

APPROVALS:

THIS PLAT COMPLIES WITH THE APPLICABLE NEWBURY TOWNSHIP ZONING THIS 31st DAY OF May, 2007.

Karen Endres
KAREN ENDRES
NEWBURY TOWNSHIP ZONING INSPECTOR

APPROVED AS TO LEGAL FORM THIS 31st DAY OF July, 2007.

Rebecca F. Schlag
REBECCA F. SCHLAG
ASSISTANT GAUGA COUNTY PROSECUATOR

I HAVE EXAMINED THE PLANS AND SPECIFICATIONS FOR THE SANITARY SEWERS, AND ALL APPURTENANCES FOR CONFORMITY TO THE RULES ADOPTED BY THE GAUGA COUNTY BOARD OF COUNTY COMMISSIONERS PURSUANT TO R.C. 6117.01, R.C. 6103.02 AND R.C. 7111.01 AND HEREBY CERTIFY THAT ALL SANITARY SEWERS, AND APPURTENANCES SHOWN ON THIS PLAT HAVE BEEN CONSTRUCTED, ARE IN ACCORDANCE WITH THE APPROVED PLANS AND SPECIFICATIONS, ARE IN GOOD REPAIR, ARE IN CONFORMITY WITH SAID RULES, AND HAVE MET ALL BONDING REQUIREMENTS FOR MAINTENANCE.

APPROVED THIS 18th DAY OF May, 2009 *Douglas Bowen, P.E.*
DOUGLAS BOWEN, P.E.
GAUGA COUNTY SANITARY ENGINEER

UPON THE RECOMMENDATION OF THE GAUGA COUNTY SANITARY ENGINEER, THE GAUGA COUNTY BOARD OF COUNTY COMMISSIONERS HEREBY APPROVES THE SANITARY SEWER FACILITIES AND ALL APPURTENANCES THERETO AS CONSTRUCTED AND AS SHOWN ON THIS PLAT AND THE PLANS AND SPECIFICATIONS FOR SUCH IMPROVEMENTS, IN CONFORMITY WITH THE RULES ADOPTED BY THE GAUGA COUNTY BOARD OF COUNTY COMMISSIONERS PURSUANT TO R.C. 6117.01, R.C. 6103.02 AND R.C. 7111.01. FURTHER, THIS PLAT IS HEREBY APPROVED CONSTITUTING AN ACCEPTANCE OF THE DEDICATION OF THE EASEMENTS FOR SANITARY SEWER LINES AND APPURTENANCES AS SHOWN HEREON FOR PUBLIC USE AND BENEFIT AND THE ACCEPTANCE FOR MAINTENANCE OF SUCH IMPROVEMENTS CONTAINED WITHIN SAID EASEMENTS AN AGREEMENT BY AND BETWEEN THE NEWBURY BOARD OF EDUCATION AND THE BOARD OF COUNTY COMMISSIONERS WAS APPROVED BY THE BOARD ON SEPTEMBER 1, 2005. THIS 11th DAY OF July, 2009.

Timothy J. Semion *William S. Young*
TIMOTHY J. SEMION WILLIAM S. YOUNG
GAUGA COUNTY COMMISSIONER GAUGA COUNTY COMMISSIONER

APPROVED THIS 8th DAY OF May, 2007 *Margaret Muehling*
MARGARET MUEHLING
CHAIRMAN, GAUGA COUNTY PLANNING COMMISSION

NO TRANSFER OF THIS 1st DAY OF June, 2009 *Frank J. Gluha*
FRANK J. GLUHA
GAUGA COUNTY AUDITOR

FILED FOR RECORD THIS 1st DAY OF June, 2009 AT 9:57 A.M.

RECORDED THIS 1st DAY OF June, 2009 IN PLAT BOOK VOL. 40 PAGE 124

Sharon C. Duntun
SHARON C. DUNTUN
GAUGA COUNTY RECORDER

200900795317
Filed for Record in
GAUGA COUNTY OHIO
SHARON C. DUNTUN
06-01-2009 At 09:57 am.
PLAT 40.00
OR Book 40 Page 124 - 124

ACCEPTANCE CERTIFICATION AND DEDICATION:

