

ORDINANCE NO. 38-18

PASSED: March 12, 2018

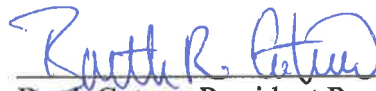
ORDINANCE GRANTING AN EASEMENT TO AEP OHIO TRANSMISSION CO., INC., (0.106 Acre Underground Utility Easement) FOR COMMUNICATIONS PURPOSES OVER A 6.815 ACRE CITY-OWNED TRACT KNOWN AS PARCEL #060-007912-00.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO:

SECTION 1. That the Mayor be and is hereby authorized to grant to AEP Ohio Transmission Co., Inc., a 0.106 acre underground utility easement for communications purposes over the 6.815 acre city-owned tract known as parcel #060-007912-00.

See Exhibit "A" attached hereto and made a part hereof.

SECTION 2. That upon adoption by Council this ordinance shall be in effect thirty days following signature by the Mayor.



Barth Cotner, President Pro Tempore

ATTEST:


April L. Beggerow, Clerk of Council

APPROVED:


Bradley L. McCloud, Mayor

DATE

3/13/18

CERTIFICATE

I, April L. Beggerow, City of Reynoldsburg, Ohio do hereby certify the foregoing to be a true and correct copy of Resolution No. 38-18 as passed by Council of said City on the 12th day of March, 2018, and as recorded in the Record of Proceedings of said Council.


April L. Beggerow, Clerk of Council

Filed with Mayor: 3/13/18



Easement & Right of Way

City of Reynoldsburg, an Ohio municipal corporation, whose mailing address is 7232 E. Main St., Reynoldsburg, OH 43068, ("Grantor"), in consideration of \$1.00, the easement terms, and other good and other valuable consideration received from **AEP Ohio Transmission Company, Inc.**, 1 Riverside Plaza, Columbus, OH 43215 ("Grantee"), the receipt and sufficiency of which is acknowledged, grants and conveys with general warranty covenants to Grantee, its successors, assigns, lessees, licensees and tenants, a right of way and easement, "Easement" for communication purposes under, in, on, through and across the following described lands situated in the State of Ohio, County of Franklin, City of Reynoldsburg, located in Section 5, Township 16, Range 20, Refugee Lands, being 6.815 acres of that original 93.650 acre tract of land conveyed to Reyno Holding Company by deed in Franklin County Official Record 30723107, and being more fully described in Instrument No. 200310210336864 of the Franklin County Recorder's Office, and being known as Parcel # 060-007912-00.

The 456.1 feet long Easement Area, containing 0.106 acre is more fully described and depicted on Exhibit "A", a copy of which is attached hereto and made a part hereof ("Easement Area").

This Easement conveys all necessary and convenient rights for the Easement's use, including, without limitation, the rights to: construct, operate, maintain, inspect, protect, repair, replace, enlarge, upgrade, or remove utility facilities and relocate within the Easement, all necessary and convenient facilities which include but are not limited to: conduits, enclosures, manholes, and associated equipment, adding thereto from time to time; cut, trim, remove and/or otherwise control, at Grantee's option (without any liability to Grantor), any trees, limbs or branches, brush, shrubs, undergrowth, of whatever size, buildings, structures, pavement, or other obstructions that in Grantee's reasonable judgment endanger or interfere with the safety or use of its facilities, both within the Easement. Within the Easement, Grantor shall not: place any structures, piles or debris, change the level of the ground by excavation or mounding without Grantee's written consent, allow any construction that would be inconsistent with the Grantee's design standards, nor permit or cause any excavation, except for other utilities, provided such utilities rights do not conflict with this Easement. This Easement also conveys the right of ingress and egress in and over any reasonable routes at all times. If any governmental authority requires Grantee to relocate the facilities contemplated by this grant, this Easement conveys the right to relocate such facilities to a comparable location of Grantee's choosing, without the need for a new easement.

Grantor may use its property for all purposes not inconsistent with the full enjoyment of the Easement. Grantee shall restore the premises or pay reasonable damages done to fences, drains, seeded lawns (not landscaping), gates, ditches and crops caused by Grantee's use of the Easement. Grantor has authority to grant this Easement. No delay or omission by Grantee in exercising any right hereunder shall operate as a waiver or forfeiture of such right. This Easement grant is effective and binding upon the parties, their successors, assigns, lessees, licensees, heirs and legal representatives, and if any term hereunder is held invalid, the remainder shall not be affected thereby.

WITNESS, Grantor signed this Easement on the ____ day of _____, 20__.

By: _____

Print Name: _____, on behalf of the City of Reynoldsburg

STATE OF OHIO, }
COUNTY OF _____ }

The foregoing instrument was acknowledged before me this _____ day of _____, 20__ by _____ (Name(s)).

Notary Public
My Commission Expires _____

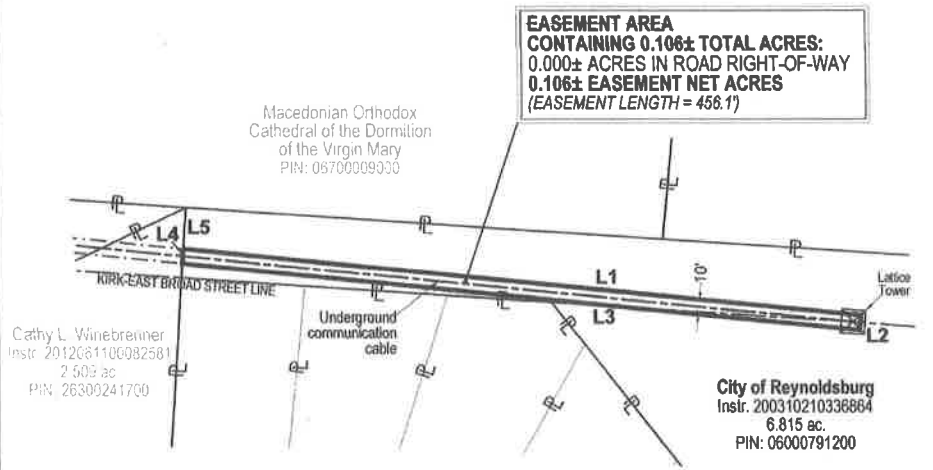
Easement prepared by Ohio Power Company Preparer's Initials NKE
Address 8100 Walton Parkway, New Albany, OH 43054

EXHIBIT "A"

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 84°28'17" E	461.29'
L2	S 05°31'43" W	10.00'
L3	N 84°28'17" W	460.96'
L4	N 03°37'38" E	10.01'
L5	N 03°37'38" E	28.06'



Vicinity Map (NTS)

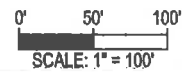


NOTES

-This drawing is for easement purposes only and has been created using existing public records and field collected data. -Bearings are oriented to the Ohio State Plane Coordinate System (NAD 83).

LEGEND

- Centerline
- Easement Area
- Right-of-Way Line
- Road Right-of-Way Line
- Property Line



OHIO POWER COMPANY

**EASEMENT ACROSS THE LANDS OF
CITY OF REYNOLDSBURG
CONTAINING 0.106± ACRES**

Situated in the State of Ohio, County of Franklin, and the City of Reynoldsburg.

BAIR, GOODIE AND ASSOCIATES, INC.
 153 North Broadway, New Philadelphia, Ohio
 Email: ktoukonen@bairgoodie.com
 Telephone: 330.343.3499 | Fax: 330.343.9505

Scale: 1" = 100' | Date: 12.20.2017 | File: MF.EX | Sheet: 1 of 1