

**EASEMENT FOR THE INSTALLATION AND MAINTENANCE OF
SANITARY SEWERS AND APPURTENANCES
PPN# 281-06-001**

KNOW ALL MEN BY THESE PRESENTS:

That **CHRISTINE M. KLEPEK**, the legal owner of PP #281-06-001 located at 7650 River Road in the City of Olmsted Falls by deed dated September 19, 2000 and as recorded in Document #200009190344 of Cuyahoga County Deed Records and the GRANTOR herein, for certain considerations to her full satisfaction, does hereby give, grant, bargain and convey to the CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, OHIO, the GRANTEE herein, the PERPETUAL EASEMENT for the purposes of permitting the GRANTEE to enter upon the aforesaid land of the GRANTOR for the installation and maintenance of sanitary sewers and appurtenances as a service to its residents and the GRANTOR, hereinafter mentioned in the easement premises described in Exhibits 'A' & 'B' referenced hereto attached and made a part hereof.

The GRANTEE does hereby restrict said premises within the limits of the above described PERPETUAL EASEMENT, the construction thereon of any buildings of a temporary or permanent type, equipment or other obstructions of the permanent type thereon, or otherwise interfering with the access to, installation, maintenance or repair of said sanitary sewer and appurtenances.

The GRANTOR does hereby reserve the right to the use of said premises within the limits of the above described PERPETUAL EASEMENT for purposes which are not herein expressly prohibited by, and are not inconsistent with, the easement and rights herein granted.

NOW THIS INDENTURE WITNESSETH: That the GRANTOR in consideration of certain considerations, and in further consideration of the right and privilege hereinafter given to said GRANTOR, her successors and assigns, for herself, her heirs, successors and assigns, does hereby give, grant, bargain and convey to the aforesaid GRANTEE, the easement and perpetual right to enter upon the aforesaid property, or any part thereof, and to remove trees, when necessary, and in, under and through the aforesaid property to fill, grade and regrade, and to lay, construct, maintain operate and use, sewers, which may be public sewers, together with all appurtenances thereto and also the right to enter upon said property or any part thereof at any time for any of the foregoing purposes and the doing of all things necessary or incident thereto.

It is a condition of this instrument that the GRANTEE shall restore the surface to a condition existing prior to being disturbed.

Bearings cited within the above descriptions are to an assumed meridian and are given to indicate direction only.

TO HAVE AND TO HOLD the above granted easement, rights and right-of-way and its appurtenances to said GRANTEE, and to its successors and assigns forever.

And the GRANTOR does for her heirs and assigns, covenant with the said GRANTEE, and its successors and assigns, that at and until the sealing of these presents, she is well seized of the above described premises as a good and indefeasible estate in fee simple and she has good right to bargain and grant in the same manner and form as above written, and that she will warrant and defend said premises with appurtenances thereunto belonging to the GRANTEE, its successors and assigns, against all lawful claims and demands what-so-ever for the purposes herein described.

The GRANTOR and other provisions of the Easement shall constitute a covenant running with the land for the benefit of the GRANTOR and GRANTEE and their respective heirs, successors and assigns.

IN WITNESS WHEREOF, the undersigned have hereunto my hand this _____ day of _____, 20__.

GRANTOR:

CHRISTINE M. KLEPEK

STATE OF OHIO)
) SS
COUNTY OF CUYAHOGA)

BEFORE ME, a Notary Public in and for said County and State; personally appeared the above named **CHRISTINE M. KLEPEK** who acknowledged that she did sign the foregoing instrument and that the same is her free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at _____, Ohio, this _____ day of _____, 20__.

Notary Public

The legal form of this instrument is approved this _____ day of _____, 20__.

Law Director, City of Olmsted Falls, Cuyahoga County, Ohio

Approved by the City of Olmsted Falls, Cuyahoga County, Ohio.
Resolution No. _____, passed this _____ day of _____, 20__.

Clerk of Council, City of Olmsted Falls, Cuyahoga County, Ohio

EXHIBIT 'A'
EASEMENT INFORMATION

Owner: Christine M. Klepek
Municipality/County: City of Parma, Cuyahoga County
Deed: Document #200009190344
Date: September 19, 2000
Permanent Parcel No.: 281-06-001
Subdivision/Sublot #: Plumb Creek Village Subdivision – Sublots #90 & #91
Location: 7650 River Road
Description:

LEGAL DESCRIPTION
PERPETUAL EASEMENT
FROM & THRU CHRISTINE KLEPEK'S LAND - PP #281-06-001
FOR THE CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, OHIO
7650 RIVER ROAD
CITY OF OLMSTED FALLS
COUNTY OF CUYAHOGA, OHIO

Situated in the City of Olmsted Falls, County of Cuyahoga and State of Ohio and known as being a part of Original Olmsted Township, Lot #4, Tract #5 and being a **0.0302 acres (1,315 sq.ft.) Perpetual Easement** lying within a 0.2645 acres (Auditor's) Sublots #90 & #91 as shown on the Plumb Creek Village Subdivision as recorded in Volume 1, Page 9 of Cuyahoga County Map Records as conveyed to Christine Klepek by deed dated September 19, 2000 as recorded in Document #200009190344 (PP #281-06-001) of Cuyahoga County Deed Records and further bounded and described as follows;