I, THE UNDERSIGNED OWNER, NEWBURY CENTER L.L.C., OF THE LAND SHOWN HEREIN, HEREBY DEDICATE, GIVE, GRANT, CONVEY AND RELEASE TO THE GAUGA COUNTY BOARD OF COUNTY COMMISSIONERS, ITS SUCCESSORS AND ASSIGNS FOREVER, A PERPETUAL NON-EXCLUSIVE EASEMENT FOR CONSTRUCTING, RECONSTRUCTING, USING, OPERATING, MAINTAINING, REPAIRING, REPLACING, AND RENEWING OF SANITARY SEWERS, AND ALL APPURTENANCES WITHIN, OVER, THROUGH, UNDER AND UPON THE LAND WITHIN SAID EASEMENT INCLUDED IN THIS PLAT AND AS DESCRIBED HEREIN. SAID EASEMENT SHALL REMAIN UNOBSTRUCTED AND SHALL INCLUDE THE RIGHT OF INGRESS AND EGRESS OVER SAID EASEMENT AND THROUGH THE DEVELOPMENT PARKING LOT. SAID EASEMENT RIGHTS SHALL INCLUDE THE RIGHT WITHOUT LIABILITY THEREFOR TO REMOVE TREES AND LANDSCAPING INCLUDING LAWN AND/OR THE RIGHT TO PROHIBIT SUCH LANDSCAPING, EXCEPT LAWN, FROM BEING INSTALLED. I HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS MY "DEDICATION PLAT OF SANITARY SEWER LINE EASEMENT FOR NEWBURY CENTER L.L.C. AND NEWBURY BOARD OF EDUCATION", AND DO HEREBY ACCEPT THIS PLAT OF SAME. THIS 1st DAY OF May, 2007. IN WITNESS WHEREOF THE UNDERSIGNED HERETO SET HIS HAND.

BY: *Nacy Panzica*
NACY PANZICA, Owner
NEWBURY CENTER L.L.C.

Witness *Adam Surckla* *Sharon S. Duntun*
ADAM SURCKLA SHARON S. DUNTUN
Print Name Print Name

STATE OF OHIO) BEFORE ME, NOTARY PUBLIC IN AND FOR SAID COUNTY AND COUNTY OF GAUGA STATE, PERSONALLY APPEARED THE ABOVE NAMED NACY PANZICA, OWNER, WHO ACKNOWLEDGES THAT HE DID SIGN THE FOREGOING INSTRUMENT, AND THAT THE SAME IS THE FREE ACT AND DEED OF SAID CORPORATION AND THE FREE ACT AND DEED OF HIM PERSONALLY. IN WITNESS WHEREOF I HAVE SET MY HAND AND OFFICIAL SEAL AT NEWBURY, OHIO, THIS 2nd DAY OF MAY, 2007.

Sharon S. Duntun 6/2/2009
SHARON S. DUNTUN
NOTARY PUBLIC MY COMMISSION EXPIRES

SHARON S. DUNTUN
Notary Public, State of Ohio
My Commission Expires 06/02/09
Recorded in Gauga County

ACCEPTANCE CERTIFICATION AND DEDICATION:

WE, THE UNDERSIGNED OWNERS, NEWBURY BOARD OF EDUCATION, OF THE LAND SHOWN HEREIN, HEREBY DEDICATE, GIVE, GRANT, CONVEY AND RELEASE TO THE GAUGA COUNTY BOARD OF COUNTY COMMISSIONERS, ITS SUCCESSORS AND ASSIGNS FOREVER, A PERPETUAL NON-EXCLUSIVE EASEMENT FOR CONSTRUCTING, RECONSTRUCTING, USING, OPERATING, MAINTAINING, REPAIRING, REPLACING, AND RENEWING OF THE WASTEWATER TREATMENT PLANT (INCLUDING BUILDINGS), SANITARY SEWERS, AND ALL APPURTENANCES WITHIN, OVER, THROUGH, UNDER AND UPON THE LAND WITHIN SAID EASEMENT INCLUDED IN THIS PLAT AND AS DESCRIBED HEREIN. SAID EASEMENT SHALL REMAIN UNOBSTRUCTED AND SHALL INCLUDE THE RIGHT OF INGRESS AND EGRESS OVER SAID EASEMENT. SAID EASEMENT RIGHTS SHALL INCLUDE THE RIGHT WITHOUT LIABILITY THEREFOR TO REMOVE TREES AND LANDSCAPING INCLUDING LAWN AND/OR THE RIGHT TO PROHIBIT SUCH LANDSCAPING, EXCEPT LAWN, FROM BEING INSTALLED FOR NEWBURY BOARD OF EDUCATION. I HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS OUR "DEDICATION PLAT OF SANITARY SEWER LINE EASEMENT FOR NEWBURY CENTER L.L.C. AND NEWBURY BOARD OF EDUCATION", AND DO HEREBY ACCEPT THIS PLAT OF SAME. THIS 1st DAY OF May, 2007. IN WITNESS WHEREOF THE UNDERSIGNED HERETO SET HIS HAND.

