

TEMPORARY ORDINANCE NO. 22-22

PERMANENT ORDINANCE NO. 22-22

AN ORDINANCE TO GRANT AN EASEMENT TO SUMMITIG, LLC FOR THE INSTALLATION AND MAINTENANCE OF A FIBER OPTIC TELECOMMUNICATIONS SYSTEM OVER AND THROUGH 0.554 +/- ACRES OF CITY OF LANCASTER PROPERTY

WHEREAS, SummitIG, LLC (“SummitIG”) is a public utility with current certificate 90-6451 issued by the Public Utilities Commission of Ohio (“PUCO”); and

WHEREAS, SummitIG is a contractor for Project Mustang and currently engaged in the construction of a fiber optic telecommunications system which will serve that important economic development project upon completion; and

WHEREAS, the most direct route for the conduit containing the fiber optic telecommunications system is over and through City of Lancaster (“City”) property; and

WHEREAS, in exchange for granting this easement, SummitIG has agreed to provide the City with one (1) HDPE conduit with a twenty-four (24) count fiber optic cable and twenty-one (21) handholes to access this dark fiber; and

WHEREAS, there exists a real and present need to grant said easement as SummitIG is prepared to start construction on this crucial telecommunications project immediately;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO,

SECTION 1. The following easement shall be granted to SummitIG according to the terms and conditions in the easement document and plat of survey on file with the Clerk:

<u>GRANTOR</u>	<u>GRANTEE</u>	<u>EASEMENT AREA</u>
City of Lancaster	SummitIG, LLC	0.554 +/- Acres

SECTION 2. SummitIG shall pay all costs associated with the acceptance of this easement, including but not limited to, costs for preparing and recording this easement.

SECTION 3. The easement in the form presently on file with the Clerk of Council is hereby approved and authorized with changes therein, if necessary, which are not inconsistent with this Ordinance and not substantially adverse to the City. The Mayor, for and in the name of the City, is hereby authorized to execute the easement, including any changes that are approved by the Law Director; acceptance shall be evidenced conclusively by the execution thereof. This Council further authorizes the Mayor, for and in the name of the City, to execute any amendments or revisions to the final documents, which are not inconsistent with this Ordinance and not substantially adverse to the City.

SECTION 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: 7/18/22 after 1<sup>st</sup> reading. Vote: Yeas 9 Nays 0

Approved: 7/18/22

Teresa A. Lee

President of Council

Clerk: Teresa Lee Sandy

David L. Sheffer

Mayor

Offered by: Cony Schoonover

Second by: Thomas A. James

Requested by Public Works Committee

I, Teresa Lee Sandy, Clerk of Council do hereby certify that on \_\_\_\_\_, 2022 in the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

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Clerk of Council