

ORDINANCE NO. 18-001

AN ORDINANCE TO AUTHORIZE THE MAYOR TO GRANT A UTILITY EASEMENT TO SOUTH CENTRAL POWER COMPANY FOR THE RELOCATION OF ELECTRIC UTILITIES FOR THE GENDER ROAD PHASE 4 IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY

WHEREAS, Council hereby finds and determines that it is in the best interest of the City of Canal Winchester to provide a utility easement to South Central Power Company for the purposes of relocating electric facilities required by the Gender Rd. Phase 4 Improvements project;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL WINCHESTER, STATE OF OHIO:

Section 1. That the Mayor be and hereby is, authorized to execute on behalf of the City of Canal Winchester an electric utility easement to South Central Power Company, as more fully described in the Electric Line – Right of Way Easement attached hereto as Exhibit A and incorporated herein by reference

Section 2. That this ordinance is hereby declared to be an emergency measure, necessary for the preservation of public health, safety, and welfare, such an emergency arising from the need to meet a specific construction schedule associated with the Gender Rd. Phase 4 Improvements; wherefore this ordinance shall take effect and be in force from and after its passage.

DATE PASSED 1/16/18


PRESIDENT OF COUNCIL

ATTEST Amanda M Jackson
CLERK OF COUNCIL


MAYOR

DATE APPROVED 1-17-18

APPROVED AS TO FORM:
Michell M. Harbom
LEGAL COUNSEL

I hereby certify that the ordinance as set forth above was published for a period of not less than fifteen days after passage by the Council, by posting a copy thereof in not less than three (3) public places in the municipal corporation, as determined by Council and as set forth in the Canal Winchester Charter.

Amanda M Jackson
Finance Director/Clerk of Council

ELECTRIC LINE ~ RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, (whether one or more), for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant to SOUTH CENTRAL POWER COMPANY, an Ohio corporation (hereinafter called "South Central") whose post office address is PO Box 250 Lancaster Ohio and to its successors and assigns, the right, privilege and easement to enter upon the lands and property of the undersigned, situated in the Township of: Madison County of: Franklin State of Ohio, and more particularly described as follows:

Property Owners: Village of Canal Winchester AKA City of Canal Winchester

Property Address: Gender and Groveport Road

Map/Location: 110-004-000

Work Order #: 165554-02

Containing: 2.230 Acres, 2.739 Acres and 3.102 Acres More or less

Parcel No: 184-003188, 184-000873 and 184-003284

Recorded In-Deed Vol:

OR Volume

Page:

Initials:

Vms No:

Section: 25

Township No: 11

Range: 21

Easement width shall be 50 feet, 25 feet each side of South Central Power Company's overhead electric lines, poles and anchors as constructed, and 20 feet in width 10 feet each side of South Central Power Company's underground electric lines and above ground facilities as constructed.

The approximate location of said electric lines, poles and other facilities is depicted on the Exhibit "A" drawing attached hereto and incorporated herein.

The right to construct, reconstruct, re-phase, relocate, install, inspect, upgrade, repair, extend, operate and maintain on, over, across, under, and through said lands and property and/or all streets, roads or highways abutting said land and property, electric transmission and/or distribution lines or systems; to make such excavation as may be reasonably necessary to carry out the foregoing acts in respect to any underground lines or systems; to cut, trim, remove and control growth of trees, shrubbery, and vegetation within such right-of-way and any dead, weak, leaning or danger trees outside of the right-of-way that may strike the lines or system in falling, by chemical means, machinery or otherwise vegetation that may interfere with or threaten to endanger the operation and maintenance of said lines or systems, and to license, permit or otherwise agree to the joint use or occupancy of the lines or systems by any other person, association or corporation for electrification, telephone or other utility purposes; with the right to assign this easement in whole in part; together with the right at all times to enter upon said lands for the purpose of inspecting said lines or systems, making repairs, renewals, alterations and extensions thereon, thereunder, thereto and therefrom; also the right of ingress and egress over the property of the undersigned to and from said lines or systems. No tree or trees shall be planted, grown or permitted to grow in such right-of-way, and no other vegetation shall be planted, grown or permitted to grow in such right-of-way that may interfere with Grantee's use and enjoyment.

No improvement, structure or building shall be built or placed within the easement area, or the level of the ground be changed by excavation or mounding without written consent of the Grantee. Grantee can remove, without compensation to the Grantor, trees, vegetation, improvements, structures or other obstructions within the right-of-way that, in the Grantee's judgment, may interfere with Grantee's use and enjoyment of such right-of-way or the operation and maintenance of such poles, lines or systems, or that may be a safety hazard. South Central shall restore and repair the property owned by the Grantor to the approximate same condition following the completion of any work undertaken in the easement area.

The undersigned agrees that all poles, wires and other facilities including any equipment, installed on, over, across, under, or through said lands and property shall remain the property of South Central, removable at its option, upon termination of service to said lands or property. It is covenanted by the undersigned that the undersigned is the owner of the above described lands and property and that said lands and property are free and clear of encumbrances and liens of whatsoever character except and the lien of current taxes not yet due and payable.