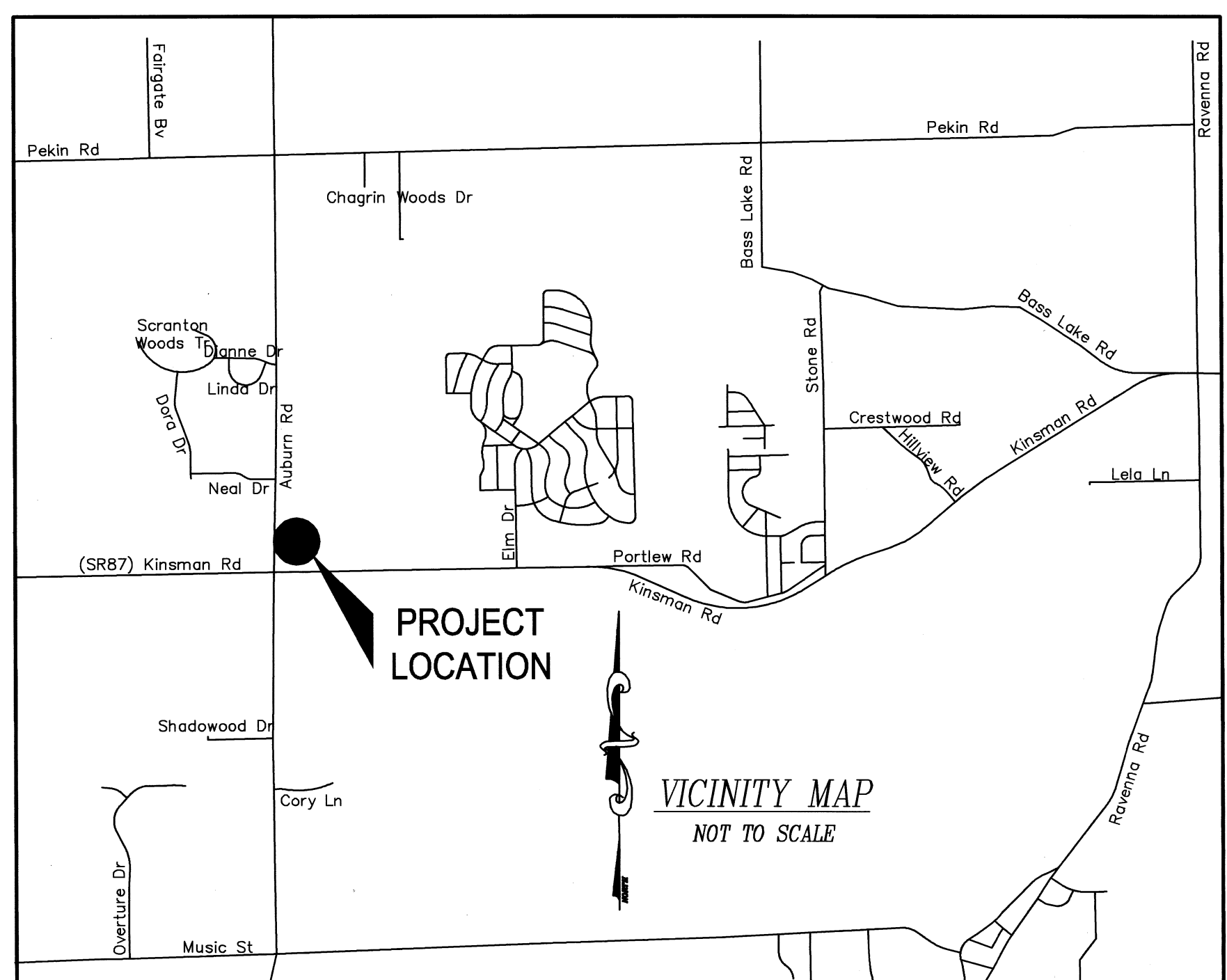
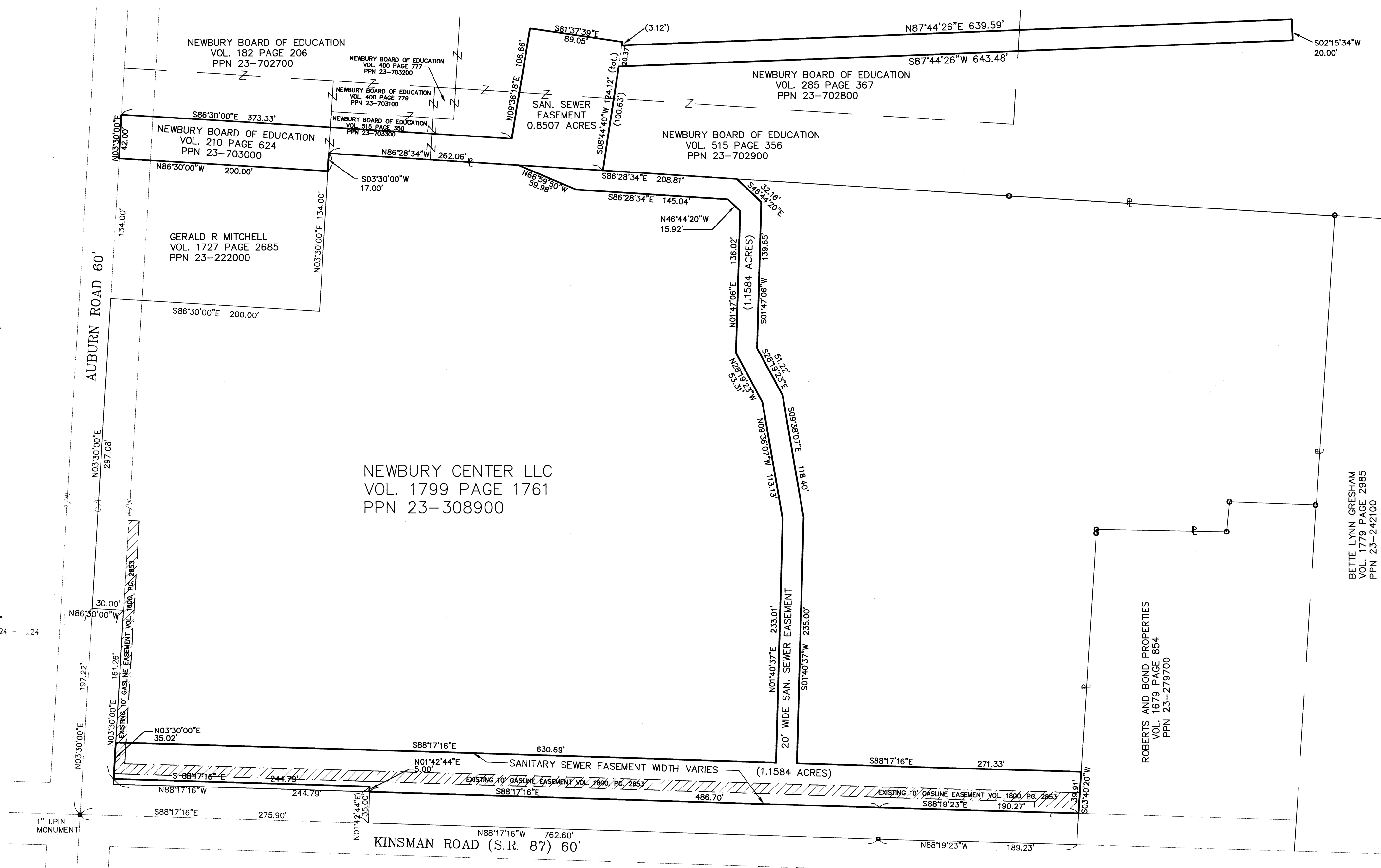
BY: *Richard Wagner*
RICHARD WAGNER, SUPERINTENDENT
NEWBURY BOARD OF EDUCATION

