

**ORDINANCE NO. 108** -08

By: Mr. Kessler

An Ordinance authorizing the Mayor and Auditor to sign a Consent and Hold Harmless Agreement on behalf of the City of Bexley with the property owners at 2152-2158 East Main Street (aka Parcel ID Nos. 020-004740 through 020-004742 and 020-000380), and with 500 through 530 S. Parkview Avenue (aka Parcel ID Nos. 020-004756 through 020-004840) regarding improvements made upon and within the City owned street right-of-way adjacent to Main Street and Parkview Avenue.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:**

Section 1. That the property owners at 2152-2158 East Main Street (Parcel Nos. 020-004740 through 020-004742 and 020-000380) and the property owners at 500 through 530 S. Parkview Avenue (Parcel Nos. 020-004756 through 020-004840) have requested approval to construct a variety of building features including, but not limited to, canopies, footings, stairs, box bays, cornices and a raised terrace, as described in Exhibit "A" attached hereto and incorporated herein by reference, on the property described above and in the easement/public right-of-way area which is public property.

Section 2. That the Mayor and Auditor be, and they hereby are, authorized to enter into a Consent and Hold Harmless Agreement with the property owners, in form and substance satisfactory to the City Attorney, authorizing the encroachments as proposed in accordance with the submitted request on the condition that the property owners assume all responsibility for damage, loss and injury arising out of the location of said building features, including any additional cost to the City of Bexley incurred in connection with its use of right-of-way occasioned by the location of the improvements.

Section 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: 12-16, 2008

Matt Lampe  
President of Council

Attest: [Signature]  
Clerk of Council

Approved: 12-16, 2008

[Signature]  
John M. Brennan, Mayor

First Reading 11-25-08  
Second Reading 12-9-08  
Third Reading 12-16-08

passed 12/16/08

## QUITCLAIM DEED OF ENCROACHMENT EASEMENT

KNOW ALL MEN BY THESE PRESENTS that the CITY OF BEXLEY, "Grantor", a municipal corporation, for One Dollar (\$1.00) and other good and valuable consideration paid, the receipt of which is hereby acknowledged, by BEXLEY GATEWAY PLAZA LTD., "Grantee", does hereby quitclaim, for so long as it is used for the purposes herein mentioned and subject to the conditions, restrictions and limitations contained herein, unto said Grantee, its successors and assigns, an appurtenant, nonexclusive encroachment easement in the following described real property as described on the attached Exhibits.

The above descriptions are intended to describe the areas shown on the attached plat which is incorporated herein for reference.

1. This easement is granted, subject to the conditions, restrictions and limitations contained herein, for the sole purpose of allowing the Grantee to construct and maintain various building features including but not limited to footings, stairs, box bays, cornices and terraces (the "Improvements") and allow said items to encroach into Grantor's real property within the described easement areas, and the Grantee, for itself and its successors and assigns, shall be deemed to have agreed to and accepted all such conditions, restrictions and limitations upon Grantee's use of the easement and/or recordation of this instrument.

2. Grantee shall forever indemnify and hold harmless the Grantor and all of its agents, employees, and/or representatives from and against all claims, damages, losses, suits and actions, including attorney's fees, arising or resulting from the Grantee's installation, construction, maintenance, repair, replacement or removal of the "Improvements" and use of the above described real property by Grantee, its agents, representatives or invited guests. (A separate hold harmless shall be executed and signed by both parties.)

3. Grantor expressly reserves unto itself a reversionary interest in the hereindescribed easement. Upon the abandonment disuse, or change of use of easement rights granted herein, or the removal of the "Improvements", razing of the abutting structure, or substantial destruction of the abutting structure without exact replacement thereof within one (1) year of the date of any such action, this appurtenant encroachment easement shall cease and terminate, and the Grantor may file an "Affidavit Relating To Title To Real Property" for the purpose of memorializing and giving public notice of such termination of said easement.

4. As soon as practicable after all entries made pursuant to the rights granted herein, Grantee shall cause the property of the Grantor located within the easement herein described, or any property affected by such entry, to be restored to its former condition as nearly as is reasonably possible, or shall pay Grantor, at Grantor's option, for all damages to Grantor's real property, which damage was occasioned by or resulted from the Grantee's installation, construction, maintenance, repair, or removal of the improvement, or use and occupation of the easement.

5. The rights granted herein are nonexclusive and shall not be construed to interfere with or restrict the Grantor's paramount right to use, construct and maintain property improvements in, over, under, across and around the subject property herein described.

