

RESOLUTION #09-0908-11

Approve proposed easement for Verizon regarding Liberty Road Project

WHEREAS, Verizon is requesting the Board of Trustees grant an easement regarding the Liberty Road Project to avoid overhead lines at 7701 N. Liberty Road, and

WHEREAS, the road is being widened and realigned along Liberty Road and Verizon is requesting an easement, and has committed to boring under the monument sign at this site, and

WHEREAS, staff is recommending the Board of Trustees grant the easement to Verizon under these conditions.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF LIBERTY TOWNSHIP, DELAWARE COUNTY, OHIO, approve the attached eight (8) foot underground easement behind the right-of-way line provided they bore under the Township monument sign along Liberty Road in relation to the road widening realignment project in Liberty Township.

This Resolution shall be in force and become effective immediately upon its execution.

Motion made by Guzzo and seconded by Mann.

Vote: yes Ms. Guzzo yes Mr. Mann yes Mr. Sybert

09-8-09
Date

Robert A. Mann
Robert Mann, Trustee

Curtis J. Sybert
Curtis J. Sybert, Trustee

CERTIFIED BY:

Mark S. Gerber
Mark S. Gerber, Fiscal Officer

Peggy Guzzo
Peggy Guzzo, Trustee

EASEMENT

In consideration of the sum of One dollar (\$ 1.00), the receipt of which is hereby acknowledged. Board of Township Trustees of Liberty Township (hereinafter whether singular or plural in number, called "Grantor") does hereby grant and convey to Verizon North Incorporated, a Wisconsin Corporation, with offices at 8001 West Jefferson St., Ft. Wayne, IN 46804, its agents, assigns, lessees, licensees and successors (hereinafter collectively called the "Company") the permanent nonexclusive easement and right to construct, reconstruct, enlarge, maintain, operate and remove underground lines of communications and electric facilities including and/or consisting of such wires, conduits, cables, pedestals and such other fixtures and appurtenances as the company may at any time require or deem necessary, and the full right of access and ingress to and egress from the same, across, upon, in and/or under the real estate situated in Range 19, Township 3, Section 1, in the Township of Liberty, County of Delaware, State of Ohio and described as follows:

Real Estate described in Record to Deeds in the Office of the Delaware County Recorder and Specifically in:
Official Record Volume # 432, Page # 294
Official Record Volume # 479, Page # 668

Said lines and facilities shall be situated within a strip of said real estate, Eight feet (8') in width, described as follows or as shown on Exhibit A attached hereto and incorporated by reference herein:

Said strip beginning at the south property line and continuing north along Liberty Rd (C.R. 9) parallel to the existing right-of-way (the western line of which will share a common line with the east edge of said right-of-way line) to the north property line. See attached Exhibit "A"

The Company is hereby granted the right to trim or cut down all trees and brush within the boundaries of the one rod strip described above.

The Company hereby agrees to promptly remedy any damages caused by the construction or maintenance of said lines and facilities to the satisfaction of Liberty Township Board of Trustees. Grantor shall not erect any permanent structures within the boundaries of the easement.

The rights and interests herein granted and the agreements herein contained shall be binding upon and inure to the benefits of the heirs, successors, assigns, lessees and licensees of the Grantor and the Company.

In witness whereof this instrument is signed this 8th day of September, 2009.

Signed and acknowledged in the presence of:

Grantor:

Robert Mann

Curt Sybert

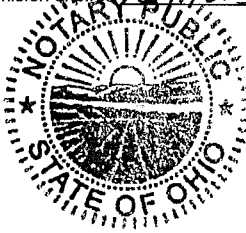
State of Ohio, County of Delaware, SS:

Before me a Notary Public in and for said county, personally appeared the above named Robert Mann and Curt Sybert, who acknowledged that they did sign the foregoing instrument and the same is their free act and deed.

In testimony whereof I have hereunto subscribed my name and affixed my official seal this 8th day of September, 2009.