Owner: Village of Canal Winchester AKA City of Canal Winchester

BY: _____

Printed Name: _____

Title: _____

State of Ohio, County of:

BE IT REMEMBERED, that on this..... day of, 2017.

before me, the subscriber, a Notary Public in and for said County, personally came the above named Village of Canal Winchester AKA City of Canal Winchester

in the foregoing easement and acknowledged the signing of the same to be a / their voluntary act and deed, for the uses and purposes therein mentioned.

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

.....
Notary

Place notary stamp in box

This instrument prepared by: South Central Power Co., PO Box 250, Lancaster, OH 43130-0250
Approved by: BakerHostetler, As to form, 65 East State St. Columbus, OH 43215

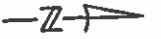
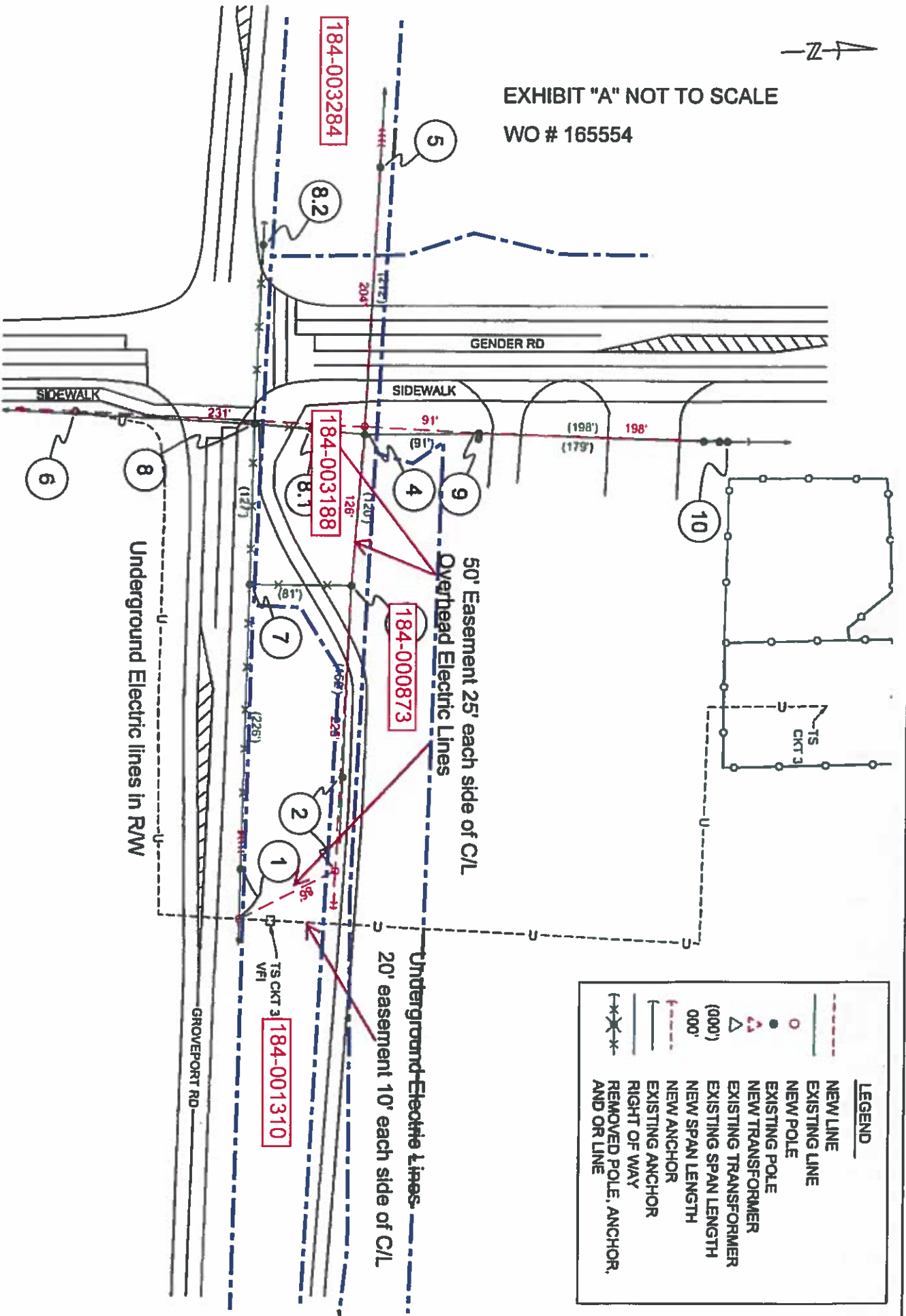


EXHIBIT "A" NOT TO SCALE

WO # 165554



LEGEND	
	NEW LINE
	EXISTING LINE
	NEW POLE
	EXISTING POLE
	NEW TRANSFORMER
	EXISTING TRANSFORMER
	EXISTING SPAN LENGTH (000')
	NEW SPAN LENGTH (000')
	NEW ANCHOR
	EXISTING ANCHOR
	RIGHT OF WAY
	REMOVED POLE, ANCHOR, AND OR LINE



GROVEPORT RD
 SOUTH CENTRAL POWER COMPANY
 FRANKLIN COUNTY

DATE: 10-19-17
 STAKED BY: T. KELLY

SCALE:
 1" = 100'

JOB NUMBER: 36-030-006
 SHEET 1 OF 1

Underground Electric lines in R/W

50' Easement 25' each side of C/L Overhead Electric Lines

20' easement 10' each side of C/L Underground Electric Lines