

10-416

PARTIAL RELEASE OF EASEMENT

The County of Summit, for good and valuable consideration and of One Dollar (\$1.00), the receipt of which is hereby acknowledged, does hereby release, extinguish, and abandon forever the portion of easement grants for utility purposes, including sanitary sewer purposes, recorded in Reception No. 55106577, also known as Brandywine Preserve Phase Three, over property described in Exhibits A and B attached hereto and made a part hereof.

Signed at Akron, Ohio this _____ day of _____, 2010.

COUNTY OF SUMMIT, OHIO

By: Russell M. Pry, Executive

STATE OF OHIO)
) ss:
COUNTY OF SUMMIT)

Before me, a Notary Public in and for said County and State, personally appeared Russell M. Pry, who acknowledged that he did sign the foregoing instrument on behalf of the County of Summit, Ohio, in his official capacity as its Executive and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Akron, Ohio, this ____ day of _____, 2010.

Notary Public

10-416

Exhibit A

RELEASE OF 25' SANITARY EASEMENT SUBLOTS 87 & 88 BRANDYWINE PRESERVE PHASE THREE SUBDIVISION 0.0514 ACRES

Page 1

Situated in the Township of Northfield Center, County of Summit and State of Ohio and known as being part of Original Northfield Township Lot No. 10, also known as being part of Brandywine Preserve Phase Three as recorded in Reception Number 55106577 of Summit County Records, and bounded and described as follows:

Beginning at the Southeast corner of Brandywine Preserve Phase Four, as recorded in Reception Number 55320991, of Summit County Records, a 3/4" iron pin found;

Thence North 85° 39' 19" West along the South line of said Brandywine Preserve Phase Four to the Southeast corner of Brandywine Preserve Phase Three, as recorded in Reception Number 55106577, of Summit County Records, a distance of 661.08 feet, a 5/8" iron pin set;

Thence, continuing North 85° 39' 19" West along the South line of said Brandywine Preserve Phase Three to the Southeast Corner of Brandywine Preserve Phase Two as recorded in Reception Number 54540071, of Summit County Records, a distance of 498.62 feet, a 5/8" iron pin set;

Thence North 11°04'47" East along the West line of said Brandywine Preserve Phase Three a distance of 188.83 feet, to a South line of an existing Sanitary Easement as shown on said Brandywine Preserve Phase Two, the principal place of beginning;

Thence, continuing North 11°04'47" East, along said West line of Brandywine Preserve Phase Three a distance of 25.00 feet to a point;

Thence South 78°55'13" East a distance of 9.92 feet to a point;

Thence North 76°45'31" East to the West line of Deep Creek Circle, a private drive, width varies, a distance of 69.14 feet;

Thence along the West line of said Deep Creek Circle the following 2 (two) courses and distances:

87-88 Release Exhibit A.doc

10-416

Along a curve deflecting to the left, having a radius of 50.00 feet, a central angle of $28^{\circ}31'36''$, an arc of 24.89 feet, a chord of 24.64 feet which bears South $39^{\circ}10'29''$ East to a point of reverse curve;

Along a curve deflecting to the right, having a radius of 39.00 feet, a central angle of $5^{\circ}16'15''$, an arc of 3.59 feet, a chord of 3.59 feet which bears South $50^{\circ}48'10''$ East;

Thence South $76^{\circ}45'31''$ West, a distance of 84.79 feet to a point;

Thence South $11^{\circ}04'47''$ West, parallel to the West line of said Brandywine Preserve Phase Three a distance of 1.11 feet to a point;

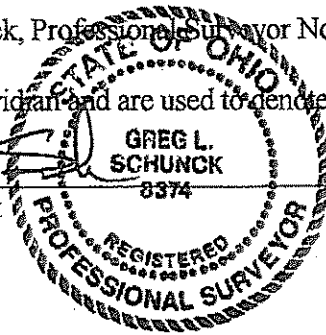
Thence North $78^{\circ}55'13''$ West a distance of 17.76 feet to the West line of said Brandywine Preserve Phase Three, the principal place of beginning and containing 0.0514 acres of land, more or less, as surveyed in October 2007 by Greg L. Schunck, Professional Surveyor No. 8374, with The Mannik & Smith Group, Inc., but subject to all legal highways and any restrictions, reservations easements of record.

As surveyed by Greg L. Schunck, Professional Surveyor No. 8374, February 17, 2009.

Bearings are to an assumed meridian and are used to denote angles only.