The Grantor, City of Bexley, Ohio, by \_\_\_\_\_, its \_\_\_\_\_, as authorized by Bexley City Council Ordinance No. \_\_\_\_\_ passed on the \_\_\_\_\_ day of \_\_\_\_\_, 2008, has hereunto caused this instrument to be subscribed this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

CITY OF BEXLEY, OHIO  
a municipal corporation

By: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF OHIO  
COUNTY OF FRANKLIN, SS:

BE IT REMEMBERED that on this \_\_\_\_\_ day of \_\_\_\_\_, 2008, the foregoing instrument was acknowledged before me by \_\_\_\_\_, its \_\_\_\_\_, on behalf of the City of Bexley, Ohio, a municipal corporation.

\_\_\_\_\_  
Notary Public

This instrument was prepared by:  
Jackson B. Reynolds, III  
Smith & Hale LLC  
37 West Broad Street, Suite 725  
Columbus, OH 43215  
614-221-4255

ruben-main2.eas (ncp)(1)  
11/6/08 F:Docs

**Encroachment Easement**  
**0.0062 Acres (270.26 SF)**  
From Elevation 764.1' to 829.1' (NGVD 29)  
**Parkview Avenue**

Situated in the State of Ohio, County of Franklin, City of Bexley, being in the public right-of-way of Parkview Avenue (80'), adjacent to and west of a 0.692 acre tract of land described in Instrument Number 200703120043404 to **BEXLEY GATEWAY PLAZA LTD.**, record references to those of the Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

Commencing at southwest corner of said 0.692 acre tract, being the east line of Parkview Avenue (80'), thence, northerly, with the west line of said 0.692 acre tract and east line of Parkview Avenue, North 03° 31' 21" East, 10.03 feet to the **TRUE POINT OF BEGINNING**;

thence, westerly, leaving the east line of Parkview Avenue and the west line of said 0.692 acre tract, crossing the public right-of-way of Parkview Avenue the following four (4) courses:

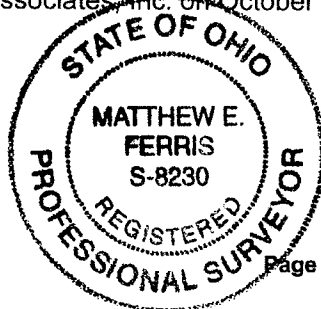
1. Northwesterly with the arc of a curve to the right having a radius of 16.50 feet, a central angle of 57° 06' 38", a chord bearing North 01° 46' 42" West, 15.77 feet;
2. North 43° 16' 55" West, 5.76 feet;
3. North 02° 54' 17" East, 38.09 feet;
4. South 87° 05' 43" East, 6.07 feet to the east line of Parkview Avenue and the west line of said 0.692 acre tract;

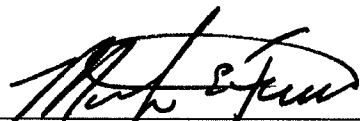
thence southerly with the east line of Parkview Avenue and the west line of said 0.692 acre tract, South 03° 31' 21" West, 57.81 feet to the **POINT OF BEGINNING**, said described tract of land containing 0.0062 acres (270.26 Sq. Ft.), more or less.

The above described area shall extend vertically from just below the existing ground at the building to a point 65.0 feet above the existing ground, which encompasses the proposed exterior of the building. The vertical limits are specifically identified as being from elevation 764.1' to 829.1'. The basis of said vertical datum is the North Geodetic Vertical Datum of 1929. The source bench mark is a "MAG" nail found at the northeast corner of Main St. and Parkview Ave., having an elevation of 763.65 feet.

Basis of Bearing: South line of Main Street, as described in Plat Book 20, Page 36 of the Park Drive Addition, being South 88° 07' East.

This description was prepared by Matthew E. Ferris, Registered Surveyor No. 8230, E.P. Ferris & Associates, Inc. on October 27, 2008.



  
Matthew E. Ferris, P.E., P.S.      10-27-08  
Registered Surveyor No. 8230      Date

