

Revd 6/1/2018

GEORGE E. PATTISON
ATTORNEY AT LAW

285 E. MAIN STREET Ste. 5
BATAVIA, OHIO 45103
(513) 732-3800
FAX 513-731-6003
george@pattisonlegal.com

May 29, 2018

Pam Holbrook
Asst. City Manager
Planning Commission and Council
City of Milford
745 Center St. Suite 200
Milford, OH 45150


Re: Public Hearing to consider Site 18-06

Dear Pam Holbrook

I represent The Milford Masonic Temple Company and its Trustees. Please direct communications to me regarding this matter.

The Milford Masonic Temple has a recorded easement for parking which is inconsistent with the proposed development in case Site 18-06. See Official Record Book 554 page 222-227 (attached). The current parking in this area is very tight, even in the evenings when most of our meetings are. This Lodge was founded December 11, 1820. The easement is a significant issue to the Lodge and its over 400 members, as well as The Eastern Star and Jobs Daughters who also meet at the Lodge.

Very Truly Yours,


George E. Pattison
Attorney at Law

Cc:

Rodney J. Sabo
Sabo Design Associates
550 Wards Corner Rd.
Loveland, OH 45140

ATTACH 6

William A. Shannon
Master, Milford Lodge No. 54
32 Water St.
Milford, OH 45150

Jim Nolan, Chairman Trustees
32 Water St.
Milford, OH 45150

PLK Acquisitions, LLC
5905 E. Galbraith Rd.
Cincinnati, OH 45236

LS Reddy Properties, LLC
6253 Allison Ct.
Mason, OH 45040

Michael Minniear
City Attorney
626 Main St.
Milford, OH 45150

027305

SEWER EASEMENT

BOOK 554 PAGE 222

3

The Milford Masonic Temple Company (Grantor), an Ohio Corporation of Clermont County, Ohio, for One Dollar and other good and valuable consideration paid, grants with general warranty covenants to Steven D. Fletcher and Debra L. Fletcher (Grantees) whose tax mailing address is 731 Elm Avenue, Cincinnati, Ohio, their heirs, successors and assigns, a perpetual easement to construct, maintain, operate, tap into, repair, and/or remove a sewer line along the south line of the following described real property.

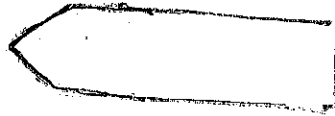
See Exhibit "A"

Said Easement is for the benefit of property described in Exhibit "B."

Said Easement is more fully described in Exhibit "C," and as shown on Exhibit "D."

Said Easement is granted upon the following conditions:

1. Non-exclusive use after 6:00 p.m. of parking spaces marked on the property described in Exhibit "B" at the completion of a building to be erected by Steve Fletcher.
2. Grantor, its successors and assigns, shall indemnify and hold harmless Grantees, their heirs, successors and assigns, from any property damage and/or bodily injury arising from or related to use of the parking spaces referenced above by members, guests, or invitees of the Grantor, its successors and assigns.
3. All costs for the installation of the sewer and ongoing maintenance shall be born by the Grantees.
4. Grantees, their successors and assigns, shall bear the cost of repair of any damage to the Masonic Temple Company's property resulting from the installation, maintenance and removal of the said sewerline.
5. This easement shall run with the land and be binding upon and inure to the benefits of the respective heirs, successors and assigns of the Grantees.