Beginning at the Southeasterly corner of said Sublot #90, Klepek's land (PP #281-06-001) on the Northwesterly sideline of River Road (60 feet wide);

Thence **North 28°21'20" East**, along said Northwesterly sideline of River Road, a distance of **55.07 feet** to the Place of Beginning of the Premises herein intended to be described;

Course 1 Thence **North 62°00'31" West**, a distance of **92.13 feet** to a point;

Course 2 Thence **South 89°44'28" West**, a distance of **36.58 feet** to a point on the Westerly line of said Sublot #91, Klepek's land (PP #281-06-001);

Course 3 Thence **North 03°05'00" West**, along said Westerly line of Sublot #91, Klepek's land (PP #281-06-001), a distance of **10.01 feet** to a point;

Course 4 Thence **North 89°44'28" East**, parallel with and at a perpendicular distance of 10.00 feet North of said Course #2, a distance of **39.59 feet** to a point;

Course 5 Thence **South 62°00'31" East**, parallel with and at a perpendicular distance of 10.00 feet Northeast of said Course #1, a distance of **94.71 feet** to a point on said Northwesterly sideline of River Road;

Course 6 Thence **South 28°21'20" West**, along said Northwesterly sideline of River Road, a distance of **10.00 feet** to the Place of Beginning and containing **0.0302 acres (1,315 sq.ft.)** of land as calculated and described from Cuyahoga County Records by Donald F. Sheehy, Registered Surveyor #7849 of Chagrin Valley Engineering, Ltd. in May, 2019, be the same, more or less;

Basis of Bearing for this legal description is **South 28°21'20" West** as the centerline of River Road (60 feet wide) as evidenced by monuments found and is the same as calculated and reproduced from Ohio State Plane Coordinate System North Zone by ties to the O.D.O.T VRS Network and are used to indicate angles only.

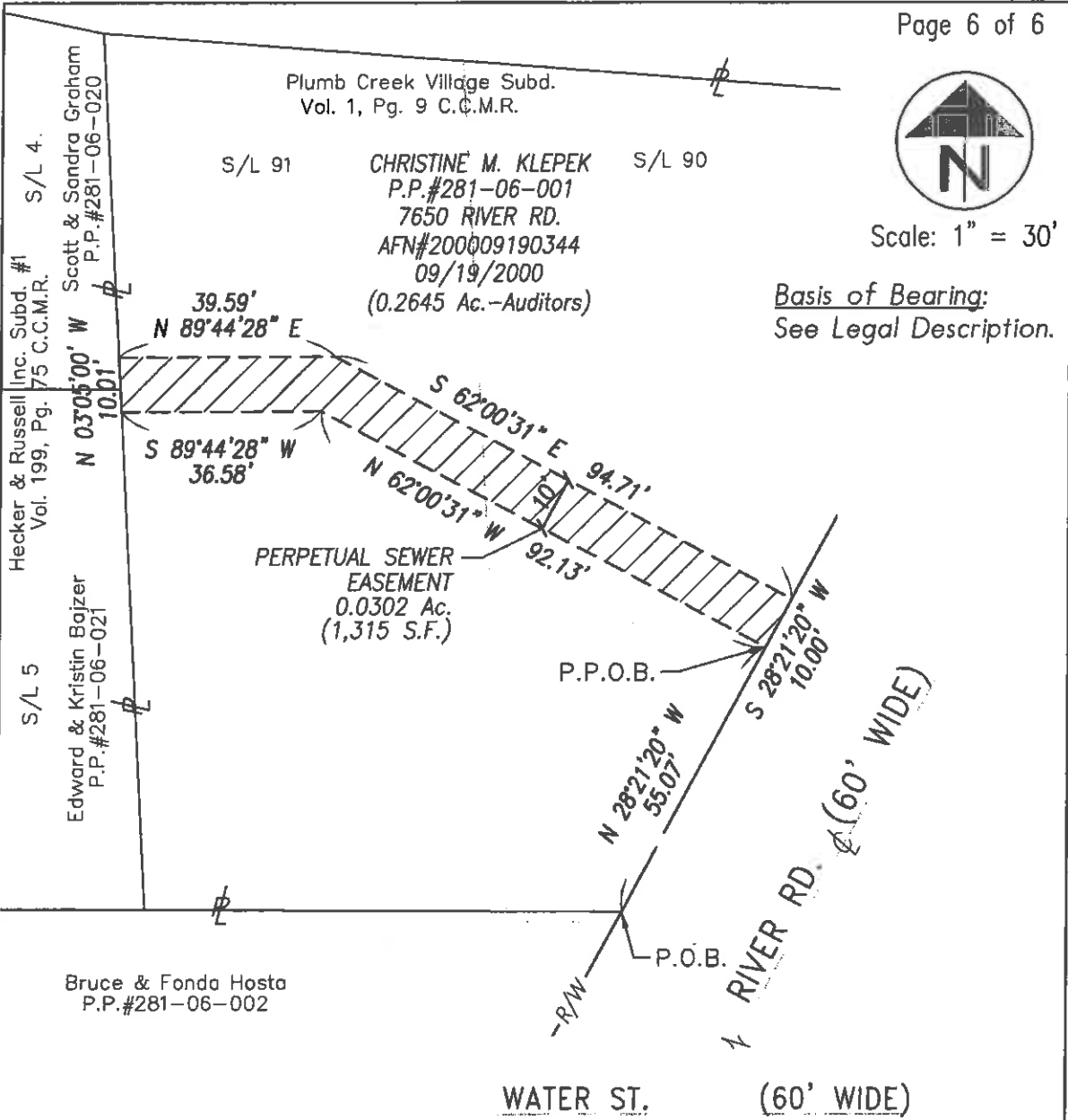
File #14093 Columbia & Cook Sanitary Sewer Project-Phase 5
Permanent Easement - PP #281-06-001 - S/L #90/91-Klepek
May 20, 2019 (jaw)