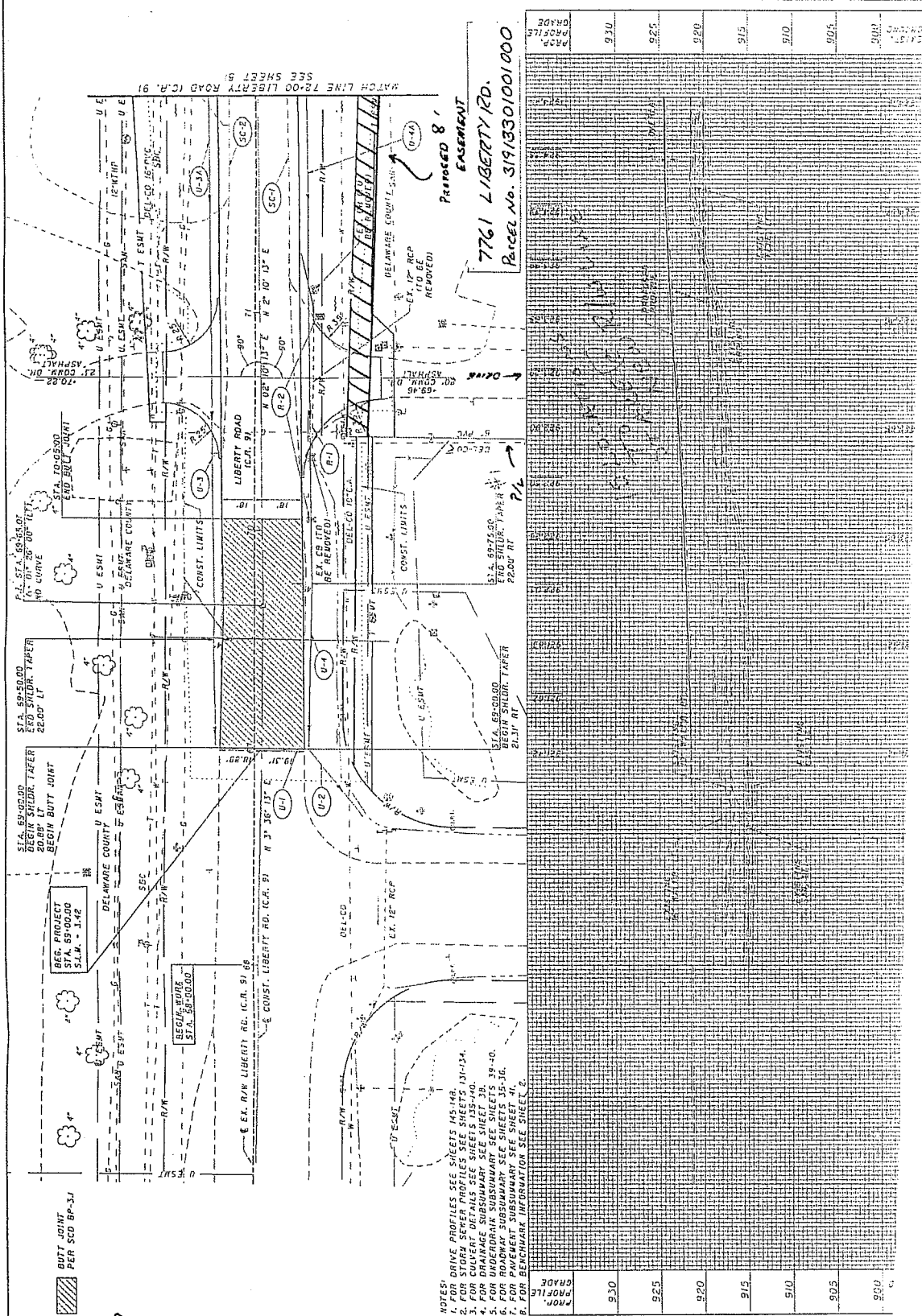
My Commission expires 01-25-10.

[Signature]
Notary Public



PATRICIA L. MORTON
Notary Public, State of Ohio
My Commission Expires
01-25-10

This instrument was prepared by Verizon North Incorporated, Ohio Operations.



NOTES:
 1. FOR DRIVE PROFILES SEE SHEETS 145-148.
 2. FOR STORM SEWER PROFILES SEE SHEETS 131-134.
 3. FOR CULVERT DETAILS SEE SHEETS 135-140.
 4. FOR UTILITY DETAILS SEE SHEETS 141-144.
 5. FOR UNACCOMMODATED SUBSUMARY SEE SHEETS 139-140.
 6. FOR ROADWAY SUBSUMMARY SEE SHEETS 135-140.
 7. FOR PAVEMENT SUBSUMMARY SEE SHEET 141.
 8. FOR BENCHMARK INFORMATION SEE SHEET 2.