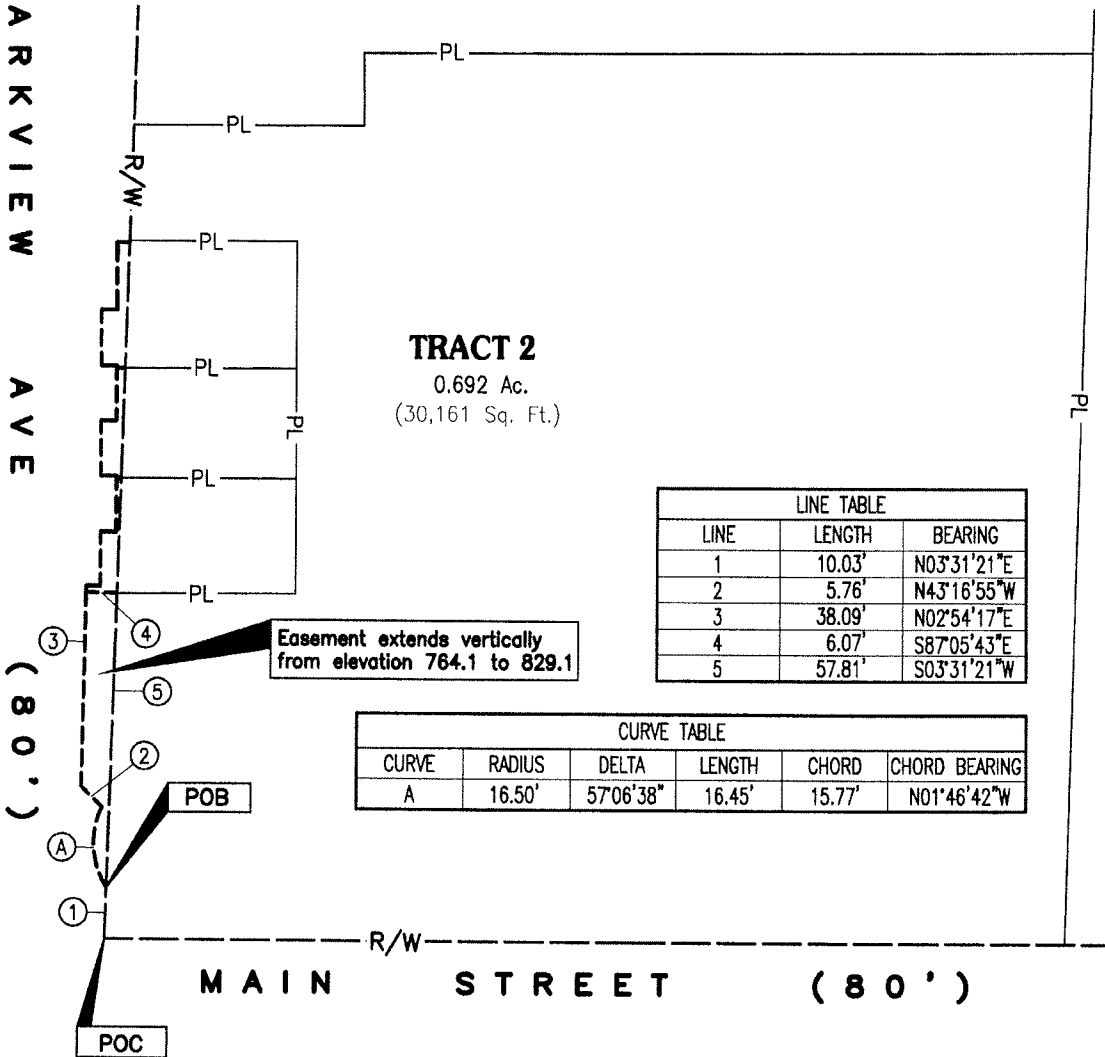
# E. P. FERRIS & ASSOCIATES, INC.

Consulting Civil Engineers and Surveyors  
880 King Avenue, Columbus Ohio, 43212

(PH) 614-299-2999  
(FX) 614-299-2992

## EXHIBIT "A" ENCROACHMENT EASEMENT

PARKVIEW  
AVE  
(80')



**TRACT 2**  
0.692 Ac.  
(30,161 Sq. Ft.)

LINE TABLE		
LINE	LENGTH	BEARING
1	10.03'	N03°31'21"E
2	5.76'	N43°16'55"W
3	38.09'	N02°54'17"E
4	6.07'	S87°05'43"E
5	57.81'	S03°31'21"W

Easement extends vertically  
from elevation 764.1 to 829.1

CURVE TABLE					
CURVE	RADIUS	DELTA	LENGTH	CHORD	CHORD BEARING
A	16.50'	57°06'38"	16.45'	15.77'	N01°46'42"W

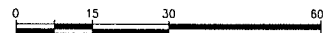
MAIN STREET (80')

**EASEMENT AREA**  
0.0062 Ac. (270.26 S.F.)

**Legend**

- PL Property Line
- R/W Right-of-Way
- POB Point of Beginning
- POC Point of Commencement

**VERTICAL DATUM:**  
All elevations are based on NGVD 29. The source bench mark is a MAG Nail found at the NE corner of Main St. and Parkview Ave., having an elevation of 763.65 feet.