Plumb Creek Village Subd.
Vol. 1, Pg. 9 C.C.M.R.



Scale: 1" = 30'

Basis of Bearing:
See Legal Description.



PERPETUAL SEWER EASEMENT

7650 River Road
City of Olmsted Falls, County of Cuyahoga, Ohio

Exhibit 'B'

From: Christine M. Klepek
To: City of Olmsted Falls, Cuyahoga Co., Ohio

	CHAGRIN VALLEY ENGINEERING, LTD.
	<small>22909 FORBES ROAD, SUITE B P.O. (440) 438-1800 CLEVELAND, OHIO 44148 P.O. (440) 438-1801</small>

**EASEMENT FOR THE INSTALLATION AND MAINTENANCE OF
STORM SEWERS AND APPURTENANCES
PPN# 281-03-024**

KNOW ALL MEN BY THESE PRESENTS:

That **ANTOINETTE VITELLO**, the legal owner of PP #281-03-024 located at 25800 Cook Road in the City of Olmsted Falls by deed dated July 29, 2008 and as recorded in Document #200807290640 of Cuyahoga County Deed Records and the GRANTOR herein, for certain considerations to her full satisfaction, do hereby give, grant, bargain and convey to the CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, OHIO, the GRANTEE herein, the PERPETUAL EASEMENT for the purposes of permitting the GRANTEE to enter upon the aforesaid land of the GRANTOR for the installation and maintenance of storm sewers and appurtenances as a service to its residents and the GRANTOR, hereinafter mentioned in the easement premises described in Exhibits 'A' & 'B' referenced hereto attached and made a part hereof.

The GRANTEE does hereby restrict said premises within the limits of the above described PERPETUAL EASEMENT, the construction thereon of any buildings of a temporary or permanent type, equipment or other obstructions of the permanent type thereon, or otherwise interfering with the access to, installation, maintenance or repair of said storm sewer and appurtenances.

The GRANTOR does hereby reserve the right to the use of said premises within the limits of the above described PERPETUAL EASEMENT for purposes which are not herein expressly prohibited by, and are not inconsistent with, the easement and rights herein granted.

NOW THIS INDENTURE WITNESSETH: That the GRANTOR in consideration of certain considerations, and in further consideration of the right and privilege hereinafter given to said GRANTOR, her successors and assigns, for herself, her heirs, successors and assigns, does hereby give, grant, bargain and convey to the aforesaid GRANTEE, the easement and perpetual right to enter upon the aforesaid property, or any part thereof, and to remove trees, when necessary, and in, under and through the aforesaid property to fill, grade and regrade, and to lay, construct, maintain operate and use, sewers, which may be public sewers, together with all appurtenances thereto and also the right to enter upon said property or any part thereof at any time for any of the foregoing purposes and the doing of all things necessary or incident thereto.

It is a condition of this instrument that the GRANTEE shall restore the surface to a condition existing prior to being disturbed.

Bearings cited within the above descriptions are to an assumed meridian and are given to indicate direction only.

TO HAVE AND TO HOLD the above granted easement, rights and right-of-way and its appurtenances to said GRANTEE, and to its successors and assigns forever.

And the GRANTOR does for her heirs and assigns, covenant with the said GRANTEE, and its successors and assigns, that at and until the sealing of these presents, they are well seized of the above described premises as a good and indefeasible estate in fee simple and they have good right to bargain and grant in the same manner and form as above written, and that they will warrant and defend said premises with appurtenances thereunto belonging to the GRANTEE, its successors and assigns, against all lawful claims and demands what-so-ever for the purposes herein described.

The GRANTOR and other provisions of the Easement shall constitute a covenant running with the land for the benefit of the GRANTOR and GRANTEE and their respective heirs, successors and assigns.

IN WITNESS WHEREOF, the undersigned have hereunto my hand this _____ day of _____, 20__.

GRANTOR:

ANTOINETTE VITELLO

STATE OF OHIO)
) SS
COUNTY OF CUYAHOGA)

BEFORE ME, a Notary Public in and for said County and State; personally appeared the above-named ANTOINETTE VITELLO who acknowledged that she did sign the foregoing instrument and that the same is her free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at _____, Ohio, this _____ day of _____, 20__.

Notary Public

The legal form of this instrument is approved this _____ day of _____, 20__.

Law Director, City of Olmsted Falls, Cuyahoga County, Ohio

Approved by the City of Olmsted Falls, Cuyahoga County, Ohio.
Resolution No. _____, passed this _____ day of _____, 20__.

