

ORDINANCE NO. 80 -98

BY: William J. Schottenstein

An Ordinance to authorize the granting of easements to Ameritech, Ohio for the construction and maintenance of an underground communications system on certain property of the City of Bexley and to declare an emergency.

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

Section 1. That the Mayor and Auditor be, and they hereby are, authorized and directed to execute and grant an easement on behalf of the City of Bexley to Ameritech, Ohio for the construction and maintenance of an underground communication system on certain property of the City, said easement to be in the form attached hereto as Exhibit A and incorporated herein by this reference.

Section 2. That this Ordinance is an emergency ordinance necessary for the immediate preservation of the public peace, health and safety, said emergency being the need to upgrade telephone communication systems in the area adjacent to the City Hall property including all City offices and shall go into force and effect upon its passage and approval by the Mayor.

Passed: _____, 1998

President of Council

Attest: _____
Clerk of Council

September 8, 1998 - first reading
Sept. 22, 1998 - second reading
October 13, 1998 - Tabled

Approved: _____, 1998

David H. Madison, Mayor

AMERITECH GENERAL EASEMENT

For a valuable consideration of one dollar (\$1.00), receipt of which is hereby acknowledged, the undersigned (Grantor) hereby grants and conveys to Ohio Bell Telephone Company a.k.a. Ameritech Ohio, an Ohio Corporation, and its affiliates and licensees, successors and assigns (collectively "Grantees") an easement in, under, over upon and across the Easement Area (described below), for the purposes of and in order to construct, reconstruct, modify, supplement, maintain, operate and/or remove facilities for the transmission of signals used in the provision of communication, video and/or information services and/or any other services or uses for such facilities may be used including, but not limited to poles, guys, anchors, and messenger strand, equipment cabinets or enclosures and support posts or pads, cables, wires, pedestals or other above-ground cable or wire enclosures, marker posts and signs, and other related or useful equipment, fixtures, appurtenances and facilities, together with the right to have commercial electrical service extended across the Property (described below) and Easement Area to provide service to such facilities and the right of ingress and egress across the Property and the Easement Area for the purpose of access to and use of the easement granted herein.

The Property is legally described as: BEING SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF BEXLEY AND BEING THE SAME PARCEL OF LAND CONVEYED BY O.R. AND DEED TO THE CITY OF BEXLEY, OHIO AS RECORDED ON AUGUST 13, 1990, MARCH 19, 1984, AND FEBRUARY 3, 1948

and being the same premises of record in Official Record 15638 Page J17,
of FRANKLIN County records. Deed Book 04003 Page H08,
1419 Page 177

The Easement Area is legally described as: BEING 5'± X 215'± AS SHOWN ON EXHIBIT "A".

The Grantor represents and warrants to the Grantee that Grantor is the true and lawful owner of the Property and has full right and power to grant and convey the rights conveyed herein.

Grantee hereby agrees to restore all property disturbed by its activities in use of the easement to the condition existing prior to the disturbance.

Grantee shall have the right to remove or trim such trees and brush in the Easement Area as is necessary to exercise the rights conveyed herein.

The Grantor shall not construct improvements in the Easement Area or change the finish grade of the Easement Area without the consent of the Grantee.

This Easement is binding upon and shall inure to the benefit of the heirs, successors, assigns, and licensees of the parties hereto.

IN WITNESS WHEREOF, _____ have hereunto set _____ hands(s) this _____ day of _____, 19_____.

Signed and Acknowledged
in the Presence of:

CITY OF BEXLEY, OHIO

X _____
WITNESS

X _____
GRANTOR

X _____
WITNESS

X _____
GRANTOR

STATE OF)
) SS
COUNTY)

Personally came before me this _____ day of _____, 19_____
_____ and _____ to me known to
be the _____ and _____ respectively, of
the above named corporation/partnership, and by me duly sworn, did severally
depose and say that they executed the foregoing instrument for and on behalf of
said corporation as such officers, being duly authorized so to do, and further did
severally depose and say that they are such officers of said corporation and that
the seal affixed to said instrument is the seal of said corporation.

