

RESOLUTION NO. CR-71-00

A RESOLUTION TO GRANT AN EXCLUSIVE EASEMENT WITH A NON-EXCLUSIVE STRIP EASEMENT TO THE OHIO BELL TELEPHONE COMPANY dba AMERITECH LOCATED NORTH OF WHITE ROAD IN KELLER FARMS EAST SUBDIVISION, SECTION TWO

WHEREAS, the City of Grove City owns a parcel in Keller Farms East Subdivision, Section Two; and

WHEREAS, a portion of this parcel is needed for telephone equipment to service the area; and

WHEREAS, it has been requested that the City grant an exclusive easement for a portion of ground and a non-exclusive strip easement, off White Road, for access to the said portion.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. There is hereby granted an Exclusive Easement with a Non-Exclusive Strip Easement to The Ohio Bell Telephone Company, dba Ameritech, as shown on the attached Exhibit "A".

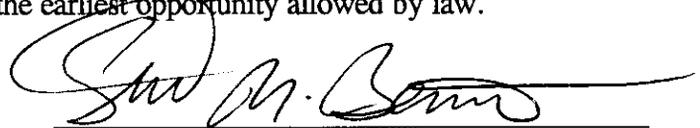
SECTION 2. The City Administrator is hereby authorized to sign the necessary documents for the granting of said easements, as prepared by the City Attorney.

SECTION 3. This resolution shall take effect at the earliest opportunity allowed by law.

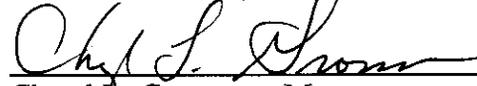
Passed: 10-16-00
Effective: 10-16-00

Attest:

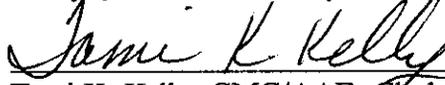
I Certify that this resolution is correct as to form.



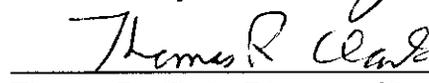
Steven M. Bennett, President of Council



Cheryl D. Grossman, Mayor



Tami K. Kelly, CMC/AAE, Clerk of Council



Thomas R. Clark, Director of Law

CR-71-00

EXHIBIT "A"

**AMERITECH EXCLUSIVE EASEMENT
WITH A NON-EXCLUSIVE STRIP EASEMENT**

Undertaking No. 0152426

For a valuable consideration of One Dollar (\$1.00), receipt of which is hereby acknowledged, the undersigned (Grantor) THE CITY OF GROVE CITY, an Ohio Municipal Corporation, hereby grants and conveys to Ohio Bell Telephone Company, aka Ameritech Ohio, Inc., an Ohio Corporation, and it's affiliates and licensees, successors and assigns (collectively "Grantees") an exclusive site easement and a non-exclusive strip easement in, under, and across the Easement Area (described in Exhibit A attached hereto), 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 which 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 Easement Area to provide service to such facilities and the right of ingress and egress across the Easement Area for the purpose of access to and use of the easement granted herein.

Being the same property as recorded in O.R. 15784, D12, Franklin County Records.

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 it's 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

The Grantor agrees that, due to the exclusive nature of the grant herein conveyed, no other use of the exclusive site easement shall be made by anyone, including Grantor, without the consent of the Grantee.

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

Signed and Acknowledged
in the presence of:

The City of Grove City

(Witness Signature)

By _____
Grantor Richard L. Stage, City Administrator

(Witness Printed)

STATE OF OHIO
COUNTY OF FRANKLIN

Personally appeared before me, a Notary Public, in and for said County and State, this _____
day of _____, 2000, The City of Grove City, by Richard L. Stage, it's City
Administrator, who acknowledged the execution of the above easement.

Notary Public Signature

Notary Public Printed

My Commission Expires _____

Ameritech Ohio, Inc.
150 East Gay Street
Columbus, Ohio 43215

This document was drafted by Thomas R. Clark, Attorney, 3083 Columbus Street, Grove City,
Ohio 43123

EXHIBIT "A"

TO AN EASEMENT DATED _____
FROM

SCALE: N. T. S.

