

TEMPORARY ORDINANCE NO. 1-21

PERMANENT ORDINANCE NO. 2-21

AN ORDINANCE TO GRANT MULTIPLE EASEMENTS TO ZAYO GROUP, LLC FOR THE CONSTRUCTION OF A FIBER OPTIC TELECOMMUNICATIONS SYSTEM THROUGH THE CITY OF LANCASTER

WHEREAS, Zayo Group, LLC (“Zayo”) is a public utility with a current certificate (ID 300161) issued by the Public Utilities Commission of Ohio (“PUCO”); and

WHEREAS, Zayo is engaged in the construction of a fiber optic telecommunications system that extends from Washington D.C. to Columbus, Ohio; and

WHEREAS, the most direct route for the conduit containing the fiber optic telecommunications system is through the City of Lancaster, in and along public land controlled by the City; and

WHEREAS, the City has agreed to grant Zayo utility easements for the construction of its fiber optic telecommunications system in exchange for an indefeasible right to use twelve (12) dark fibers and nineteen (19) hand holes to access these fibers for a minimum of twenty-five (25) years; and

WHEREAS, there exists a real and present need to grant said utility easements as Zayo is prepared to start construction on this valuable telecommunications project immediately;

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

SECTION 1. The following utility easements shall be granted to Zayo according to the terms and conditions in the utility easement documents and plats of survey on file with the Clerk:

<u>GRANTOR</u>	<u>GRANTEE</u>	<u>EASEMENT AREA</u>
City of Lancaster	Zayo Group, LLC	0.881 +/- Acres
City of Lancaster	Zayo Group, LLC	0.122 +/- Acres
City of Lancaster	Zayo Group, LLC	0.495 +/- Acres
City of Lancaster	Zayo Group, LLC	0.123 +/- Acres
City of Lancaster	Zayo Group, LLC	0.029 +/- Acres
City of Lancaster	Zayo Group, LLC	0.071 +/- Acres
City of Lancaster	Zayo Group, LLC	0.124 +/- Acres
City of Lancaster	Zayo Group, LLC	0.188 +/- Acres
City of Lancaster	Zayo Group, LLC	0.186 +/- Acres
City of Lancaster	Zayo Group, LLC	0.605 +/- Acres

SECTION 2. As a condition, Zayo shall pay all costs associated with the acceptance of these utility easements. This shall include, but shall not be limited to, costs for preparing the above listed easements, recording said easements and all property transfer fees.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: 1/11/21 after 1st reading. Vote: Yeas 8 Nays 0

Approved: 1/11/21

Clerk: Teresa Lee Sandy

David Cole
President of Council

David Schaff
Mayor

Offered by: Gary Schoonover

Second by: Valery Miller-Wilson

Requested by Public Works Committee

I, Teresa Lee Sandy, Clerk of Council do hereby certify that on _____, 2021 in the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council