Clerk of Council, City of Olmsted Falls, Cuyahoga County, Ohio

Instrument Prepared by:
Andrew D. Berner, Esq.
Law Director, City of Olmsted Falls
26100 Bagley Road
Olmsted Falls, Ohio 44138

EXHIBIT 'A'
EASEMENT INFORMATION

Owner: Antoinette Vitello
Municipality/County: Olmsted Falls, Cuyahoga County
Deed: Document #200807290640
Date: July 29, 2008
Permanent Parcel No.: 281-03-024
Location: 25800 Cook Road
Description:

LEGAL DESCRIPTION
15' PERPETUAL STORM SEWER EASEMENT
FROM & THRU ANTOINETTE VITELLO'S LAND - PP #281-03-024
FOR THE CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, OHIO
25800 COOK ROAD
CITY OF OLMSTED FALLS
COUNTY OF CUYAHOGA, OHIO

Situated in the City of Olmsted Falls, County of Cuyahoga and State of Ohio and known as being a part of Original Olmsted Township, Lot #4, Tract #5 and being a **0.0086 acres (375 sq.ft.) 15' Perpetual Storm Sewer Easement** lying within a 0.4 acres (Auditor's) parcel of land as conveyed to Antoinette Vitello by deed dated July 29, 2008 as recorded in Document #200807290640 (PP #281-03-024) of Cuyahoga County Deed Records and further bounded and described as follows;

Beginning at the intersection of the Northerly sideline of Cook Road (60 feet wide) with the Southwesterly corner of said Vitello's land (PP #281-03-024) and being the Place of Beginning of the Premises herein intended to be described;

- Course 1** Thence **North 00°50'42" East**, along the Westerly line of said Vitello's land (PP #281-03-024), a distance of **25.00 feet** to a point;
- Course 2** Thence **South 89°27'18" East**, parallel with and at a perpendicular distance of 25.00 feet North of said Northerly sideline of Cook Road, a distance of **15.00 feet** to a point;
- Course 3** Thence **South 00°50'42" West**, parallel with and at a perpendicular distance of 15.00 feet East of said Westerly line of Vitello's land (PP #281-03-024), a distance of **25.00 feet** to a point on said Northerly sideline of Cook Road

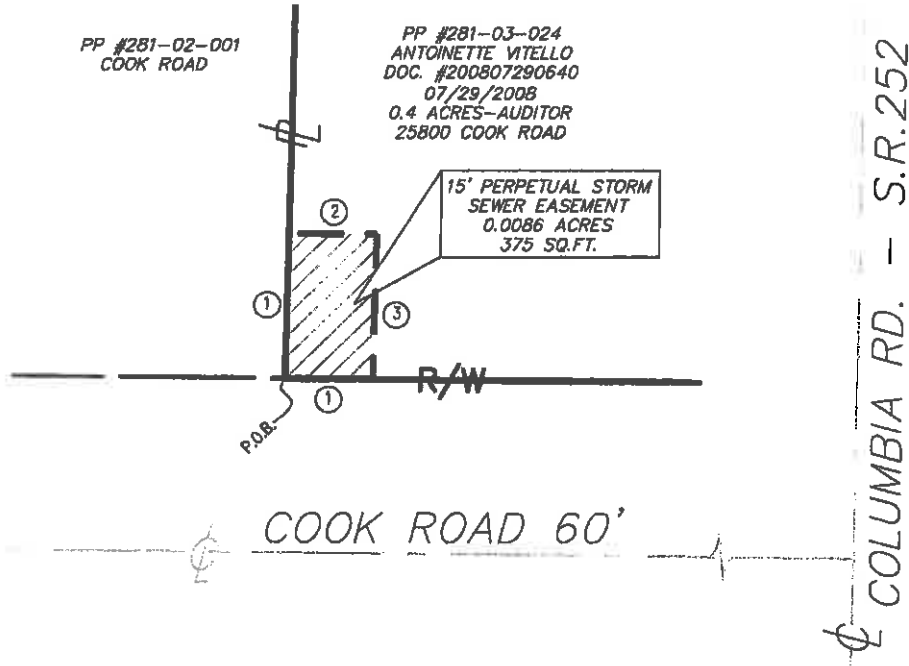
Course 4 Thence **North 89°27'18" West**, along said Northerly sideline of Cook Road, a distance of **15.00 feet** to the Place of Beginning and containing **0.0086 acres (375 sq.ft.)** of land as calculated and described from Cuyahoga County Records by Donald F. Sheehy, Registered Surveyor #7849 of Chagrin Valley Engineering, Ltd. in January, 2019, be the same, more or less;

Basis of Bearing for this legal description is **South 89°27'18" East** as the centerline of Cook Road (60 feet wide) as evidenced by monuments found and is the same as shown on the "Schematic Plan – Sheet #11/84 – dated September 27, 2013" for the Columbia-Cook Sanitary Sewer Project-Phase 5" as prepared by Michael Benza & Associates, Inc. and are used to indicate angles only.