Scale: 1" = 30'

BY: *Matthew E. Ferris* 10-27-08  
Matthew E. Ferris, P.E., P.S.  
Registered Surveyor No. 8230 Date

**BASIS OF BEARING:**  
South line of Main Street as described in Plat Book 20 Page 36, of the Park Drive Addition, being S 88° 07' 00" E.

DRWN BY CDM CHK BY MEF DATE 10-27-08

98402

**Encroachment Easement**  
**0.0019 Acres (82.63 SF)**  
From Elevation 765.5' to 830.5' (NGVD 29)  
**Parkview Avenue**

Situated in the State of Ohio, County of Franklin, City of Bexley, being in the public right-of-way of Parkview Avenue (80'), adjacent to and west of a 0.019 acre tract of land described in Instrument Number 200703120043406 to **BEXLEY GATEWAY PLAZA LTD.**, record references to those of the Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

Beginning at southwest corner of said 0.019 acre tract, being the east line of Parkview Avenue (80'), thence, westerly, leaving the east line of Parkview Avenue and the west line of said 0.019 acre tract, crossing the public right-of-way of Parkview Avenue the following seven (7) courses:

1. North 88° 16' 55" West, 1.60 feet;
2. North 01° 43' 05" East, 0.43 feet;
3. North 88° 16' 55" West, 3.07 feet;
4. North 01° 43' 05" East, 10.96 feet;
5. South 88° 16' 55" East, 3.07 feet;
6. North 01° 43' 05" East, 13.27 feet;
7. South 88° 16' 55" East, 2.37 feet to the east line of Parkview Avenue and the west line of said 0.019 acre tract;

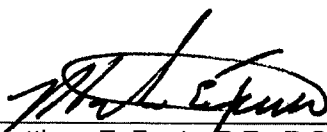
thence southerly with the east line of Parkview Avenue and the west line of said 0.019 acre tract, South 03° 31' 21" West, 24.67 feet to the **POINT OF BEGINNING**, said described tract of land containing 0.0019 acres (82.63 Sq. Ft.), more or less.

The above described area shall extend vertically from just below the existing ground at the building to a point 65.0 feet above the existing ground, which encompasses the proposed exterior of the building. The vertical limits are specifically identified as being from elevation 765.5' to 830.5'. The basis of said vertical datum is the North Geodetic Vertical Datum of 1929. The source bench mark is a "MAG" nail found at the northeast corner of Main St. and Parkview Ave., having an elevation of 763.65 feet.

Basis of Bearing: South line of Main Street, as described in Plat Book 20, Page 36 of the Park Drive Addition, being South 88° 07' East.

This description was prepared by Matthew E. Ferris, Registered Surveyor No. 8230, E.P. Ferris & Associates, Inc. on October 27, 2008.



  
Matthew E. Ferris, P.E., P.S.      10-27-08  
Registered Surveyor No. 8230      Date

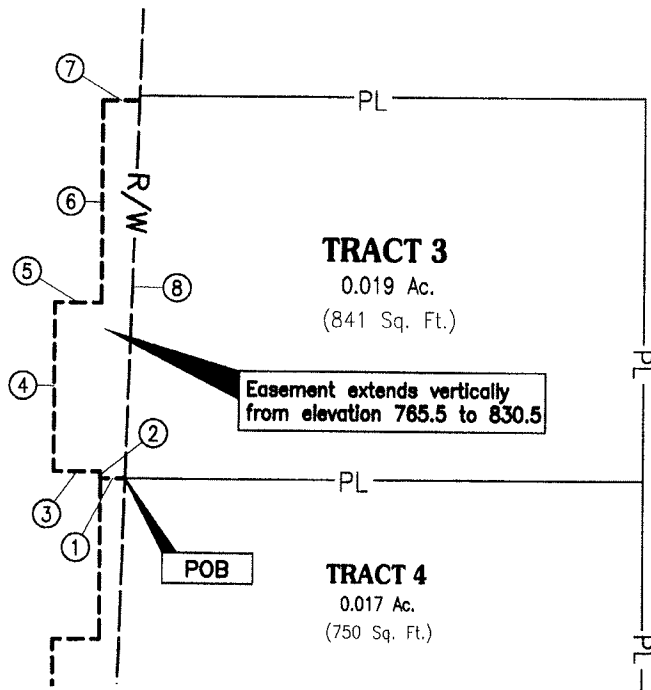
# E. P. FERRIS & ASSOCIATES, INC.

