

ORDINANCE NUMBER 43

AN ORDINANCE GRANTING TO THE OHIO POWER COMPANY, its successors and assigns, the right to acquire, construct, maintain and operate, in the streets, alleys and public places of the Village of Ottoville, and its successors, lines, for the distribution of electric energy to the village of Ottoville, and the inhabitants thereof, for light, heat, power and other purposes.

BE IT SO ORDAINED BY THE COUNCIL OF THE VILLAGE OF OTTOVILLE, PUTNAM COUNTY, STATE OF OHIO, AND IT IS HEREBY ORDAINED BY AUTHORITY OF THE SAME, THAT:

Section 1: The 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 Ottoville, Putnam County, State of Ohio, lines for the distribution of electric energy, either by means of overhead or underground conductors, with all the necessary or desirable appurtenances for the purpose of 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 purpose, for which electric energy is now or may hereafter be used, and for the transmission of the same within, through and across said village of Ottoville, State of Ohio.

Section 2: Said lines, and appurtenances shall be constructed so as to interfere as little as possible with the proper use of the streets, alleys, and public places. The location of poles or conduits necessary for any additional extensions after completion of original distribution system shall be made with the approval of council or their designated representatives of said village.

Section 3: The rights, privileges, and franchise hereby granted shall be in force and effect for period of 50 years from and after the date of the passage of this ordinance.

The rights, privileges and franchise hereby granted shall not be construed, to be exclusive and the village Council of the village of Ottoville, hereby reserves the power to grant similar rights, privileges and franchises to any other person or persons, firm or firms, corporation or corporations.

Section 4: Said Grantee shall save the village harmless from any and all liability arising in any way from negligence in the erection, maintenance or operation of said lines, for the distribution of electric energy.

Section 5: Whenever said Grantee shall begin the erection of any lines or equipment, it shall promptly and diligently prosecute the work to completion and leave the streets, alleys and public places where such work is done in as good condition of repair as before such work was commenced.

Approving surveys, plans, profiles, cross sections estimates and specifications for the improvement of Section "Ottoville" of I. C. H. No. 435, the Van Wert Ottawa Road in Monterey township, Putnam County, Ohio, and lying within the village of Ottoville.

Whereas, the village of Ottoville has heretofore formally consented to the improvement under the supervision of the state highway department of the state of Ohio, of Section "Ottoville" of I. C. H. No. 435, the Van Wert-Ottawa Road within said village, and over the following described route, to-wit:- Beginning at the east end of Main Street of said village, thence west intersecting with West Canal Street, thence south on West Canal Street intersecting with Third Street, thence West on Third Street to the end of said Street, and

Whereas, Said village has heretofore agreed to pay a certain proportion of the estimated cost and expense of said improvement and has heretofore requested that said improvement be constructed to the width of 18 feet instead of the regular width of 16 feet established for the improvement of said highway outside of said village, and

Whereas, Said request for the widening of said improvement as aforesaid has been granted, and the State Highway Commissioner has heretofore caused such surveys, plans, profiles, cross sections, estimates and specifications for said improvement to be made and copies thereof to be filed with the village council of said village, and

Whereas, Said Council is still willing to consent to the construction of said proposed road improvement thru said village and is still of the opinion that the public interest demands that said improvement be made and has examined said surveys, plans, profiles, cross sections, estimates and specifications and found the same to be correct, Now, Therefore,

Be it ordained by the council of the village of Ottoville, State of Ohio:-

Sec. 1. Said surveys, plans, profiles, cross sections, estimates and specifications for such improvement as heretofore prepared by the state highway commissioner of the state of Ohio and filed with this council and also heretofore approved by the board of county Commissioners of Putnam County, are hereby approved and confirmed.

Sec. 2. The consent of said village to the construction of said improvement along said above described route heretofore given is hereby re-affirmed.

Sec. 3. The village of Ottoville hereby agrees to pay to Putnam County the estimated cost of improving said road to such additional width amounting to \$2450.00. The village of Ottoville also agrees to pay to Putnam County the further sum of \$2915.00 to be applied toward the cost of construction for construction thru said village along said above described route, making a total sum of \$5365.00 which said village of Ottoville hereby assumes and agrees to pay to said Putnam County toward the cost of construction of said entire improvement thru said village.

Sec. 4. All Ordinances and other legislation of said village of Ottoville relating to the percentage of the cost of said improvement to be paid by said village of Ottoville and inconsistent with the terms of this Ordinance, are hereby amended to conform to the terms of this ordinance.

This Ordinance shall take effect and be in force

Section 6: Whenever in this ordinance either the Village or the Grantee, is referred to, it shall be deemed to include the respective successors or assigns of either and all rights, privileges and obligations herein contained by or on behalf of said village, or by or on behalf of said Grantee, and shall bind and inure to the benefit of the respective successors or assigns of said village, or of said Grantee whether so expressed or not.

Section 7: This ordinance shall take effect and be in force from and after its passage, legal publication and acceptance by The Ohio Power Company.

1929 Passed in Council this 2 day of September

(Signed)

J. C. Wannamacher  
Mayor of the Village

ATTEST:

(Signed) R. E. Fortener