File #14093 Columbia & Cook Storm Sewer Project-Phase 5
Perpetual Storm Easement - PP #281-03-024 - Vitello
January 16, 2019 (jaw)

Basis of Bearing:

N 89°27'18" W as the centerline of Cook Road (60 feet wide) and is the same as shown on the "Schematic Plan - Sheet #11/84 - dated September 27, 2013" for the Columbia-Cook Sanitary Sewer Project-Phase 5" as prepared by Michael Benzo & Associates, Inc. and are used to indicate angles only.



LINE DATA	
1	N 00°50'42" E 25.00'
2	S 89°27'18" E 15.00'
3	S 00°50'42" W 25.00'
4	N 89°27'18" W 15.00'

**15' PERPETUAL STORM SEWER EASEMENT
PARCEL #281-03-024**

City of Olmsted Falls, County of Cuyahoga, Ohio

EXHIBIT 'B'
PROJ#14093

From: Antoinette Vitello
To: City of Olmsted Falls

CVE CHAGRIN VALLEY ENGINEERING, LTD.
Creative Engineers. Intelligent Solutions.
20999 Forbes Road, Suite 6 Cleveland, Ohio 44142-3487
Phone • 440.437.1199 Fax • 440.437.1198 www.cveinc.com

**EASEMENT FOR THE INSTALLATION AND MAINTENANCE OF
STORM SEWERS AND APPURTENANCES
PPN# 281-02-007**

KNOW ALL MEN BY THESE PRESENTS:

That **JOSEPH CHRIS DESANTO**, the legal owner of PP #281-02-007 located at 25851 Cook Road in the City of Olmsted Falls by deed dated November 20, 2018 and as recorded in Document #201811200288 of Cuyahoga County Deed Records and the GRANTOR herein, for certain considerations to his full satisfaction, do hereby give, grant, bargain and convey to the CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, OHIO, the GRANTEE herein, the PERPETUAL EASEMENT for the purposes of permitting the GRANTEE to enter upon the aforesaid land of the GRANTOR for the installation and maintenance of storm sewers and appurtenances as a service to its residents and the GRANTOR, hereinafter mentioned in the easement premises described in Exhibits 'A' & 'B' referenced hereto attached and made a part hereof.

The GRANTEE does hereby restrict said premises within the limits of the above described PERPETUAL EASEMENT, the construction thereon of any buildings of a temporary or permanent type, equipment or other obstructions of the permanent type thereon, or otherwise interfering with the access to, installation, maintenance or repair of said storm sewer and appurtenances.

The GRANTOR does hereby reserve the right to the use of said premises within the limits of the above described PERPETUAL EASEMENT for purposes which are not herein expressly prohibited by, and are not inconsistent with, the easement and rights herein granted.

NOW THIS INDENTURE WITNESSETH: That the GRANTOR in consideration of certain considerations, and in further consideration of the right and privilege hereinafter given to said GRANTOR, his successors and assigns, for himself, his heirs, successors and assigns, does hereby give, grant, bargain and convey to the aforesaid GRANTEE, the easement and perpetual right to enter upon the aforesaid property, or any part thereof, and to remove trees, when necessary, and in, under and through the aforesaid property to fill, grade and regrade, and to lay, construct, maintain operate and use, sewers, which may be public sewers, together with all appurtenances thereto and also the right to enter upon said property or any part thereof at any time for any of the foregoing purposes and the doing of all things necessary or incident thereto.

It is a condition of this instrument that the GRANTEE shall restore the surface to a condition existing prior to being disturbed.

Bearings cited within the above descriptions are to an assumed meridian and are given to indicate direction only.

TO HAVE AND TO HOLD the above granted easement, rights and right-of-way and its appurtenances to said GRANTEE, and to its successors and assigns forever.

And the GRANTOR does for his heirs and assigns, covenant with the said GRANTEE, and its successors and assigns, that at and until the sealing of these presents, they are well seized of the above described premises as a good and indefeasible estate in fee simple and they have good right to bargain and grant in the same manner and form as above written, and that they will warrant and defend said premises with appurtenances thereunto belonging to the GRANTEE, its successors and assigns, against all lawful claims and demands what-so-ever for the purposes herein described.

The GRANTOR and other provisions of the Easement shall constitute a covenant running with the land for the benefit of the GRANTOR and GRANTEE and their respective heirs, successors and assigns.

IN WITNESS WHEREOF, the undersigned have hereunto my hand this _____ day of _____, 20__.

GRANTOR:

JOSEPH CHRIS DESANTO

STATE OF OHIO)
) SS
COUNTY OF CUYAHOGA)

BEFORE ME, a Notary Public in and for said County and State; personally appeared the above-named **JOSEPH CHRIS DESANTO** who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at _____, Ohio, this _____ day of _____, 20__.

Notary Public

The legal form of this instrument is approved this _____ day of _____, 20__.

Law Director, City of Olmsted Falls, Cuyahoga County, Ohio

Approved by the City of Olmsted Falls, Cuyahoga County, Ohio.
Resolution No. _____, passed this _____ day of _____, 20__.

