

AN ORDINANCE GRANTING FRANCHISE TO OHIO POWER COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO ACQUIRE, CONSTRUCT, MAINTAIN, AND OPERATE IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES, AND PUBLIC PLACES OF THE VILLAGE OF SPENCERVILLE, ALLEN COUNTY, OHIO, AND ITS SUCCESSORS, LINES FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRIC ENERGY TO THE VILLAGE OF SPENCERVILLE, STATE OF OHIO, AND THE INHABITANTS THEREOF FOR LIGHT, HEAT, POWER, AND OTHER PURPOSES, AND FOR THE TRANSMISSION AND DISTRIBUTION OF THE SAME WITHIN, THROUGH, OR ACROSS SAID VILLAGE OF SPENCERVILLE, ALLEN COUNTY, OHIO

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE VILLAGE OF SPENCERVILLE, ALLEN COUNTY, OHIO, to-wit:

SECTION ONE: That Ohio Power Company, its successors, and assigns (hereinafter called "Grantee") are hereby granted the right privilege, franchise, and authority to acquire, construct, maintain, and operate in, above, under, across, and along the streets, thoroughfares, alleys, bridges, and public places (as the same now exist or may hereafter be laid out) of the Village of Spencerville, Allen County, Ohio, lines for the transmission and distribution of electric energy, either by means of overhead or underground conductors, with all the necessary or desirable appurtenances and appliances, including electric substations, to render public utility service in said Village and to the inhabitants thereof by supplying electric energy to said Village and the inhabitants thereof, and persons or corporations beyond the limits thereof for light, heat, power, or any other purposes or purpose for which electric energy is now or may hereafter be used, and the transmission and distribution of the same within, through, or across said Village of Spencerville, Allen County, Ohio.

SECTION TWO: That said lines, appurtenances and appliances shall be constructed so as to interfere as little as possible with the traveling public in its use of the streets, thoroughfares, alleys, bridges, and public places.

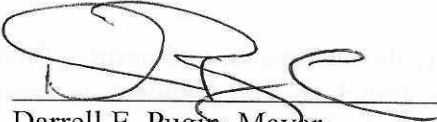
SECTION THREE: That the rights, privileges, and franchise hereby granted shall be in force and effect for a period of fifty (50) years from the date of the passage of this Ordinance. The rights, privileges, and franchise hereby granted shall not be construed to be exclusive and the Council of the Village of Spencerville, Allen County, Ohio, hereby reserves the power to grant similar rights, privileges, and franchises to any other person or persons, firm or firms, corporation or corporations.


SECTION FOUR: That said grantee shall save the Village harmless from any and all liability arising in any way from Grantee's negligence in the erection, maintenance, or operation of said lines for the distribution and transmission of electric energy.

SECTION FIVE: That whenever said Grantee shall begin the erection or installation of any lines or equipment, it shall promptly and diligently prosecute the work to completion and leave the streets, thoroughfares, alleys, bridges, and public places where such work is done in as good condition of repair as before such work was commenced.

SECTION SIX: That wherever in this Ordinance, reference is made to the Village or the Grantee, it shall be deemed to include the respective successors or assigns of either; and all rights, privileges, franchises and obligations herein contained by or on behalf of said Village, or by or on behalf of said Grantee, shall be binding upon, and inure to the benefit of the respective successors or assigns of said Village, or of said Grantee, whether so expressed or not.

SECTION SEVEN: That this Ordinance shall be accepted by the Grantee within sixty (60) days from the date of the passage of same, and shall take effect and be in full force at the earliest period allowed by law.

APPROVED: 
Darrell E. Pugin, Mayor

ATTEST: 
McKensy Brewer, Fiscal Officer