RECORDED
SEP 23 AM 9 27
COLUMBIA OHIO

WITNESSES

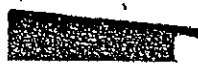
Patricia Woy

Tricia L. Robb
TRICIA L. ROBB

Grantor: Milford Masonic Temple Company

BY: Richard D. Hall
Richard D. Hall
The Worshipful Master

BY: Bernard C. Bill
Bernard C. Bill
Secretary



STATE OF OHIO)
)SS
COUNTY OF CLERMONT)

Be It remembered, that on this 19 day of Sept., 1994, before me, the subscriber, a Notary Public in and for said County and State, personally appeared RICHARD D. HALL, The Worshipful Master, and BERNARD C. BILL, the Secretary, of the Milford Masonic Temple Company, who acknowledged the signing of the foregoing instrument to be their free and voluntary act and deed of the corporation and their free and voluntary act and deed as such officers.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



Patricia I. Wolf
Notary Public
PATRICIA I. WOLF
Notary Public, State of Ohio
My Commission Expires Dec. 1, 1996

This instrument was prepared by:

Molly M. Knight
Griffin & Fletcher
125 East Ninth Street
Cincinnati, Ohio 45202

Exhibit A

BOOK 554 PAGE 224

Lying and being in the Village of Milford, Clermont County, Ohio, and being Lot Number Two (2) on the plat of the subdivision of the estate of Rebecca J. E. Townsend, deceased, and being part of numbers Five (5), Six (6), Nine (9) and Ten (10) of the original plat of said village, beginning at a point in the line of Water Street and corner of Lot 1; thence an easterly course one hundred eighteen (118) feet to a stake; thence a northerly course seventy-two (72) feet to a stake; thence a westerly course one hundred eighteen (118) feet to a stake in the line of Water Street; thence a southerly course with the line of Water Street seventy-two (72) feet to the place of beginning.

Exhibit B

BOOK 554 PAGE 225

LEGAL DESCRIPTION

0.199 Acre Tract

Situate in the Village of Milford, Miami Township, Clermont County, Ohio and being more particularly described as follows:

Commencing at an iron pin set at the intersection of the westerly right-of-way line of Main Street and the southerly right-of-way line of Garfield Avenue; thence Due South along said westerly right-of-way line, 85.67 feet to an iron pin set at the REAL PLACE OF BEGINNING for the following described tract; thence continuing Due South along said westerly line, 120.58 feet to an iron pin set; thence North 89° 54' 20" West, 72.00 feet to an iron pin set; thence Due North, 120.58 feet to an iron pin set; thence South 89° 54' 20" East, 72.00 feet to the place of beginning. Containing 0.199 acre of land.

The above described real estate is a part of the same premises described as recorded in Deed Book 159, Page 233, Deed Book 188, Page 530, Deed Book 308, Page 54, Deed Book 520, Page 219, Deed Book 521, Page 137 and Deed Book 528, Page 642 of the Clermont County Ohio Deed Records and identified as parcel nos. 21-07-09-006C, 006E, 006F, 21-07-09-009B, 009C, 21-07-09-010A, 010C and 010D on the Tax Maps of said county. Being the result of a survey and plat dated March 8, 1994, made by William McCreary, P.S., Ohio Reg. No. 5636.

March 10, 1994

94-102

Prepared by: John J. Duffy & Associates, Inc.
4838 Duff Drive, Suite "B"
Cincinnati, Ohio 45246

Exhibit CEASEMENT DESCRIPTION

Situate in Village of Milford, Miami Township, Clermont County, Ohio, being an easement for private sanitary sewer purposes over part Lot 5 of the original plat of the Town of Milford, said easement being 10 feet in width, 5 feet on each side of the following described center line:

Commencing at a cross notch cut at the intersection of the easterly right-of-way line of Water Street and the southerly right-of-way line of Garfield Avenue; thence Due South along said easterly right-of-way line, 143.75 feet to the REAL PLACE OF BEGINNING for the following described center line; thence South $89^{\circ} 54' 20''$ East, 118.00 feet to the terminus of said center line, extending and shortening the sidelines of said easement to their intersections with the aforesaid easterly right-of-way line of Water Street and to the westerly line of a tract of land conveyed to Clermont National Bank as recorded in Deed Volume 188, Page 530 of the Clermont County, Ohio Deed Records.

Exhibit D

WATER STREET
(R/W WIDTH VARIES)