Clerk of Council, City of Olmsted Falls, Cuyahoga County, Ohio

Instrument Prepared by:
Andrew D. Berner, Esq.
Law Director, City of Olmsted Falls
26100 Bagley Road
Olmsted Falls, Ohio 44138

EXHIBIT 'A'
EASEMENT INFORMATION

Owner: Joseph Chris Desanto
Municipality/County: Olmsted Falls, Cuyahoga County
Deed: Document #201811200288
Date: November 20, 2018
Permanent Parcel No.: 281-02-007
Location: 25851 Cook Road
Description:

LEGAL DESCRIPTION
10' PERPETUAL STORM SEWER EASEMENT
FROM & THRU JOSEPH CHRIS DESANTO'S LAND - PP #281-02-007
FOR THE CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, OHIO
25851 COOK ROAD
CITY OF OLMSTED FALLS
COUNTY OF CUYAHOGA, OHIO

Situated in the City of Olmsted Falls, County of Cuyahoga and State of Ohio and known as being a part of Original Olmsted Township, Lot #4, Tract #5 and being a **0.0057 acres (250 sq.ft.) 10' Perpetual Storm Sewer Easement** lying within a 0.84 acres (Auditor's) parcel of land as conveyed to Joseph Chris Desanto by deed dated November 20, 2018 as recorded in Document #201811200288 (PP #281-02-007) of Cuyahoga County Deed Records and further bounded and described as follows;

Beginning at the intersection of the Southerly sideline of Cook Road (60 feet wide) with the Northwesterly corner of said Desanto's land (PP #281-02-007) and being the Place of Beginning of the Premises herein intended to be described;

- Course 1** Thence **South 89°27'18" East**, along said Southerly sideline of Cook Road, a distance of **10.00 feet** to a point;
- Course 2** Thence **South 01°49'12" West**, parallel with and at a perpendicular distance of 10.00 feet East of the Westerly line of said Desanto's land (PP #281-02-007), a distance of **25.01 feet** to a point;
- Course 3** Thence **North 89°27'18" West**, parallel with and at a perpendicular distance of 25.00 feet South of said Southerly sideline of Cook Road, a distance of **10.00 feet** to a point on said Westerly line of Desanto's land (PP #281-02-007);

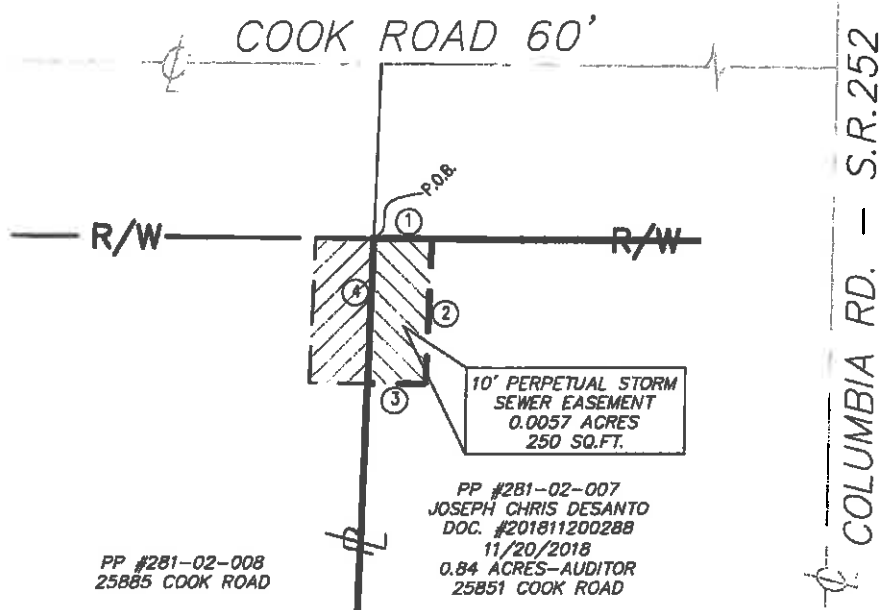
Course 4 Thence North 01°49'12" East, along said Westerly line of Desanto's land (PP #281-02-007), a distance of 25.01 feet to the Place of Beginning and containing 0.0057 acres (250 sq.ft.) of land as calculated and described from Cuyahoga County Records by Donald F. Sheehy, Registered Surveyor #7849 of Chagrin Valley Engineering, Ltd. in January, 2019, be the same, more or less;

Basis of Bearing for this legal description is South 89°27'18" East as the centerline of Cook Road (60 feet wide) as evidenced by monuments found and is the same as shown on the "Schematic Plan – Sheet #11/84 – dated September 27, 2013" for the Columbia-Cook Sanitary Sewer Project-Phase 5" as prepared by Michael Benza & Associates, Inc. and are used to indicate angles only.

File #14093 Columbia & Cook Storm Sewer Project-Phase 5
Perpetual Storm Easement - PP #281-02-007 - Desanto
January 16, 2019 (jaw)

Basis of Bearing:

N 89°27'18" W as the centerline of Cook Road (60 feet wide) and is the same as shown on the "Schematic Plan - Sheet #11/84 - dated September 27, 2013" for the Columbia-Cook Sanitary Sewer Project-Phase 5" as prepared by Michael Benza & Associates, Inc. and are used to indicate angles only.



