

ORDINANCE 10-95

AN ORDINANCE GRANTING TO LORAIN-MEDINA RURAL ELECTRIC COOPERATIVE, 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 SPENCER, MEDINA COUNTY, STATE OF OHIO, AND ITS SUCCESSORS, LINES FOR THE DISTRIBUTION OF ELECTRIC ENERGY TO ALL MEMBERS WHO ARE INHABITANTS OF THE VILLAGE, FOR LIGHT, HEAT, POWER, AND OTHER PURPOSES, AND FOR THE TRANSMISSION OF THE SAME WITHIN, THROUGH OR ACROSS SAID VILLAGE

BE IT ORDAINED by the Council of the Village of Spencer, Ohio, three-fourths (3/4) of its members concurring herein as follows:

Section 1. That Lorain-Medina REC, Inc., its successors and assigns (hereinafter called the "Grantee"), is 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 Spencer, Medina 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 to render electric service to all members who are inhabitants of said Village, and members beyond the limits thereof, for light, heat, power, or any other purpose or purposes for which electric energy is now or may hereafter be used, and the transmission of the same within, through, or across said Village.

Section 2. That said lines and appurtenances 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. The location of all poles or conduits shall be made under the supervision of the Village.

Section 3. That the rights, privileges, and franchises hereby granted shall be in force and effect for a period of ten (10) years from the date of the passage of this Ordinance. The rights, privileges, and franchises hereby granted shall not be construed to be exclusive; and the Council of the Village of Spencer 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. 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 operations 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, thoroughfares, alleys, bridges, and public places where such work is done in as good a condition of repair as before such work was commenced.

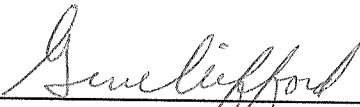
Section 6. That wherever in this Ordinance reference is made to the Village or the Grantee, it shall be deemed to include the respective successors or assigns of either; and all rights, privileges, and obligations herein contained, by or on behalf of

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 7. That this Ordinance shall be accepted by the grantee within sixty (60) days from the date of the passage of same.

Section 8. That this Ordinance shall become effective from and after the earliest date allowed by law.

PASSED: June 28, 1995



GENE CLIFFORD, Mayor

ATTEST:



ROBIN M. COLEMAN, Clerk



**Lorain-Medina
Rural Electric Cooperative, Inc.**

22898 West Road
P.O. Box 158
Wellington, Ohio 44090-0158
Telephone: (216) 647-2133
(800) 222-5673

ACCEPTANCE

The Lorain-Medina Rural Electric Cooperative, Inc., hereby accepts Ordinance No. 10 - 95 and entitled:

AN ORDINANCE GRANTING TO LORAIN-MEDINA RURAL ELECTRIC COOPERATIVE, 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 SPENCER, MEDINA COUNTY, STATE OF OHIO, AND ITS SUCCESSORS, LINES FOR THE DISTRIBUTION OF ELECTRIC ENERGY TO ALL MEMBERS WHO ARE INHABITANTS OF THE VILLAGE, FOR LIGHT, HEAT, POWER, AND OTHER PURPOSES, AND FOR THE TRANSMISSION OF THE SAME WITHIN, THROUGH OR ACROSS SAID VILLAGE.

LORAIN MEDINA RURAL ELECTRIC COOPERATIVE, INC.

Donald F. Breyley
PRESIDENT

Dated: September 27, 1995

The above acceptance was filed with the Clerk of the Village of Spencer, Ohio, this 17th day of October, 1995

Robin M. Coleman
Clerk of the Village of Spencer, Ohio

**POWER BY THE PEOPLE,
FOR THE PEOPLE.**