

TEMPORARY ORDINANCE NO. 52-25

PERMANENT ORDINANCE NO. 50-25

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ACCEPT A PERPETUAL EASEMENT FOR ROADWAY PURPOSES ON E. FAIR AVENUE AND TO DECLARE AN EMERGENCY

WHEREAS, The Ohio Power Company is expanding the electric substation it has at the terminus of E. Fair Avenue in the City; and

WHEREAS, the City Engineer is requiring a bulb be constructed for public safety vehicles and the public to turn around; and

WHEREAS, The Ohio Power Company is willing to grant the City the above described easement for public roadway access and just needs the City to accept this property right; now, therefore,

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

SECTION 1. That the Mayor is hereby authorized to accept a perpetual permanent for roadway purposes from The Ohio Power Company, to execute all documents necessary to complete said easement, and to pay any costs associated with the acquisition thereof.

SECTION 2. The Easement and Right of Way, attached hereto as Exhibit A, is hereby approved and authorized with changes therein 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 this easement and any ancillary documents in this matter, provided further that the approval of changes thereto by the Mayor, their character not being substantially adverse to the City, 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 changes to the final documents, which amendments are not inconsistent with this ordinance and not substantially adverse to the City.

SECTION 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the City and its inhabitants and for the further reason that this ordinance is necessary for The Ohio Power Company to construct additional electric infrastructure to serve the City; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: 10/06/2025 after 2 reading. Vote: Yeas 8 Nays 0

Approved: October 06, 2025

Clerk: [Signature]

[Signature]

President of Council

Tom H. McDaniel

Mayor

Offered by: Mayor R. Tenen

Second by: [Signature]

Requested by Public Works Committee

I, Anitra Scott, Clerk of Council do hereby certify that on \_\_\_\_\_, 2025 the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

\_\_\_\_\_  
Clerk of Council



**PERPETUAL EASEMENT FOR ROADWAY PURPOSES  
FROM OHIO POWER COMPANY  
TO CITY OF LANCASTER, OHIO**

KNOW ALL PERSONS BY THESE PRESENTS THAT: The Ohio Power Company, hereinafter the Grantor, for and in consideration of valuable consideration paid by the City of Lancaster, Ohio, hereinafter the Grantee, the receipt of which is acknowledged, does hereby grant, bargain, sell, convey, and release to said Grantee, its successors and assigns forever, an exclusive perpetual easement, hereinafter the Easement, for public highway and road purposes, including but not limited to any public construction, relocation, and/or utility work deemed appropriate by said Grantee, which is more particularly described in EXHIBIT A attached hereto and incorporated herein.

Grantor for itself and its successors and assigns, reserves all existing rights of ingress and egress to and from any residual area.

SEE EXHIBIT A with a legal description and plat of survey attached.

Prior Instrument Reference: Official Record Volume 310, Page 257 and Volume 310, Page 259, in the Fairfield County Recorder's Office.

The Grantor, for itself and its successors and assigns, hereby covenants with the Grantee and its successors and assigns, that it is the true and lawful owner of the Easement premises, and is lawfully seized of the same in fee simple, and has good rights and full power to grant, bargain, sell, convey, and release the same in the manner aforesaid, and that the same is free and clear from all liens and encumbrances, whatsoever, and that the Grantor will warrant and defend the same against all claims of all persons whomsoever.

The Grantor specifically agrees that in the event Grantor wishes to perform any construction or maintenance within the Easement herein granted that the Grantor shall apply for a permit and shall be required to receive prior approval from the Grantee in order to perform such construction or maintenance.

This Easement constitutes the entire agreement between the parties with respect to the subject matter hereof and the parties do not rely upon any statement, promise, or representation not contained herein. This Easement may be amended only by an instrument in writing signed by the parties hereto. This Easement is governed by the laws of the State of Ohio and any litigation related

to or in connection with this Easement shall be brought only in either the Municipal or Common Pleas Courts located in Fairfield County, Ohio and in no other state or federal court.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

GRANTOR:

Ohio Power Company

\_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

State of Ohio,

\_\_\_\_\_ County, SS:

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named \_\_\_\_\_, the \_\_\_\_\_ of Ohio Power, who acknowledged that he/she is authorized to sign on behalf of Ohio Power Company, that he/she did sign the foregoing instrument, and that the same is his/her free act and deed and the free act and deed of Ohio Power Company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_

Name: \_\_\_\_\_

Notary Public, State of Ohio

My commission expires \_\_\_\_\_

*This instrument prepared by:* Stephanie L. Hall (0082045), Law Director & City Prosecutor, City of Lancaster, Ohio; Address: 136 W. Main Street, P.O. Box 1008, Lancaster, Ohio 43130; Phone: (740) 687-6616 x 3016; Email: slhall@lancasterohio.gov.