Greg L. Schunck



Professional Surveyor No. 8374

10-416

EXHIBIT B PROPOSED SANITARY EASEMENT VACATION EXHIBIT FOR S/L 87 & 88

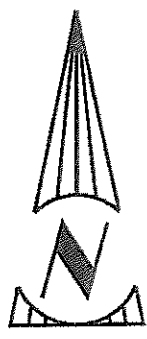
BRANDYWINE PRESERVE, PHASE 3

02-17-09

(REVISED PER SUMMIT CO. D.O.E.S.
COMMENTS)

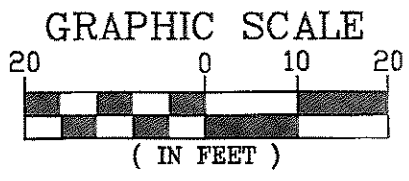
The
Mannik & Smith
Group, Inc. Tel (216) 376-1490
4531 Fairbank Road, Suite 180 Fax (216) 376-1467
Warrensville Heights, Ohio 44128
Civil Engineering, Surveying and Environmental Consulting

(THIS IS NOT A BOUNDARY SURVEY)

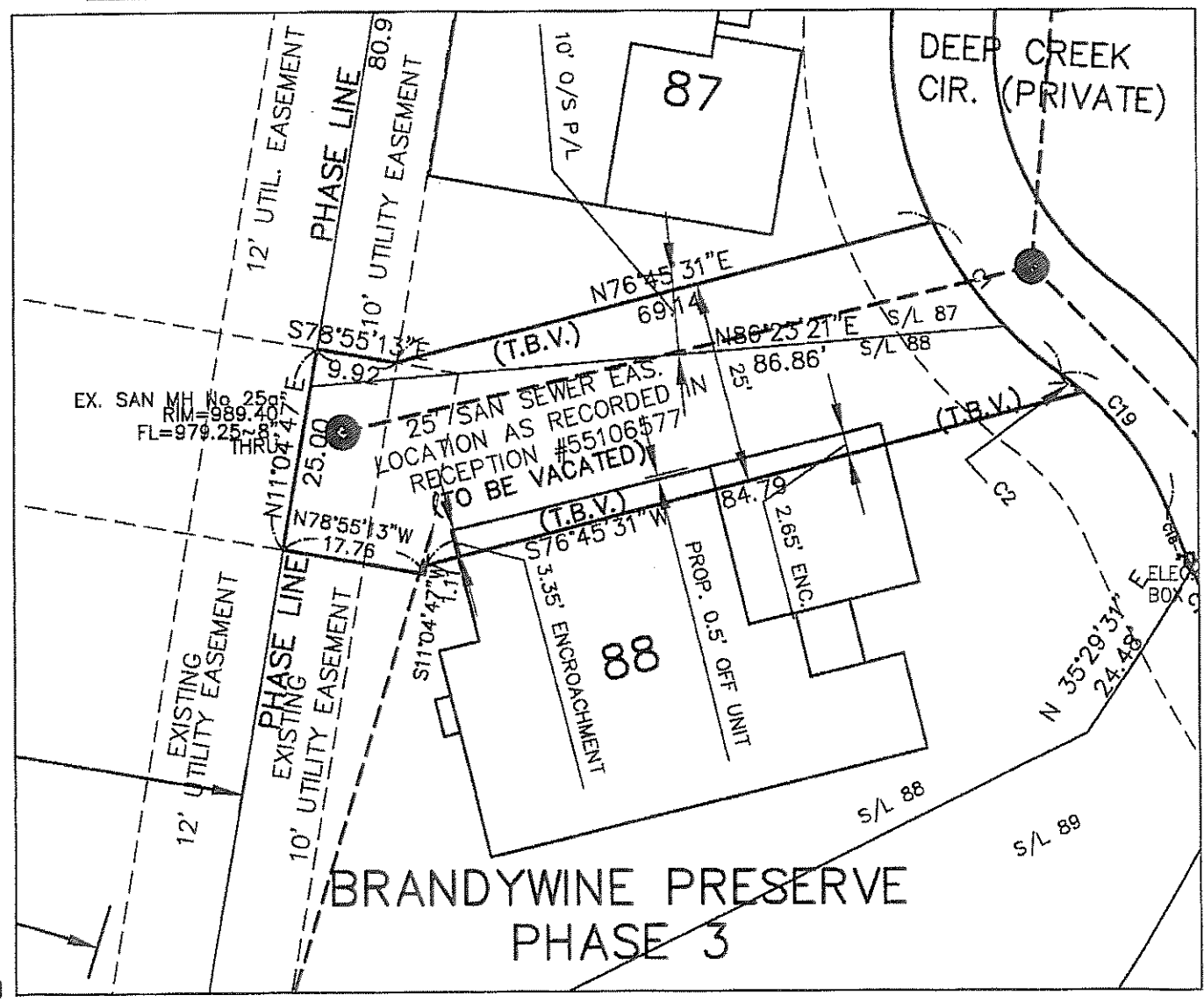


C1
A=24.89'
R=50.00'
Δ=28°31'36"
B=S39°10'29"E
C=24.64'
T=12.71'

C2
A=3.59'
R=39.00'
Δ=5°16'15"
B=S50°48'10"E
C=3.59'
T=1.80'



