

EXHIBIT "A"

TEMPORARY STORM SEWER ACCESS EASEMENT ACROSS CERTAIN LANDS OWNED BY

KENNETH R. & NICOLE M. DELNOCE

(Permanent Parcel No. 603-13-077)

This Temporary Storm Sewer Access Easement is made this 5th day of December, 2019, by Kenneth R. & Nicole M. Delnoce, together with their heirs, administrators, executors, successors and assigns (hereinafter collectively referred to as "Grantor") who are the owners of certain land by deed recorded as AFN 201507240895 of Cuyahoga County Records, (hereinafter referred to as "Premises"), to the City of Brecksville, Ohio, and/or its duly authorized departments, divisions employees, agents, contractors and/or subcontractors (hereinafter referred to as "City").

WITNESSETH


WHEREAS, the City will be undertaking a Storm Drainage Project (hereinafter referred to as "Project"), portions of which will involve the grantors' Property, and it is therefore necessary that the City be granted the temporary right to enter onto the Grantors' Property for the purposes related to such Project and other matters incident thereto:

NOW, THEREFORE, in exchange of the mutual covenants express herein the parties hereto agree as follows:

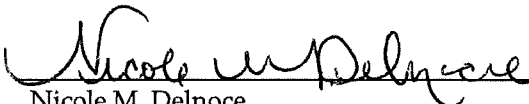
1. Grantor hereby grants to City the temporary right to enter onto certain areas of their Property delineated in the legal description with attached sketch, attached hereto, expressly made a part hereof by reference, and marked Exhibit A, (hereinafter the "Temporary Access Area"), for the purposes of undertaking and constructing the Project and all matters incident and related thereto.
2. Grantors grants further permission to the City to store material and equipment within said easement area on the Property of the Grantor related to the construction of the Project. Storage of materials and equipment shall not exceed 30 days after initial mobilization. Access for final restoration and addressing project punch list items shall not exceed 90 days after initial mobilization.
3. It is further understood and agreed that the right to enter upon the Property and appurtenances thereto shall be for the limited purpose of the aforesaid Project and the other work to be performed by the City hereunder and this Temporary Access Area and the rights granted to the City shall terminate and be held for naught upon the completion of the Project as reasonably determined by the City Engineer.
4. That this right-of-entry is granted only for the purpose of the aforementioned work and shall terminate upon completion of such work.

5. The property (with exception of the playset) shall be returned to its original condition, including the lawn, grade, yard drainage system and landscaping as approved by the City. Such requirements shall be included in the Project Improvement Plans.
6. The City pay the Grantor the sum of three-thousand dollars (\$3,000.00) for the cost of temporarily relocating and re-installing of the playground system and associated appurtenances that are currently located within the temporary easement area.
7. The City will assume no obligation of maintenance as it related to the temporary easement area after the completion of the aforementioned work and acceptance by the City.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands at Willoughby, Ohio, on the 5th day of December, 2019.



 Kenneth R. Delnoce

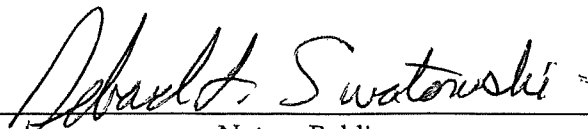


 Nicole M. Delnoce

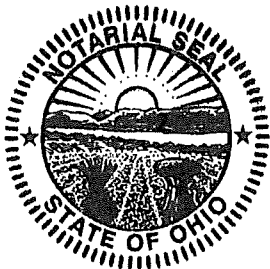
STATE OF OHIO)
)SS: NOTARY PUBLIC
 COUNTY OF CUYAHOGA)

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named (print name) Kenneth R. Delnoce + Nicole M. Delnoce, who acknowledged that they did sign the foregoing instrument and that the same is their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Willoughby Ohio this 5th day of December 2019.