Consulting Civil Engineers and Surveyors  
880 King Avenue, Columbus Ohio, 43212

(PH) 614-299-2999  
(FX) 614-299-2992

## EXHIBIT "A" ENCROACHMENT EASEMENT

PARKVIEW AVE (80')



Easement extends vertically  
from elevation 765.5 to 830.5

POB

LINE TABLE		
LINE	LENGTH	BEARING
1	1.60'	N88°16'55"W
2	0.43'	N01°43'05"E
3	3.07'	N88°16'55"W
4	10.96'	N01°43'05"E
5	3.07'	S88°16'55"E
6	13.27'	N01°43'05"E
7	2.37'	S88°16'55"E
8	24.67'	S03°31'21"W

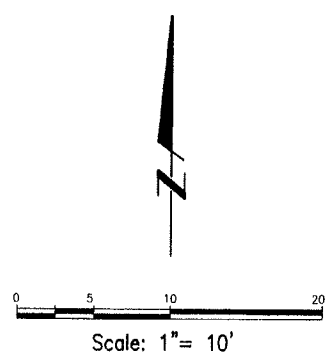
**EASEMENT AREA**  
0.0019 Ac. (82.63 S.F.)

**Legend**

- PL Property Line
- R/W Right-of-Way
- POB Point of Beginning

**VERTICAL DATUM:**

All elevations are based on NGVD 29. The source bench mark is a MAG Nail found at the NE corner of Main St. and Parkview Ave., having an elevation of 763.65 feet.



BY: *Matthew E. Ferris* 10-27-08  
Matthew E. Ferris, P.E., P.S. Date  
Registered Surveyor No. 8230

**BASIS OF BEARING:**

South line of Main Street as described in Plat Book 20 Page 36, of the Park Drive Addition, being S 88° 07' 00" E.

DRWN BY CDM CHK BY MEF DATE 10-27-08

98402

**Encroachment Easement**  
**0.0014 Acres (61.01 SF)**  
From Elevation 765.1' to 830.1' (NGVD 29)  
**Parkview Avenue**

Situated in the State of Ohio, County of Franklin, City of Bexley, being in the public right-of-way of Parkview Avenue (80'), adjacent to and west of a 0.017 acre tract of land described in Instrument Number 200703120043408 to **BEXLEY GATEWAY PLAZA LTD.**, record references to those of the Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

Beginning at southwest corner of said 0.017 acre tract, being the east line of Parkview Avenue (80'), thence, westerly, leaving the east line of Parkview Avenue and the west line of said 0.017 acre tract, crossing the public right-of-way of Parkview Avenue the following seven (7) courses:

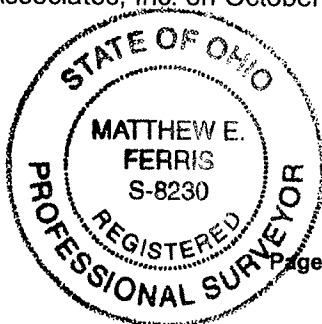
1. North 88° 16' 55" West, 0.91 feet;
2. North 01° 43' 05" East, 0.42 feet;
3. North 88° 16' 55" West, 3.07 feet;
4. North 01° 43' 05" East, 10.96 feet;
5. South 88° 16' 55" East, 3.07 feet;
6. North 01° 43' 05" East, 10.44 feet;
7. South 88° 16' 55" East, 1.60 feet to the east line of Parkview Avenue and the west line of said 0.017 acre tract;

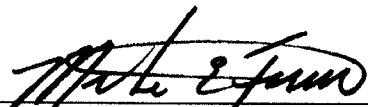
thence southerly with the east line of Parkview Avenue and the west line of said 0.017 acre tract, South 03° 31' 21" West, 21.84 feet to the **POINT OF BEGINNING**, said described tract of land containing 0.0014 acres (61.01 Sq. Ft.), more or less.

The above described area shall extend vertically from just below the existing ground at the building to a point 65.0 feet above the existing ground, which encompasses the proposed exterior of the building. The vertical limits are specifically identified as being from elevation 765.1' to 830.1'. The basis of said vertical datum is the North Geodetic Vertical Datum of 1929. The source bench mark is a "MAG" nail found at the northeast corner of Main St. and Parkview Ave., having an elevation of 763.65 feet.

Basis of Bearing: South line of Main Street, as described in Plat Book 20, Page 36 of the Park Drive Addition, being South 88° 07' East.