(T.B.V.) - TO BE VACATED



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10-416

Exhibit A ~~A~~ B

**RELEASE OF 10' UTILITY EASEMENT
FROM THE WESTERLY SIDES OF
SUBLOTS 88 & 89
BRANDYWINE PRESERVE, PHASE 3
0.0459 ACRES**

Page 1

Situated in the Township of Northfield Center, County of Summit and State of Ohio and known as being part of Original Northfield Township Lot No. 10, also known as being part of Brandywine Preserve Phase Three as recorded in Reception Number 55106577 of Summit County Records, and bounded and described as follows:

Beginning at the Southeast corner of Brandywine Preserve Phase Four, as recorded in Reception Number 55320991, of Summit County Records, a 3/4" iron pin found;

Thence North 85° 39' 19" West along the South line of said Brandywine Preserve Phase Four to the Southeast corner of Brandywine Phase Three, as recorded in Reception Number 55106577, of Summit County Records, a distance of 661.08 feet, a 5/8" iron pin set;

Thence, continuing North 85° 39' 19" West along the South line of said Brandywine Preserve Phase Three to the Southeast Corner of Brandywine Preserve Phase Two as recorded in Reception Number 54540071, of Summit County Records, a distance of 498.62 feet, a 5/8" iron pin set;

Thence, North 11° 04' 47" East along the East line of said Brandywine Preserve Phase Two, which is also the West line of said Brandywine Preserve Phase 3, a distance of 10.07 feet, the principal place of beginning;

Thence, continuing North 11° 04' 47" East, along the East line of said Brandywine Preserve Phase Two, to the intersection of said East line with the North line of Sublot 88 of said Brandywine Preserve Phase Three, a distance of 199.10 feet;

Thence North 86°23'21" East along a Northerly line of said Sublot 88, to a point perpendicular to, and 10 feet distant from the West line of said Brandywine Preserve Phase Three, a distance of 10.34 feet;

88-89 Release Exhibit A.doc

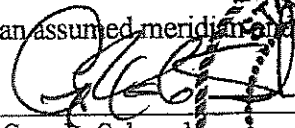
10-416

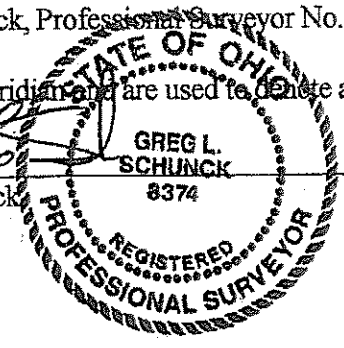
Thence South 11° 04' 47" West parallel to and 10 feet East of the West line of said Brandywine Preserve Phase Three, a distance of 200.54 feet;

Thence North 85°39'19" West to the West line of said Brandywine Preserve Phase Three, a distance of 10.07 feet, the principal place of beginning and containing 0.0459 acres of land, more or less, as surveyed in October 2007 by Greg L. Schunck, Professional Surveyor No. 8374, with The Mannik & Smith Group, Inc., but subject to all legal highways and any restrictions, reservations easements of record.

As surveyed by Greg L. Schunck, Professional Surveyor No. 8374, February 17, 2009.

Bearings are to an assumed meridian and are used to compute angles only.



Greg L. Schunck  Professional Surveyor No. 8374

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EXHIBIT B PROPOSED SANITARY EASEMENT VACATION EXHIBIT FOR S/L 88 & 89

BRANDYWINE PRESERVE, PHASE 3

02-17-09

(REVISED PER SUMMIT CO. D.O.E.S.
COMMENTS)

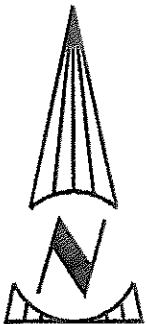
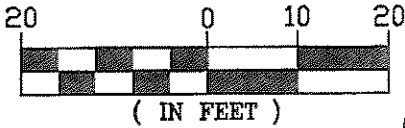
The Mannik & Smith

4530 Richmond Road, Suite 100
Warrensville Heights, Ohio 44122
Group, Inc. Tel (216) 376-1480
Fax (216) 376-1497

Civil Engineering, Surveying and Environmental Consulting

(THIS IS NOT A BOUNDARY
SURVEY)

GRAPHIC SCALE



BRANDYWINE PRESERVE PHASE 2

(EXISTING TOPOGRAPHY IS SHOWN
IN THIS AREA)

BRANDYWINE PRESERVE PHASE 3

N86°23'21"E
101.34

EXISTING
12' UTILITY EASEMENT

PHASE LINE
EXISTING
10' UTILITY EASEMENT

88

S/L 88

199.10

200.54

N 65°19'41" E 126.00'

S 11°04'47" W 459.51'
N 11°04'47" E 110.00'

N11°04'47"E

S11°04'47"W

EXISTING
DECK

89

S/L 89
S/L 90

N85°39'19" W
10.07

S 85°39'19" E 48.71'

N 34°09'44" E 199.86'