LINE DATA			
1	S 89°27'18"	E	10.00'
2	S 01°49'12"	W	25.01'
3	N 89°27'18"	W	10.00'
4	N 01°49'12"	E	25.01'

**10' PERPETUAL STORM SEWER EASEMENT
PARCEL #281-02-007**

City of Olmsted Falls, County of Cuyahoga, Ohio

EXHIBIT 'B'
PROJ#14093

From: Joseph Chris Desanto
To: City of Olmsted Falls

CVE CHAGRIN VALLEY
ENGINEERING, LTD.
Creative Engineer. Intelligent Solutions.
22999 Forbes Road, Suite 5 Chagrin Falls, Ohio 44024-3447
Phone: 442.627.1797 Fax: 442.627.7169 www.cveinc.com

**EASEMENT FOR THE INSTALLATION AND MAINTENANCE OF
STORM SEWERS AND APPURTENANCES
PPN# 281-02-008**

KNOW ALL MEN BY THESE PRESENTS:

That **BRIAN A. BURYANEK**, the legal owner of PP #281-02-008 located at 25885 Cook Road in the City of Olmsted Falls by deed dated June 03, 2008 and as recorded in Document #200806030236 of Cuyahoga County Deed Records and the GRANTOR herein, for certain considerations to his full satisfaction, do hereby give, grant, bargain and convey to the CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, OHIO, the GRANTEE herein, the PERPETUAL EASEMENT for the purposes of permitting the GRANTEE to enter upon the aforesaid land of the GRANTOR for the installation and maintenance of storm sewers and appurtenances as a service to its residents and the GRANTOR, hereinafter mentioned in the easement premises described in Exhibits 'A' & 'B' referenced hereto attached and made a part hereof.

The GRANTEE does hereby restrict said premises within the limits of the above described PERPETUAL EASEMENT, the construction thereon of any buildings of a temporary or permanent type, equipment or other obstructions of the permanent type thereon, or otherwise interfering with the access to, installation, maintenance or repair of said storm sewer and appurtenances.

The GRANTOR does hereby reserve the right to the use of said premises within the limits of the above described PERPETUAL EASEMENT for purposes which are not herein expressly prohibited by, and are not inconsistent with, the easement and rights herein granted.

NOW THIS INDENTURE WITNESSETH: That the GRANTOR in consideration of certain considerations, and in further consideration of the right and privilege hereinafter given to said GRANTOR, his successors and assigns, for himself, his heirs, successors and assigns, does hereby give, grant, bargain and convey to the aforesaid GRANTEE, the easement and perpetual right to enter upon the aforesaid property, or any part thereof, and to remove trees, when necessary, and in, under and through the aforesaid property to fill, grade and regrade, and to lay, construct, maintain operate and use, sewers, which may be public sewers, together with all appurtenances thereto and also the right to enter upon said property or any part thereof at any time for any of the foregoing purposes and the doing of all things necessary or incident thereto.

It is a condition of this instrument that the GRANTEE shall restore the surface to a condition existing prior to being disturbed.

Bearings cited within the above descriptions are to an assumed meridian and are given to indicate direction only.

TO HAVE AND TO HOLD the above granted easement, rights and right-of-way and its appurtenances to said GRANTEE, and to its successors and assigns forever.

And the GRANTOR does for his heirs and assigns, covenant with the said GRANTEE, and its successors and assigns, that at and until the sealing of these presents, they are well seized of the above described premises as a good and indefeasible estate in fee simple and they have good right to bargain and grant in the same manner and form as above written, and that they will warrant and defend said premises with appurtenances thereunto belonging to the GRANTEE, its successors and assigns, against all lawful claims and demands what-so-ever for the purposes herein described.

The GRANTOR and other provisions of the Easement shall constitute a covenant running with the land for the benefit of the GRANTOR and GRANTEE and their respective heirs, successors and assigns.

IN WITNESS WHEREOF, the undersigned have hereunto my hand this _____ day of _____, 20__.

GRANTOR:

BRIAN A. BURYANEK

STATE OF OHIO)
) SS
COUNTY OF CUYAHOGA)

BEFORE ME, a Notary Public in and for said County and State; personally appeared the above-named **BRIAN A. BURYANEK** who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at _____, Ohio, this _____ day of _____, 20__.

Notary Public

The legal form of this instrument is approved this _____ day of _____, 20__.

Law Director, City of Olmsted Falls, Cuyahoga County, Ohio

Approved by the City of Olmsted Falls, Cuyahoga County, Ohio.
Resolution No. _____, passed this _____ day of _____, 20__.

Clerk of Council, City of Olmsted Falls, Cuyahoga County, Ohio

Instrument Prepared by:
Andrew D. Bemer, Esq.
Law Director, City of Olmsted Falls
26100 Bagley Road
Olmsted Falls, Ohio 44138

EXHIBIT 'A'
EASEMENT INFORMATION

Owner: Brian A. Buryanek
Municipality/County: Olmsted Falls, Cuyahoga County
Deed: Document #200806030236
Date: June 03, 2008
Permanent Parcel No.: 281-02-008
Subdivision/Sublot #: Proposed Shore Acres Land Co. Subdivision/Sublot #1
Location: 25885 Cook Road
Description:

LEGAL DESCRIPTION
10' PERPETUAL STORM SEWER EASEMENT
FROM & THRU BRIAN A. BURYANEK'S LAND - PP #281-02-008
FOR THE CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, OHIO
25885 COOK ROAD
CITY OF OLMSTED FALLS
COUNTY OF CUYAHOGA, OHIO