This description was prepared by Matthew E. Ferris, Registered Surveyor No. 8230, E.P. Ferris & Associates, Inc. on October 27, 2008.



  
Matthew E. Ferris, P.E., P.S.      10-27-08  
Registered Surveyor No. 8230      Date



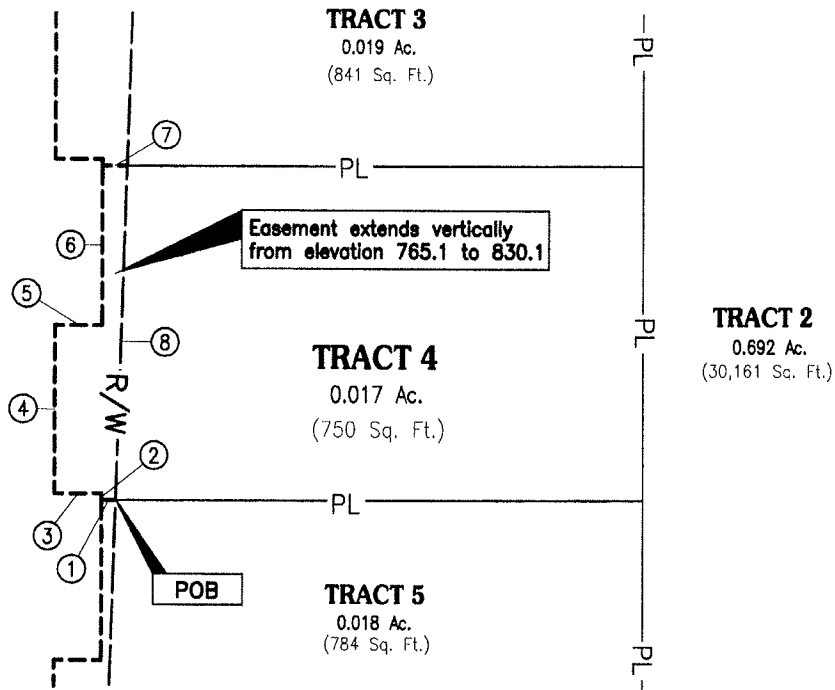
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## EXHIBIT "A" ENCROACHMENT EASEMENT

PARKVIEW AVE (80')



**TRACT 3**  
0.019 Ac.  
(841 Sq. Ft.)

**TRACT 2**  
0.692 Ac.  
(30,161 Sq. Ft.)

**TRACT 4**  
0.017 Ac.  
(750 Sq. Ft.)

**TRACT 5**  
0.018 Ac.  
(784 Sq. Ft.)

Easement extends vertically from elevation 765.1 to 830.1

POB

LINE TABLE		
LINE	LENGTH	BEARING
1	0.91'	N88°16'55"W
2	0.42'	N01°43'05"E
3	3.07'	N88°16'55"W
4	10.96'	N01°43'05"E
5	3.07'	S88°16'55"E
6	10.44'	N01°43'05"E
7	1.60'	S88°16'55"E
8	21.84'	S03°31'21"W

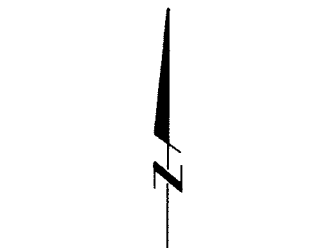
**EASEMENT AREA**  
0.0014 Ac. (61.01 S.F.)

**Legend**

- PL Property Line
- R/W Right-of-Way
- POB Point of Beginning

**VERTICAL DATUM:**

All elevations are based on NGVD 29. The source bench mark is a MAG Nail found at the NE corner of Main St. and Parkview Ave., having an elevation of 763.65 feet.



Scale: 1" = 10'

BY: *Matthew E. Ferris* 10-27-08  
Matthew E. Ferris, P.E., P.S.  
Registered Surveyor No. 8230 Date

**BASIS OF BEARING:**

South line of Main Street as described in Plat Book 20 Page 36, of the Park Drive Addition, being S 88° 07' 00" E.

