

AN ORDINANCE GRANTING TO OHIO EDISON COMPANY  
LIMITED RIGHTS TO ACQUIRE, CONSTRUCT, OPERATE  
AND MAINTAIN ELECTRIC FACILITIES IN THE VILLAGE  
OF SPENCER, OHIO

BE IT ORDAINED by the Council of the Village of Spencer, State  
of Ohio:

SECTION 1. Ohio Edison Company, a corporation organized and  
existing under the laws of Ohio, its successors and assigns (hereinafter  
collectively referred to as "Ohio Edison Company"), is hereby granted, for  
a period of twenty-five (25) years from the date of its acceptance hereof  
as provided in Section 8, the right and privilege to erect, construct,  
operate and maintain electric facilities, including without limitation poles,  
towers, guys, wires, conduits, ducts, cable, pipe and all other necessary  
fixtures and appurtenances, in, along, over, under, across and upon the  
streets, alleys, public ways and grounds of the Village of Spencer.

SECTION 2. Ohio Edison Company may exercise the rights granted  
in Section 1 of this Ordinance only to the extent reasonably necessary for  
the purpose of transmitting electric energy through the Village from a  
point outside the corporate limits of the Village to another point outside  
said corporate limits, and for the purpose of furnishing electric service  
to the Lorain-Medina Electric Corporative, Inc. at its substation located  
within the Village.

SECTION 3. The rights and privileges herein granted are subject  
to the following terms, conditions and restrictions:

- (a) The present locations of all poles, supports and con-  
duits, overhead and underground, are hereby approved.  
Future electric installations, owned operated and  
maintained by Ohio Edison Company shall be subject to  
reasonable and proper regulatory provisions now or

hereafter enacted by said Village of Spencer, Ohio, and subject to the laws of the State of Ohio now in force or such as may hereafter become applicable.

(b) All poles, wires and structures hereafter used in the construction and maintenance of the electric system shall be of good commercial quality, securely installed and so placed as not to interfere unreasonably with residences and places of business.

(c) Whenever it shall become necessary for Ohio Edison Company to make excavations in connection with the construction, operation and maintenance of its electric system in, along, over, under, across and upon the streets, alleys, or public grounds in the Village of Spencer, such work shall be performed in such manner as to impede as little as possible travel on said streets, and Ohio Edison Company shall leave all highways, streets, alleys and public grounds, including sidewalks, upon which it may enter for purpose herein authorized, in as good condition as they were at the time said excavation and work was started.

SECTION 4. Ohio Edison Company agrees to protect and indemnify the Village of Spencer against any and all claims for damages that may be sustained by reason of defective construction or maintenance of its electrical installations or for its negligence in operating and maintaining the electrical system which is now located in the Village of Spencer and such additions thereto as may hereafter be acquired, constructed, maintained and operated under the terms of this franchise.

SECTION 5. All of the said electrical installations and the use of electricity by the Village of Spencer, its inhabitants, and others, shall conform to the rules and regulations of The Public Utilities Commission of Ohio.

SECTION 6. It is understood and agreed that the rights and privileges granted herein shall not be or be considered an exclusive grant and nothing in this ordinance shall in any way affect, restrict or abridge the rights of the Village of Spencer, at any time, to grant similar rights and privileges to any other person.

SECTION 7. All ordinances or parts of ordinances heretofore enacted by the Council of the Village of Spencer, Ohio, conflicting herewith are hereby repealed.

SECTION 8. Ohio Edison Company shall, within thirty (30) days after the date of passage of this ordinance, file with the Clerk of Council its written acceptance of the terms and conditions hereof.

SECTION 9. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED April 23, 1959

Kenneth Crosby  
President of Council

J. J. Dwyer  
Mayor

ATTEST:

Donald L. Brouse  
Clerk of Council