

ORDINANCE NO. 316 (22-23)

An Ordinance to authorize and direct the Director of Public Safety and Service to enter into a Revocable Land Use and License Agreement with Ohio Power Company, an Ohio Corporation and a Unit of American Electric Power, 700 Morrison Road, Gahanna, OH 43230 for real property located at 241 Front Street (The Marietta Area Community Center at the Armory), and at 243 Front Street (The Lock House), in the City of Marietta, Ohio, and declaring an EMERGENCY.

WHEREAS, the City of Marietta owns real property located at 241 Front Street, which is the Marietta Area Community Center at the Armory. The City of Marietta also owns real property located at 243 Front Street which is the Lock House; and

WHEREAS, the Ohio Power Company, an Ohio Corporation and a unit of American Electric Power, located at 700 Morrison Road, Gahanna, Ohio 43230, desires to enter into a Revocable Land Use and License Agreement with the City of Marietta, Ohio for use of the real property described as follows:

TRACT ONE: (Property known for street purposes as 241 Front Street, Marietta, Ohio [The Marietta Area Community Center at the Armory] that is partly described as follows:

Situated in the State of Ohio, County of Washington, City of Marietta, Marietta Township, and being part of Section 29, Township 2, Range 8. Being part of a 1.21 acre tract of land, more or less, as described in Volume 67, Page 107 of the Official Records of Washington County, Ohio (Parcel #24-0097077.000)

TRACT TWO: (Property known for street purposes as 243 Front Street, Marietta, Ohio [The Lock House] that is partly described as follows:

Situated in the State of Ohio, County of Washington, City of Marietta, Marietta Township, and being part of Section 29, Township 2, Range 8. Being part of a 0.31 acre tract of land, more or less, as described in Volume 382, Page 770 of the Official Records of Washington County, Ohio (Parcel #24-0096389.000); and

WHEREAS, the purpose of this Revocable Land Use and License Agreement is to give Ohio Power Company, an Ohio Corporation and a unit of American Electric Power the right to occupy underground electrical service in order to provide secondary service to the Marietta Post Office located at 275 Front Street, Marietta, Ohio. Specifically, the City of Marietta agrees to provide Ohio Power Company, an Ohio Corporation and a unit of American Electric Power, the right of ingress and egress in and over the 10 feet wide property where the facilities are constructed, (lying 5 feet on each side of the facilities as constructed), which shall be a minimum of fifteen (15) feet horizontal and 1.5 feet vertically from existing sanitary sewer. The approximate location of said property is depicted on Exhibit "A" (Map) attached hereto and incorporated herein; and

WHEREAS, a copy of the Revocable License For Use Of Real Property granted to Ohio Power Company, an Ohio Corporation and a unit of American Electric Power, by the City Of Marietta, Ohio is attached hereto as Exhibit "B" for the parcel located at 241 Front Street being (The Marietta Area Community Center at the Armory); and

WHEREAS, a copy of the Revocable License For Use Of Real Property granted to Ohio Power Company, an Ohio Corporation and a unit of American Electric Power, by the City Of Marietta, Ohio is attached hereto as Exhibit "C" for the parcel located at 243 Front Street being (The Lock House); now therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARIETTA, OHIO:

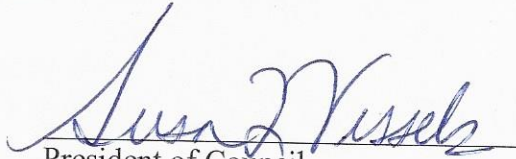
Section 1: That the Director of Public Safety and Service shall be and is hereby authorized and directed to enter into a Revocable Land Use and License Agreement with Ohio Power Company, an Ohio Corporation and a unit of American Electric Power, 700 Morrison Road, Gahanna, OH 43230 for real property located at 241 Front Street (The Marietta Area Community Center at the Armory) and at 243 Front Street (The Lock House), in the City of Marietta, Ohio, according to the terms and conditions of the Revocable Land Use and License Agreements attached hereto as Exhibits "B" and "C", which terms and conditions are hereby adopted and approved.

Section 2: That this Ordinance is hereby declared to be an EMERGENCY measure necessary for the immediate preservation of the public peace, health, and safety of the City of Marietta, Ohio, and for the further reason that immediate action is necessary so that Ohio Power Company, an Ohio Corporation and a unit of American Electric Power, can commence work on the project. WHEREFORE, this Ordinance shall take effect and be in full force immediately after its passage and approval by the Mayor.


Introduced by the Streets and Transportation Committee, Harley Noland, Chairman.


Chairman

Passed this 5th day of October, 2023.


President of Council

ATTEST:


Clerk of Council

Approved this 5th day of October, 2023.


Mayor

First Reading Sept. 7, 2023

Second Reading Sept. 21, 2023

Third Reading October 5, 2023