DRWN BY CDM CHK BY MEF DATE 10-27-08

98402

**Encroachment Easement**  
**0.0012 Acres (52.50 SF)**  
From Elevation 764.8' to 829.8' (NGVD 29)  
**Parkview Avenue**

Situated in the State of Ohio, County of Franklin, City of Bexley, being in the public right-of-way of Parkview Avenue (80'), adjacent to and west of a 0.018 acre tract of land described in Instrument Number 200703120043410 to **BEXLEY GATEWAY PLAZA LTD.**, record references to those of the Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

Beginning at southwest corner of said 0.018 acre tract, being the east line of Parkview Avenue (80'), thence, westerly, leaving the east line of Parkview Avenue and the west line of said 0.018 acre tract, crossing the public right-of-way of Parkview Avenue the following seven (7) courses:

1. North 87° 05' 43" West, 6.07 feet;
2. North 02° 54' 17" East, 1.25 feet;
3. South 88° 16' 57" East, 2.76 feet;
4. North 01° 43' 05" East, 10.54 feet;
5. South 88° 16' 55" East, 3.07 feet;
6. North 01° 43' 05" East, 10.45 feet;
7. South 88° 16' 55" East, 0.91 feet to the east line of Parkview Avenue and the west line of said 0.018 acre tract;

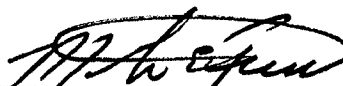
thence southerly with the east line of Parkview Avenue and the west line of said 0.018 acre tract, South 03° 31' 21" West, 22.38 feet to the **POINT OF BEGINNING**, said described tract of land containing 0.0012 acres (52.50 Sq. Ft.), more or less.

The above described area shall extend vertically from just below the existing ground at the building to a point 65.0 feet above the existing ground, which encompasses the proposed exterior of the building. The vertical limits are specifically identified as being from elevation 764.8' to 829.8'. The basis of said vertical datum is the North Geodetic Vertical Datum of 1929. The source bench mark is a "MAG" nail found at the northeast corner of Main St. and Parkview Ave., having an elevation of 763.65 feet.

Basis of Bearing: South line of Main Street, as described in Plat Book 20, Page 36 of the Park Drive Addition, being South 88° 07' East.

This description was prepared by Matthew E. Ferris, Registered Surveyor No. 8230, E.P. Ferris & Associates, Inc. on October 27, 2008.



  
Matthew E. Ferris, P.E., P.S.  
Registered Surveyor No. 8230

10-27-08  
Date

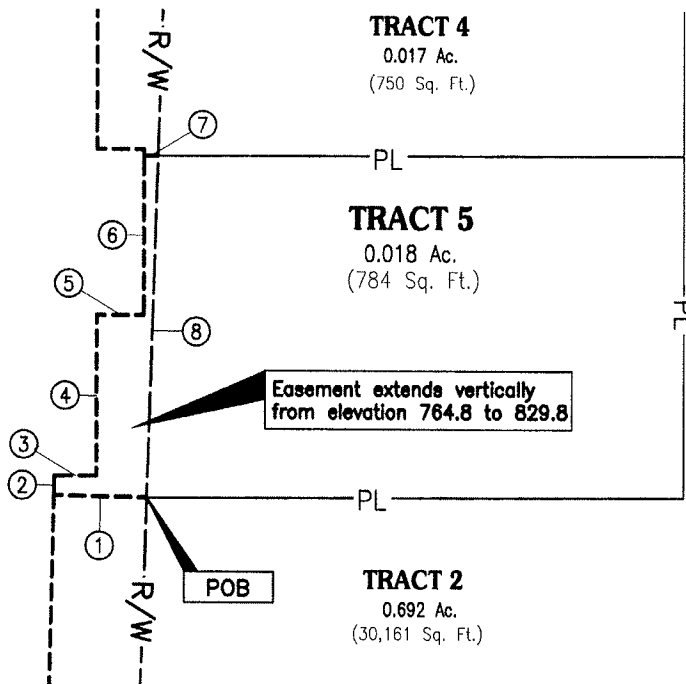
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(FX) 614-299-2992

## EXHIBIT "A" ENCROACHMENT EASEMENT

PARKVIEW AVE  
(80')



Easement extends vertically  
from elevation 764.8 to 829.8

POB

LINE TABLE		
LINE	LENGTH	BEARING
1	6.07'	N87°05'43"W
2	1.25'	N02°54'17"E
3	2.76'	S88°16'57"E
4	10.54'	N01°43'05"E
5	3.07'	S88°16'55"E
6	10.45'	N01°43'05"E
7	0.91'	S88°16'55"E
8	22.38'	S03°31'21"W

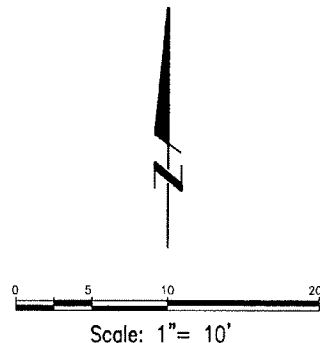
EASEMENT AREA  
0.0012 Ac. (52.50 S.F.)