Witness *David M. Heskins* *Jeremy Bailey*
DAVID M. HESKINS JEREMY BAILEY
Print Name Print Name

STATE OF OHIO) BEFORE ME, NOTARY PUBLIC IN AND FOR SAID COUNTY AND COUNTY OF GAUGA STATE, PERSONALLY APPEARED THE ABOVE NAMED RICHARD WAGNER, SUPERINTENDENT, WHO ACKNOWLEDGES THAT HE DID SIGN THE FOREGOING INSTRUMENT, AND THAT THE SAME IS THE FREE ACT AND DEED OF SAID NEWBURY BOARD OF EDUCATION AND THE FREE ACT AND DEED OF HIM PERSONALLY. IN WITNESS WHEREOF I HAVE SET MY HAND AND OFFICIAL SEAL AT NEWBURY, OHIO, THIS 1st DAY OF May, 2007.

Jeremy Bailey
JEREMY BAILEY
NOTARY PUBLIC MY COMMISSION EXPIRES

JEREMY BAILEY
Notary Public
State of Ohio
My Commission Expires
February 15, 2012



PREPARED FOR:
NEWBURY CENTER L.L.C.
735 BETA DRIVE
CLEVELAND, OHIO 44143
Telephone #(440) 442-4300

AND
NEWBURY BOARD OF EDUCATION
14775 AUBURN ROAD
NEWBURY, OHIO 44065
Telephone #(440) 564-5501

**DEDICATION PLAT OF
SANITARY SEWER LINE EASEMENT
FOR
NEWBURY CENTER L.L.C. and
NEWBURY BOARD OF EDUCATION**

SITUATED IN THE TOWNSHIP OF NEWBURY, COUNTY OF GAUGA AND THE STATE OF OHIO AND KNOWN AS BEING A PART OF ORIGINAL LOT NUMBER 5, TRACT 2. ALSO KNOWN AS BEING A PART OF LANDS CONVEYED TO NEWBURY CENTER L.L.C. BY DEED RECORDED IN VOLUME 1799, PAGE 1761 (PPN 23-308900), AND A PART OF LANDS CONVEYED TO NEWBURY BOARD OF EDUCATION BY DEEDS RECORDED IN VOLUME 210, PAGE 624 (PPN 23-703000), VOLUME 515, PAGE 350 (PPN 23-703300), VOLUME 515, PAGE 356 (PPN 23-702900), AND VOLUME 285, PAGE 367 (PPN 23-702800).

DATED: APRIL 30, 2007

RUDY E. SCHWARTZ, P.S.
SCHWARTZ LAND SURVEYING, INC.
12121 KINSMAN ROAD
NEWBURY, OHIO 44065
(440) 564-8174 Fax (440) 564-8285

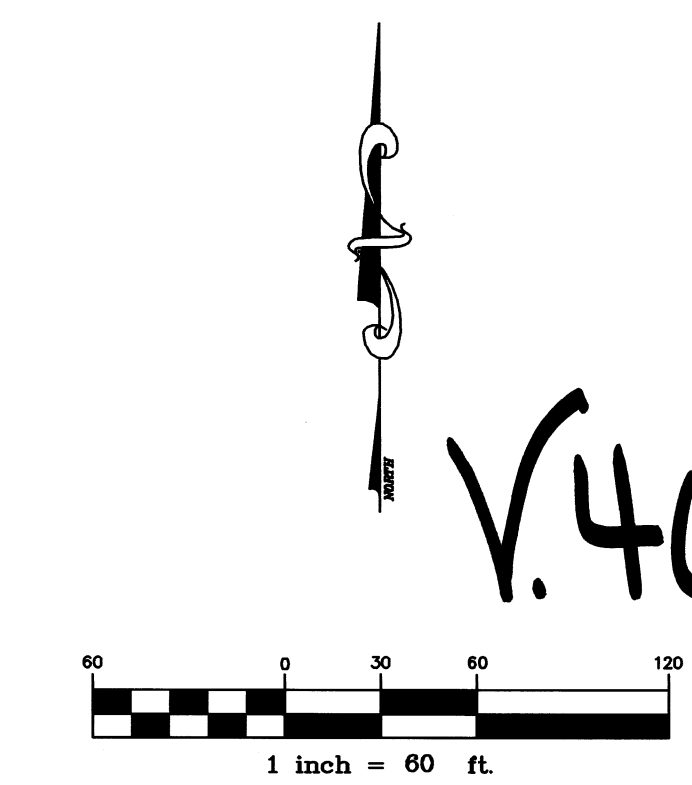
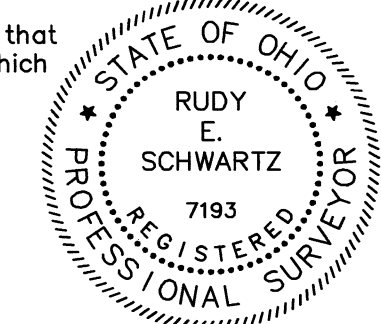
SURVEYOR STATEMENT

I hereby certify that I have surveyed the easement, prepared this plat, and that the dimensions of the same are in feet and decimal parts thereof, all of which are correct, to the best of my knowledge and belief in accordance with the provisions of Chapter 4733-37 of the Ohio Administrative Code.

Rudy E. Schwartz 4.30.07
Rudy E. Schwartz P.S. #7193

PLAT PREPARED BY:

HES & ASSOCIATES ENGINEERING INC.
12121 Kinsman Rd., Newbury, Ohio 44065
Tel (440) 564-8008 Fax (440) 564-8176



V.40 P.124