7761 LIBERTY RD.
 PARCEL No. 319/3301001000
 EASEMENT
 8' PAVEMENT

STA. 67+00 TO 72+00
 DEL-CR9-342 (LIBERTY RD.)
 PLAN AND PROFILE - LIBERTY ROAD (C.R. 9)

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Delaware County Auditor's GIS Office



Disclaimer

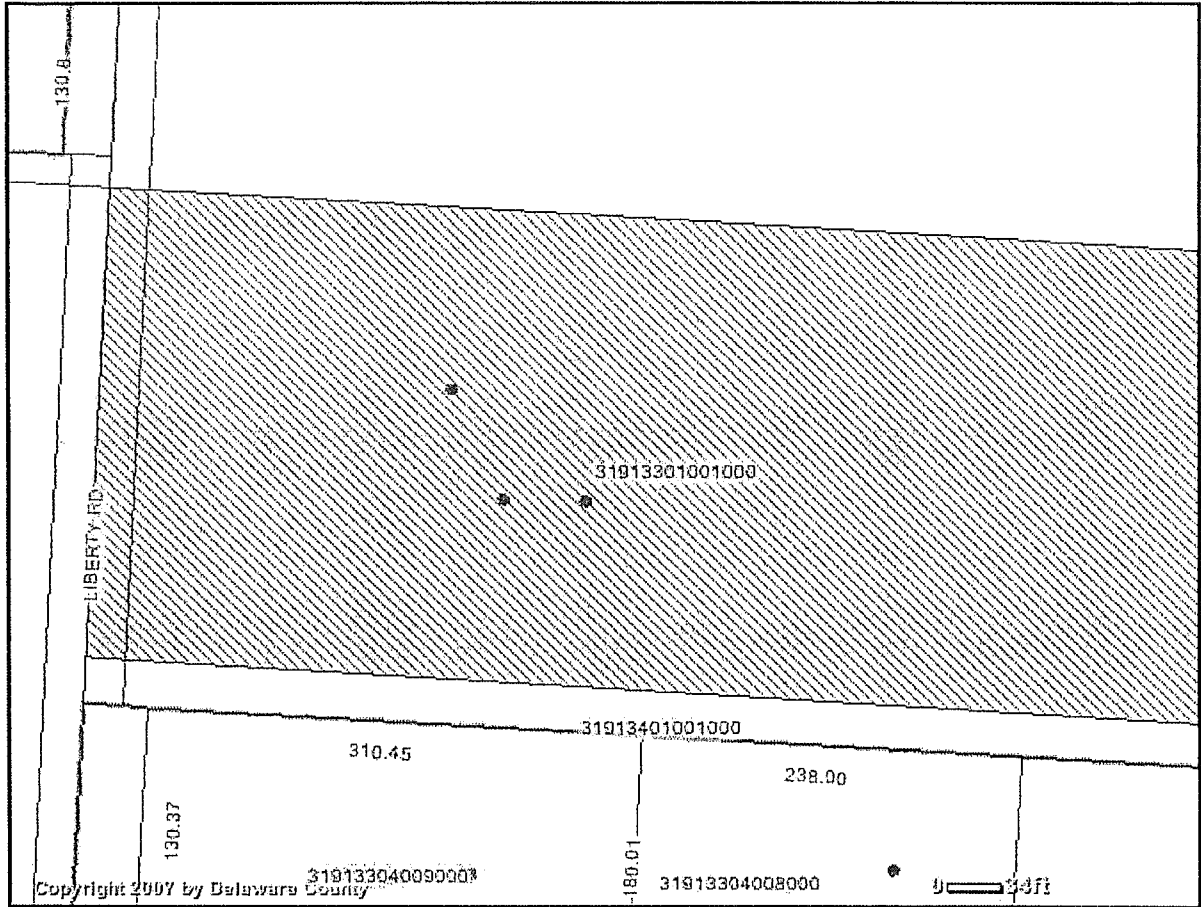
Information contained within this map may be used to generally locate, identify and inventory land parcels within Delaware County. Delaware County cannot warrant or guarantee the information contained herein, including, but not limited to its accuracy or completeness. The map parcel lines shown are approximate and this information cannot be constructed or used as a legal description of a parcel. To view recorded documents, visit County Recorder's website at <http://www.co.delaware.oh.us/recorder/index.html>

Aerial photo is current as of April 2008.

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Aerial photo is current as of April 2008.

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