Situated in the City of Olmsted Falls, County of Cuyahoga and State of Ohio and known as being a part of Original Olmsted Township, Lot #4, Tract #5 and being a **0.0057 acres (250 sq.ft.) 10' Perpetual Storm Sewer Easement** lying within a 0.93 acres (Auditor's) Proposed Sublot #1 as shown on the "Proposed Shore Acres Land Co. Subdivision", non-recorded as conveyed to Brian A. Buryanek by deed dated June 03, 2008 as recorded in Document #200806030236 (PP #281-02-008) of Cuyahoga County Deed Records and further bounded and described as follows;

Beginning at the intersection of the Southerly sideline of Cook Road (60 feet wide) with the Easterly line of said Proposed Sublot #1, Buryanek's land (PP #281-02-008) and being the Place of Beginning of the Premises herein intended to be described;

- Course 1** Thence **South 01°49'12" West**, along said Easterly line of Proposed Sublot #1, Buryanek's land (PP #281-02-008), a distance of **25.01 feet** to a point;
- Course 2** Thence **North 89°27'18" West**, parallel with and at a perpendicular distance of 25.00 feet South of said Southerly sideline of Cook Road, a distance of **10.00 feet** to a point;
- Course 3** Thence **North 01°49'12" East**, parallel with and at a perpendicular distance of 10.00 feet West of said Easterly line of Proposed Sublot #1, Buryanek's land (PP #281-02-008), a distance of **25.01 feet** to a point on said Southerly sideline of Cook Road;

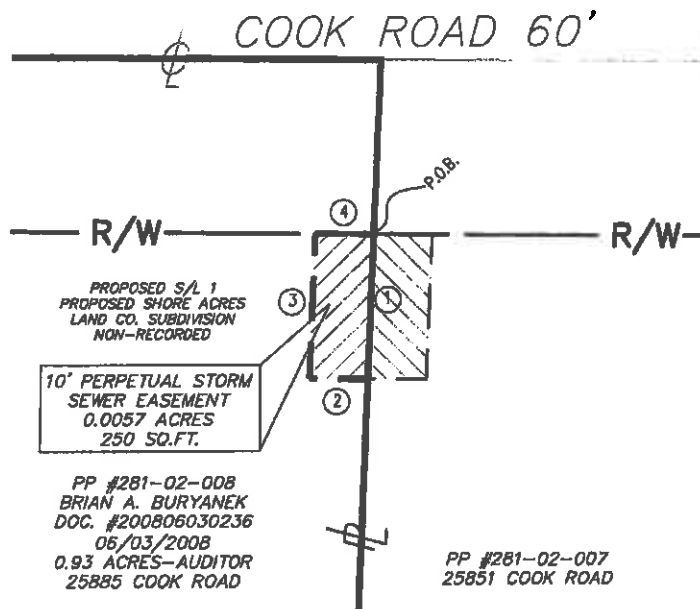
Course 4 Thence **South 89°27'18" East**, along said Southerly sideline of Cook Road, a distance of **10.00 feet** to the Place of Beginning and containing **0.0057 acres (250 sq.ft.)** of land as calculated and described from Cuyahoga County Records by Donald F. Sheehy, Registered Surveyor #7849 of Chagrin Valley Engineering, Ltd. in January, 2019, be the same, more or less;

Basis of Bearing for this legal description is **South 89°27'18" East** as the centerline of Cook Road (60 feet wide) as evidenced by monuments found and is the same as shown on the "Schematic Plan – Sheet #11/84 – dated September 27, 2013" for the Columbia-Cook Sanitary Sewer Project-Phase 5" as prepared by Michael Benza & Associates, Inc. and are used to indicate angles only.

File #14093 Columbia & Cook Storm Sewer Project-Phase 5
Perpetual Storm Easement - PP #281-02-008 - S/L #1 - Buryanek
January 16, 2019 (jaw)

Basis of Bearing:

N 89°27'18" W as the centerline of Cook Road (60 feet wide) and is the same as shown on the "Schematic Plan - Sheet #11/84 - dated September 27, 2013" for the Columbia-Cook Sanitary Sewer Project-Phase 5" as prepared by Michael Benza & Associates, Inc. and are used to indicate angles only.



PROPOSED S/L 1
PROPOSED SHORE ACRES
LAND CO. SUBDIVISION
NON-RECORDED

10' PERPETUAL STORM
SEWER EASEMENT
0.0057 ACRES
250 SQ.FT.

PP #281-02-008
BRIAN A. BURYANEK
DOC. #200806030236
06/03/2008
0.93 ACRES-AUDITOR
25885 COOK ROAD

PP #281-02-007
25851 COOK ROAD

LINE DATA	
1	S 01°49'12" W 25.01'
2	N 89°27'18" W 10.00'
3	N 01°49'12" E 25.01'
4	S 89°27'18" E 10.00'

**10' PERPETUAL STORM SEWER EASEMENT
PARCEL #281-02-008**

City of Olmsted Falls, County of Cuyahoga, Ohio

EXHIBIT 'B'
PROJ#14093

From: Brian A. Buryanek
To: City of Olmsted Falls

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