EXHIBIT A

DESCRIPTION OF A 0.070 TOTAL ACRES EASEMENT  
PARCEL FOR ROADWAY PURPOSES  
ON THE PROPERTY OF  
OHIO POWER COMPANY

The following described easement for roadway purposes is situated in Township of Pleasant, City of Lancaster, County of Fairfield, State of Ohio and being more accurately described as follows;

Being part of Section #32, Pleasant Township, Township #15 North, Range #18 West, being part of the Ohio Power Company parcel as recorded in deed book 310 at page 257 and in deed book 310 at page 259 and part of lots #93 and #94 of the Huffer-Durdin Addition No. 2 as recorded in plat book 7 at page 46. Beginning at an iron pin set marking the northeast corner of said Lot #94 of the Huffer-Durdin Addition No. 2, marking the southeasterly corner of East Fair Avenue of the said Huffer-Durdin Addition No. 2, being in the westerly line of the Greer A. Edwards and Troy A. Edwards (Parcel Three, Tract One) as recorded in Instrument #202100032615 and marking the **POINT OF BEGINNING** for the herein described parcel;

Thence along the said westerly line of the Greer A. Edwards and Troy A. Edwards (Parcel Three, Tract One), South 03°24'12" West, a distance of 56.41 feet to an iron pin set;

Thence leaving the said westerly line of the said Greer A. Edwards and Troy A. Edwards (Parcel Three, Tract One) and through the tracts of which this description is a part, with new division lines the following three (3) courses;

North 51°37'18" West, a distance of 44.72 feet to an iron pin set;

North 87°19'30" West, a distance of 48.20 feet to an iron pin set;

North 02°36'56" East, a distance of 30.31 feet to an iron pin set on the southerly line of East Fair Avenue;

Thence along the said southerly line of East Fair Avenue, South 87°19'30" East, a distance of 85.26 feet to the point of beginning.

**Containing 0.070 total acres**, being 0.010 acres being part of lot #93 and 0.060 acres being part of lot #94 and part of Auditor's Parcel #0530904000.

**Being more particularly described and delineated on a 8½" x 14" plat (drawing #23057C01) attached hereto and made a part hereof. This description is valid only if the plat is attached and recorded with the description as a complete document in its original form and not retyped or altered in anyway.**

Bearings are oriented to the Ohio State Plane Coordinate System, South Zone, NAD 1983 (N 00°00'00" E).

The above description was prepared from an actual field survey completed in August of 2025 by Jeffery L. Craycraft, Ohio Professional Surveyor #7932.

All iron pins set are 5/8" rebar (30" long) with id. cap stamped "Jeff Craycraft 7932".

Subject to all easements and/or encumbrances.

