

BOOK 2909 PAGE 316

EASEMENT FOR SANITARY SEWER

KNOW ALL MEN BY THESE PRESENTS:

THAT ADA BARTELS EYLER, Grantor, (formerly Ada Bartels, in which name she acquired the property hereinafter described), in consideration of One Dollar (\$1.00) and other good and valuable considerations to her paid by ROBERT S. FAGLEY, INC., an Ohio corporation, Grantee, whose address is 3906 Oak Street, Cincinnati 27, Ohio, does hereby grant to ROBERT S. FAGLEY, INC., its successors and assigns, subject to the terms and conditions herein provided, the right and easement for the construction, operation, maintenance and use of a sanitary sewer, and appurtenance thereunto; said easement being 50 ft. in width and lying 25 ft. on either side of a center line described as follows:

Situated in Wilson and Fowler Military Survey No. 2204, Anderson Township, Hamilton County, Ohio and being an easement for the construction, installation and maintenance of a sanitary sewer and appurtenances thereto, said easement being 50.00 feet in width for the period of construction and then reverting to a permanent easement 10.00 feet in width, said permanent easement lying 5 feet on the side of a center line described as follows:

Beginning at a point in the northerly line of the lands of the Grantor herein and in the southerly line of lands registered under Certificate of Title No. 32730 of the Registered Land Records of Hamilton County, Ohio, said point lying North 83°20'45" West a distance of 570.94 feet from a stone marker at the angle point in said registered lands and the southeasterly corner of Lot 4 of the E. J. Turpin survey as recorded in Plat Book 8, Volume 2, Pages 29 & 30 of the records of Hamilton County, Ohio; thence South 47°15'30" West a distance of 217.83 feet; thence South 56°34'30" West a distance of 171.16 feet; thence South 25°00'45" West a distance of 168.00 feet to an existing Hamilton County sewer in Clough Pike and the terminus of this easement, which terminus is 295 feet east of the fence located at the southwest corner of the Grantor's property.

The Grantee further agrees to repair damage to any water lines which may be damaged during said construction and installation, and to reseed back fill, and spread gravel on back fill where sewer crosses barn lot, and restore fences. This easement is over and through lands conveyed to the Grantor herein by deed recorded in Deed Book 1854, page 245, of the records of Hamilton County, Ohio.

Said easement shall be subject to the following terms and conditions:

1. For the purpose of constructing said sewer, Grantee is authorized to enter upon Grantor's land to dig and install said sewer provided Grantee confines said construction activities to an area absolutely necessary and in no event to an area in excess of 25 feet in width on either side of the center of the above described easement.
2. Said sanitary sewer shall be installed under the supervision of the County of Hamilton, Ohio, shall include two manholes as were specifically shown on the attached plat marked Exhibit "A", and shall conform to the said County and State of Ohio laws and regulations.

Ohio laws and regulations.

3. Grantee assumes full responsibility and liability for any and all damage to Grantor's real estate, during the construction and installation of said sanitary sewer and shall restore the grounds, including sewer, to the same condition substantially as the same existed prior to said construction and installation.

4. Until the acceptance by the County of Hamilton, Ohio, of said sanitary sewer, Grantee shall maintain the same and save harmless the said Grantors from any and all damage of whatsoever nature to Grantor's real estate and grounds resulting from the construction, use and maintenance of the same.

5. Grantor, her heirs and assigns, shall have the right to use said sewer and facilities installed in Grantor's premises, for the passage of sewage from Grantor's said premises and for such purpose to make, repair and maintain proper connections with said sewer.

IN WITNESS WHEREOF, ADA BARTELS EYLER AND GEORGE L. EYLER, her husband, who hereby releases all his right and expectance of Dower herein, have hereunto set their hands, this 29th day of

November, 1958.

Signed in presence of:

Henry W. Hobson
Helen Kidd

Ada Bartels Eyler
Ada Bartels Eyler
George L. Eyler
George L. Eyler

STATE OF OHIO }
COUNTY OF HAMILTON } SS:

Be It Remembered, that on this 29 day of November, 1958, before me, the subscriber, a notary public in and for said county and state, personally came Bartels Ada/Eyler and George L. Eyler, the Grantors in the foregoing easement for sanitary sewer, and acknowledged the signing thereof to be their voluntary act and deed.

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

Henry W. Hobson, Jr. Notary Public
My Commission Expires Oct. 16, 1960

Henry W. Hobson
Notary Public

This instrument was prepared by William V. Finn, 603 Dixie Terminal Building, Cincinnati 2, Ohio



REG. FOR RECORD No. 7 AT 9:29 AM
CLINT J. SHAVER RECORDER, HAMILTON COUNTY, OHIO

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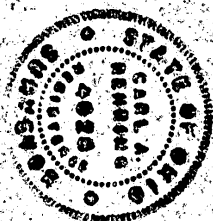


Exhibit A

PLOT PLAN OF SURVEY
As Surveyed in W.S. - 410 & 220,
Anderson Twp., Hamilton County, O
Scale: 1"=100' Sept., 1958
Carl A. Rehring, Engr. & Surv.