 Notary Public



DEBORAH L. SWATOWSKI
 NOTARY PUBLIC - OHIO
 MY COMMISSION EXPIRES
 NOVEMBER 1, 2021

LINE TABLE

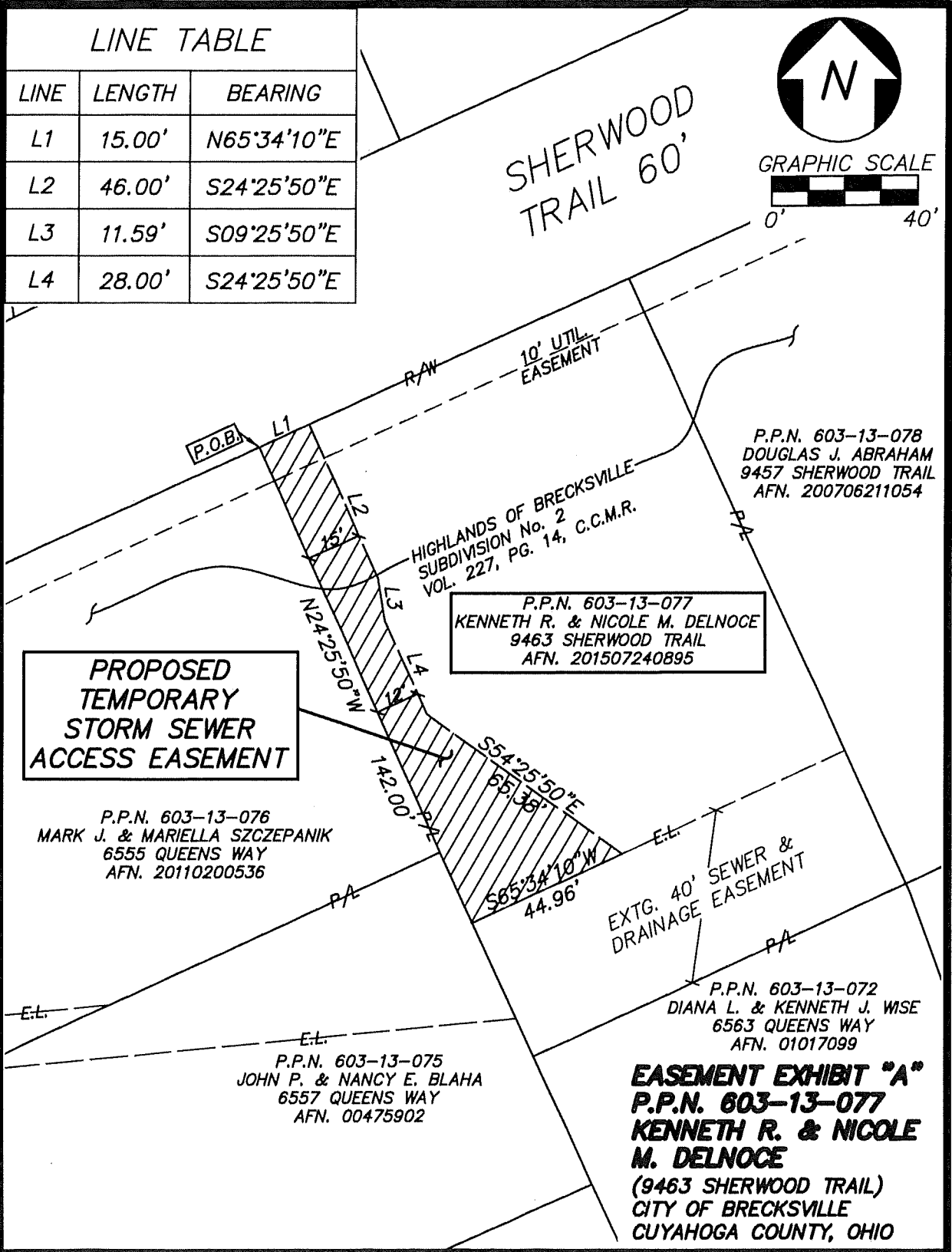
LINE	LENGTH	BEARING
L1	15.00'	N65°34'10"E
L2	46.00'	S24°25'50"E
L3	11.59'	S09°25'50"E
L4	28.00'	S24°25'50"E