X _____
Notary Public in and for
_____ County, Ohio

This document was drafted by the Ameritech Legal Department, 30 S. Wacker Drive, Chicago, IL 60606

Return this document to: _____

CITY OF BEXLEY, OHIO	
FOR OHIO BELL TELEPHONE COMPANY USE ONLY	
Date _____	Order No. 1116814
Engineering District _____	Dodson-Stilson, Inc.
Recording R/W Agent _____	DSI- 9821 1171.69
THIS SPACE FOR COUNTY RECORDER'S OFFICE USE	
COUNTY RECORDER'S RECORD	
Received for record _____, 19_____	PM AM
At _____ O'clock _____	
Off. Record Book _____	Page _____
County _____	Recorder _____

EXHIBIT

"A"

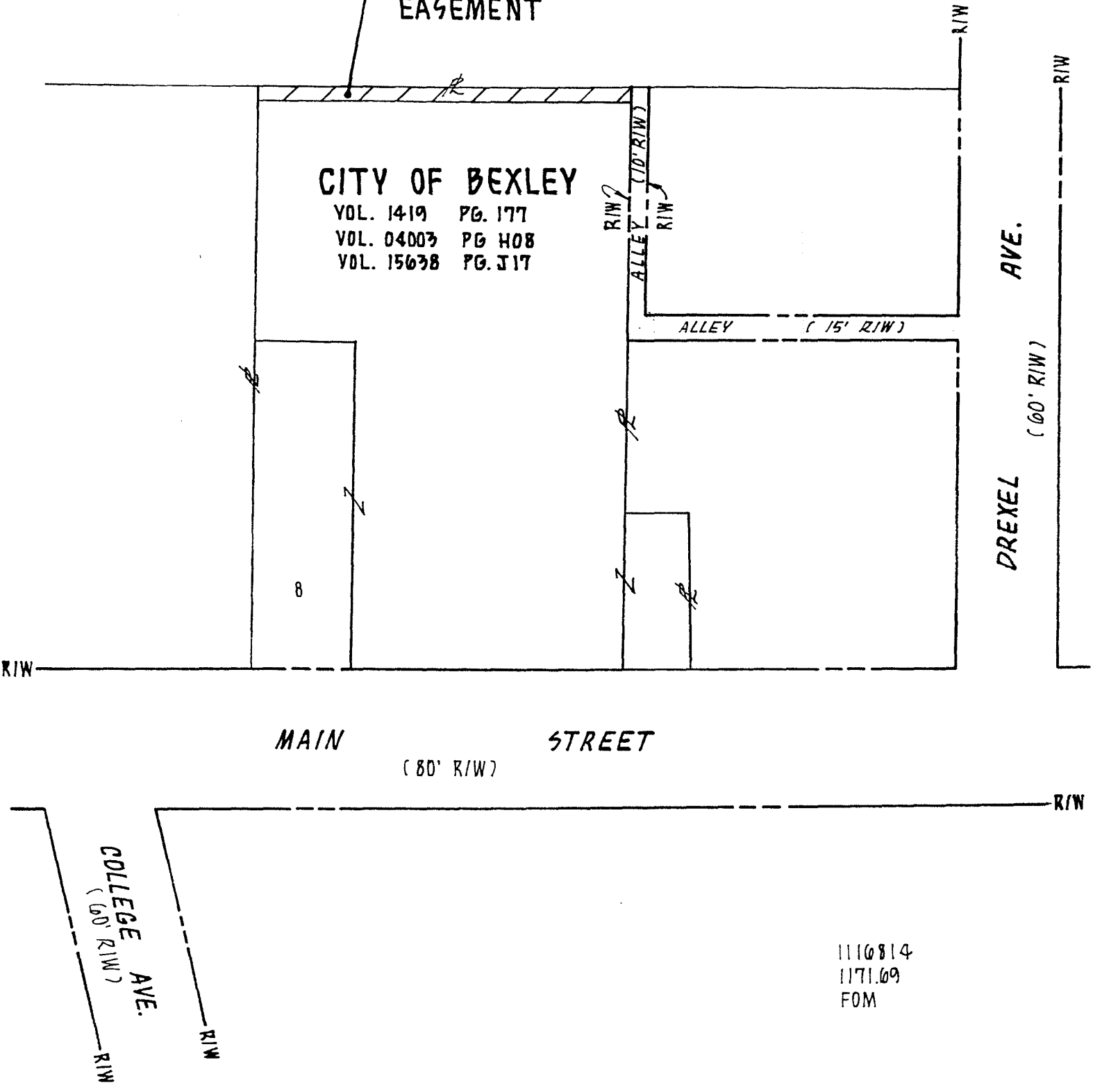
NOT TO SCALE



5' x 215' O.B.T. CO. EASEMENT

CITY OF BEXLEY

VOL. 1419 PG. 177
VOL. 04003 PG. H08
VOL. 15638 PG. J17



MAIN STREET (80' R/W)

DREXEL AVE. (60' R/W)

COLLEGE AVE. (60' R/W)

1116814
1171.69
FOM

This Exhibit is Drawn For The Limited Use Of The Ohio Bell Telephone Company To Identify The Easement Location And Is Not Intended To Represent An Accurate Survey Of The Property.