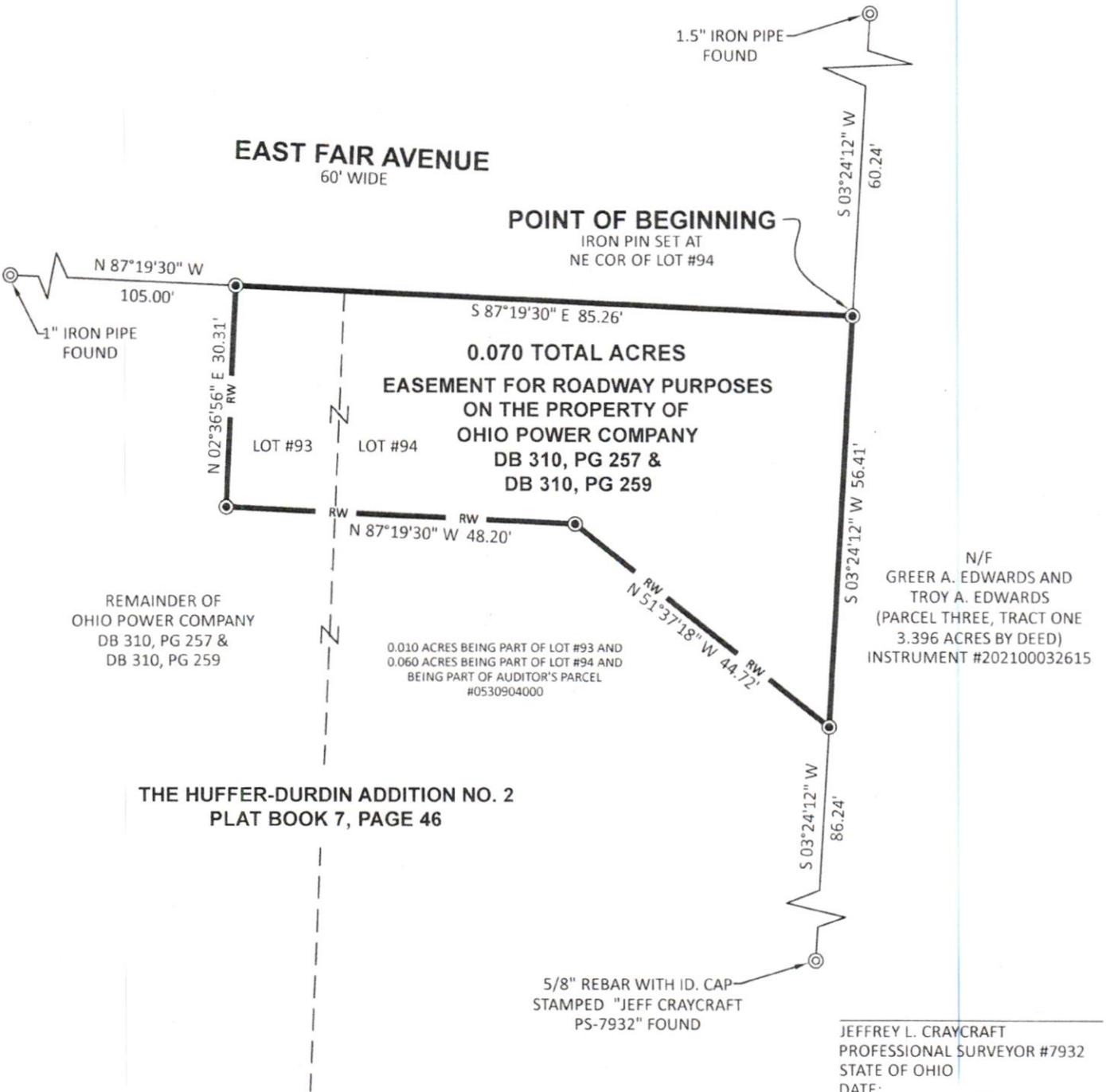
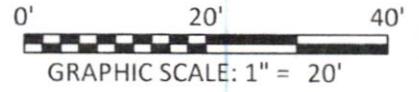
\_\_\_\_\_  
Jeffery L. Craycraft  
Professional Surveyor #7932  
State of Ohio  
Date: \_\_\_\_\_

**LEGEND**

- 5/8" REBAR (30" LONG) WITH ID. CAP STAMPED "JEFF CRAYCRAFT 7932" SET
- ⊙ MONUMENT FOUND AS NOTED
- CALCULATED POINT, NOTHING SET
- BOUNDARY LINE
- - - PARCEL LINE
- RW — EASEMENT RIGHT-OF-WAY
- POB POINT OF BEGINNING
- Z LANDHOOK



BEARINGS ARE ORIENTED TO THE STATE PLANE COORDINATE SYSTEM, OHIO SOUTH ZONE, NAD 1983. (N 00°00'00" E)



JEFFREY L. CRAYCRAFT  
PROFESSIONAL SURVEYOR #7932  
STATE OF OHIO  
DATE:

AUTOCAD

- NOTES:**
- 1) THIS EASEMENT SURVEY DOES NOT PURPORT TO REFLECT ALL EASEMENTS AND/OR ENCUMBRANCES AFFECTING THE TITLE TO THE SUBJECT PROPERTY.
  - 2) NO TITLE REPORT FURNISHED.
  - 3) DEED REFERENCE: DB 310, PAGE 257  
DB 310, PAGE 259
  - 4) NO OCCUPATION FOUND, UNLESS NOTED.

**EASEMENT SURVEY FOR ROADWAY PURPOSES**  
BEING ON THE PROPERTY OF  
**OHIO POWER COMPANY**  
SECTION #32, TOWNSHIP #15 NORTH, RANGE #18 WEST  
CITY OF LANCASTER, FAIRFIELD COUNTY, OHIO

CALC. BY: J. CRAYCRAFT	SCALE: 1" = 20'	SURVEY DATE: 8/18/25
DRAWN BY: C. KAUFFMAN	DRAWING NO.: 23057C01	
CHECKED BY: J. CRAYCRAFT	RECORD RESEARCH DATE: 8/15/25	

10356 State Route 139  
Jackson, Ohio 45640

Phone (740) 286-7024

**EXLINE SURVEYING, INC.**

Fax (740) 256-0012