GRAPHIC SCALE



SHERWOOD TRAIL 60'



**PROPOSED
TEMPORARY
STORM SEWER
ACCESS EASEMENT**

P.P.N. 603-13-076
MARK J. & MARIELLA SZCZEPANIK
6555 QUEENS WAY
AFN. 20110200536

P.P.N. 603-13-077
KENNETH R. & NICOLE M. DELNOCE
9463 SHERWOOD TRAIL
AFN. 201507240895

P.P.N. 603-13-078
DOUGLAS J. ABRAHAM
9457 SHERWOOD TRAIL
AFN. 200706211054

HIGHLANDS OF BRECKSVILLE
SUBDIVISION No. 2
VOL. 227, PG. 14, C.C.M.R.

EXTG. 40' SEWER &
DRAINAGE EASEMENT

P.P.N. 603-13-072
DIANA L. & KENNETH J. WISE
6563 QUEENS WAY
AFN. 01017099

P.P.N. 603-13-075
JOHN P. & NANCY E. BLAHA
6557 QUEENS WAY
AFN. 00475902

EASEMENT EXHIBIT "A"
P.P.N. 603-13-077
KENNETH R. & NICOLE
M. DELNOCE
(9463 SHERWOOD TRAIL)
CITY OF BRECKSVILLE
CUYAHOGA COUNTY, OHIO

Temporary Storm Sewer Access Easement
Delnoce Parcel
P.P.N. 603-13-077
DGB 3810-312

August, 2019

EXHIBIT "A"
LEGAL DESCRIPTION

Situated in the City of Brecksville, County of Cuyahoga, and State of Ohio, and known as being part of Sublot 78 in the Highlands of Brecksville Subdivision No. 2 as shown by the recorded plat in Volume 227, Page 14 of Cuyahoga County Map Records, and bounded and described as follows:

Beginning at a point in the southerly line of Sherwood Trail, 60 feet wide, at the northwest corner of said Sublot 78;

Thence North 65 degrees 34 minutes 10 seconds East along the southerly line of Sherwood Trail, 15.00 feet to a point, there in;

Thence South 24 degrees 25 minutes 50 seconds East, 46.00 feet to a point;

Thence South 9 degrees 25 minutes 50 seconds East, 11.59 feet to a point;

Thence South 24 degrees 25 minutes 50 seconds East, 28.00 feet to a point;

Thence South 54 degrees 25 minutes 50 seconds East, 65.38 feet to a point;

Thence South 65 degrees 34 minutes 10 seconds West, 44.96 feet to a point in the westerly line of Sublot 78;

Thence North 24 degrees 25 minutes 50 seconds West along the westerly line of Sublot 78, 142.00 feet to the place of beginning as described by Donald G. Bohning & Associates, Inc. in August, 2019.

The courses used in this description are referenced to an assumed meridian and are used to indicate angles only.

CITY OF BRECKSVILLE

By: _____
Jerry N. Hruby, Mayor

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

NOTARY PUBLIC

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named Jerry N. Hruby, the duly elected and acting Mayor of the City of Brecksville, who, after first being duly cautioned according to law, acknowledged that he has the power to bind the City of Brecksville, pursuant to appropriate Councilmanic authorization, to the terms and conditions of the foregoing instrument and that he did sign the foregoing instrument as his free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at _____, Ohio, this _____ day of _____, 2019.

Notary Public

This Temporary Storm Sewer Access Easement was authorized by Resolution No. _____, adopted by the Council of the City of Brecksville on the ____ day of _____, 2019.

Tammy Tabor, Clerk of Council

Approved as to Form:

Law Director, City of Brecksville