right of Way of State Route 37;
4. **Thence North 05 Degrees 05 Minutes 35 Seconds East** along the proposed easterly Right of Way line of State Route 37, a distance of **25.01 feet** to an iron pin set 68.00 feet right of Station 16+50.00 of the Centerline of Right of Way of State Route 37;
5. **Thence North 03 Degrees 22 Minutes 29 Seconds East** along the proposed easterly Right of Way line of State Route 37, a distance of **100.00 feet** to an iron pin set 68.00 feet right of Station 17+50.00 of the Centerline of Right of Way of State Route 37;
6. **Thence North 54 Degrees 37 Minutes 36 Seconds East** along the proposed easterly Right of Way line of State Route 37, also along the proposed southerly Right of Way line of State Route 256 a distance of **49.63 feet** to an iron pin set 106.70 feet right of Station 17+81.06 of the Centerline of Right of Way of State Route 37, said point also being 55.00 feet right of Station 27+30.00 of the Centerline of Right of Way of State Route 256;
7. **Thence South 87 Degrees 18 Minutes 17 Seconds East** along the proposed southerly Right of Way line of State Route 256, a distance of **45.00 feet** to the **Principle Point of Beginning** and enclosing 0.205 acres, more or less of which the present road occupies 0.000 acres, resulting in a net take of 0.205 acres;

The above described area is all within Fairfield County Permanent Parcel Number 0490261230;

The iron pins set are 3/4 inch diameter x 30 inch long rebar with a 2 inch diameter aluminum cap marked ODOT R/W Mead & Hunt, Inc. 8294. Mag nails set are 1/2 inch diameter x 2 inch long

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steel nail. Monument Boxes Set are 1 inch steel rods with a 3 inch aluminum cap set encased in a monument box assembly. Concrete Monuments Set are 3/4 inch iron pins encased in an 8 inch diameter concrete cylinder with a 3 inch diameter aluminum cap. Both the Monument Box Set and Concrete Monuments Set (Reference Monument) are detailed by ODOT standard construction drawing RM-1.1, dated 7-18-14. These monument boxes and concrete monuments are set by the highway contractor under the direction of a Professional Surveyor.

Bearings are relative to Grid North of the Ohio State Plane, South Zone. The Values were based on control set in January, 2019 using the Ohio VRS projection set: Ohio South NAD 83(2011) Datum. Bearings are for the purpose of indicating angular measurement only.

The Stations referred to herein are from the Centerline of Right of Way of State Route 37 and the Centerline of Right of Way of State Route 256, as found on Right of Way Plan FAI-37-06.10.

This description was prepared and reviewed under the supervision of Steven J., Scheid, Jr., P.S., 8294 of Mead & Hunt on September 11, 2020 from a survey made in January, 2019.



Steven J., Scheid, Jr., P.S.
Professional Surveyor 8294
September 11, 2020