### Legend

- PL Property Line
- R/W Right-of-Way
- POB Point of Beginning

### VERTICAL DATUM:

All elevations are based on NGVD 29. The source bench mark is a MAG Nail found at the NE corner of Main St. and Parkview Ave., having an elevation of 763.65 feet.



BY:

Matthew E. Ferris, P.E., P.S.  
Registered Surveyor No. 8230

10-27-08

Date

### BASIS OF BEARING:

South line of Main Street as described in Plat Book 20 Page 36, of the Park Drive Addition, being S 88° 07' 00" E.

DRWN BY CDM CHK BY MEF DATE 10-27-08

98402

## **CONSENT AND HOLD HARMLESS AGREEMENT**

The Alexander Condominium Association, Inc., an Ohio nonprofit corporation (the "Association"), for and on behalf of the unit owners and their respective heirs, successors and assigns (the "Unit Owners") of that certain condominium property known as The Alexander Condominium (the "Condominium"), as the same was declared and established pursuant to that certain Declaration of Condominium Ownership of The Alexander Condominium filed for record as Instrument No. 200807160108654 in the office of the Franklin County Recorder on July 16, 2008, and the City of Bexley, Ohio (the "City") agree as follows:

The Association, for and on behalf of the Unit Owners, has sought and obtained permission from the City of Bexley to construct a variety of different building features including but not limited to canopies, footings, stairs, box bays, cornices and a raised terrace, as described in Exhibit "A" attached hereto and incorporated herein by reference, on the property described as parcels 020-004756 thru 020-004840 and in the easement/right-of-way as described. Approval of the above named items and use of an easement/right-of-way area which is public property is conditioned upon this Agreement.

The Association and the Unit Owners shall save the City harmless from any and all damages that may arise from, or which are related to, the construction, installation, maintenance, repair, relocation, removal or replacement of the above named items for any reason and shall defend, at their own cost, every suit in which the City of Bexley, Ohio shall be made a party, brought and prosecuted for the recovery of any such damages; that the occupancy of public property is hereby permitted merely as an accommodation to the said grantee and that no right, title or interest of the public is waived or abridged in any way thereby; that the Association, for and on behalf of the Unit Owners, upon the receipt of notice from the City, duly authorized by the Council of Bexley, Ohio, shall forthwith remove said items from the public property occupied by them and shall yield to said City all rights to occupy the public property used for such building feature whenever said City shall determine the same to be necessary or desirable; that the Unit Owners release the City, its employees and agents, from any liability for damage to the above named items rising out of or in connection with any cause whatsoever; that said items shall be so constructed as to not unreasonably or materially interfere with or damage any utility facilities nor to unreasonably or materially impede or interfere with, in any way, the use of the easement/right-of-way area, streets, alleys, sidewalks, and curbs by the City and the public; and in the event that the City determines changes to any of the items to be necessary or desirable, the Association, for and on behalf of the Unit Owners, upon receipt of notice from the City, shall promptly make any such changes, relocations, or rearrangements solely at their expense.

This Agreement shall not be construed in any way as limiting the rights presently held by the City in the easement/right-of-way areas, or the use thereof for public purposes, except to promote the construction and maintenance of the above named items in the easement/right-of-way area.

\_\_\_\_\_  
Address of Property

\_\_\_\_\_  
Type of Easement/Right-Of-Way

\_\_\_\_\_  
Lot Number or Other Description

\_\_\_\_\_  
Building or Structure

\_\_\_\_\_  
Easement/Right-Of-Way Width  
Property Location

\_\_\_\_\_  
Maximum Encroachment Into  
Easement/Right-Of-Way

\_\_\_\_\_  
Services Existing in Easement/Right-Of-Way

\_\_\_\_\_  
Approving Authority

This Agreement shall be binding on and for the benefit of the parties hereto and their respective heirs, successors and assigns.

**STATE OF OHIO, COUNTY OF FRANKLIN:**

**SS:**

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2008 by \_\_\_\_\_ Mayor of the City of Bexley, Ohio, and \_\_\_\_\_, Auditor of the City of Bexley, Ohio.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Auditor

\_\_\_\_\_  
Notary

**STATE OF OHIO, COUNTY OF FRANKLIN:**  
**SS:**

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2008, by \_\_\_\_\_.

The Alexander Condominium Association,  
Inc., an Ohio nonprofit corporation

By: \_\_\_\_\_

Its: \_\_\_\_\_

\_\_\_\_\_  
Notary