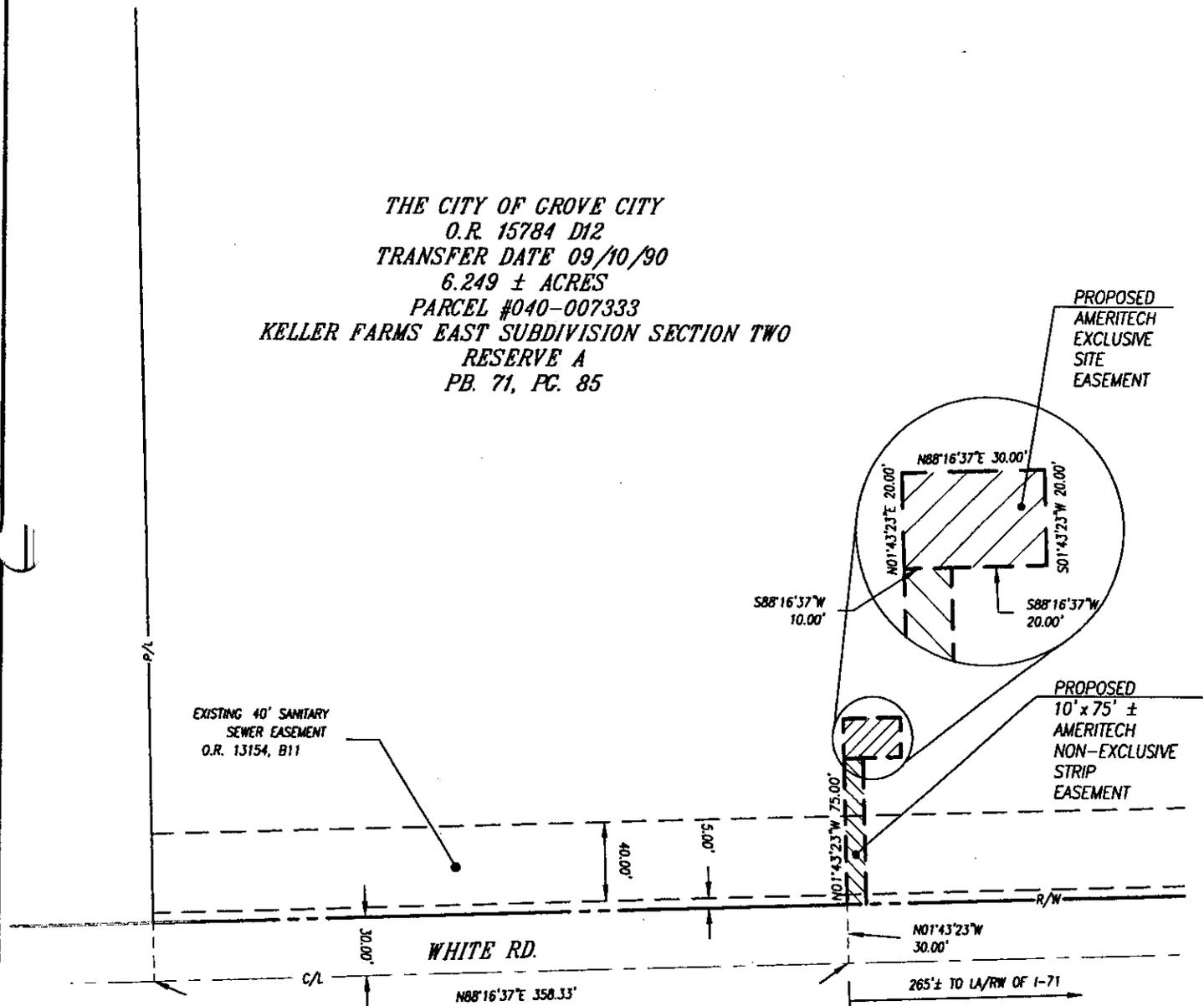
THE CITY OF GROVECITY

TO
THE OHIO BELL TELEPHONE COMPANY
dba AMERITECH

CITY OF GROVE CITY
TWP. OF FRANKLIN
COUNTY OF OHIO
STATE OF OHIO



THE CITY OF GROVE CITY
O.R. 15784 D12
TRANSFER DATE 09/10/90
6.249 ± ACRES
PARCEL #040-007333
KELLER FARMS EAST SUBDIVISION SECTION TWO
RESERVE A
PB. 71, PG. 85



REVISED BY	DATE	THIS DOCUMENT WAS PREPARED BY THE FISHEL COMPANY 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.	OB T UNDER TAKING #	0152426-59496	
			REQUESTER	KS	
DRAWN BY	RE				
CHECKED BY	P.T.				
APPROVED BY	J.P.				
DATE	08/24/00				
FILE NAME	59496				
			THE FISHEL COMPANY-1600 WALCUTT ROAD- COLUMBUS, OHIO 43228-(614) 850-4400		