

**Line Name:** Dennison-New Philadelphia  
**Line No.:** TLN160:02115 **Easement No.:** 5

Resolution 1797

### EASEMENT AND RIGHT OF WAY

On this 23<sup>rd</sup> day of March, 2017, in consideration of Ten and NO/100 Dollars (\$10.00), and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and the covenants hereinafter set forth, **The City of Uhrichsville**, whose address is 305 East 2nd Street, Uhrichsville, Ohio 44683, ("Grantor"), whether one or more persons, hereby grants, sells, conveys, and warrants to **Ohio Power Company**, a(n) Ohio corporation, a unit of American Electric Power, whose principal business address is 1 Riverside Plaza, Columbus, Ohio 43215, ("AEP") and its successors, assigns, lessees and tenants a permanent easement and right of way ("Easement"), for electric transmission, distribution, and communication lines and appurtenant equipment and fixtures, being, in, on, over, under, through and across the following described lands of the Grantor, situated in the State of Ohio, County of Tuscarawas, and City of Uhrichsville.

Grantor(s) claims title by Deed Volume 194 Page 249 recorded 6/23/1924 in the Tuscarawas County Recorder's Office.

Auditor/Key/Tax Number: 41-02969-000

The Easement Area is more fully described and depicted on Exhibit "A", a copy of which is attached hereto and made a part hereof ("Easement Area").

#### **GRANTOR FURTHER GRANTS AEP THE FOLLOWING RIGHTS:**

The right, now or in the future, to construct, reconstruct, operate, maintain, alter, improve, extend, inspect, patrol, protect, repair, remove, replace, upgrade and relocate within the Easement Area, poles, towers, and structures, made of wood, metal, concrete or other materials, and crossarms, guys, anchors, grounding systems, and all other appurtenant equipment and fixtures, and to string conductors, wires and cables; together with the right to add to said facilities from time to time, and the right to do anything necessary, useful or convenient for the enjoyment of the Easement herein granted.

The right, in AEP's discretion, now or in the future, to cut down, trim, remove, and otherwise control,

using herbicides or tree growth regulators or other means, any and all trees, overhanging branches, vegetation or brush situated within the Easement Area. AEP shall also have the right to cut down, trim or remove trees situated on lands of Grantor which adjoin the Easement Area when in the opinion of AEP those trees may endanger the safety of, or interfere with the construction, operation or maintenance of AEP's facilities or ingress or egress to, from or along the Easement Area.

The right of unobstructed ingress and egress, at any and all times, over, across and along and upon the Easement Area, and across the adjoining lands of Grantor as may be necessary for access to and from the Easement Area for the above referenced purposes.

**THIS GRANT IS SUBJECT TO THE FOLLOWING CONDITIONS:**

The Grantor reserves the right to cultivate annual crops, pasture, construct fences (provided gates are installed that adequately provide AEP the access rights conveyed herein) and roads or otherwise use the lands encumbered by this Easement in any way not inconsistent with the rights herein granted. In no event, however, shall Grantor, its heirs, successors, and assigns plant or cultivate any trees or place, construct, install, erect or permit any temporary or permanent building, structure, improvement or obstruction including but not limited to, storage tanks, billboards, signs, sheds, dumpsters, light poles, water impoundments, above ground irrigation systems, swimming pools or wells, or permit any alteration of the ground elevation, over, or within the Easement Area. AEP may, at Grantor's cost, remove any structure or obstruction if placed within the Easement Area, and may re-grade any alterations of the ground elevation within the Easement Area.

AEP agrees to repair or pay the Grantor for actual damages sustained by Grantor to crops, fences, gates, irrigation and drainage systems, drives, or lawns that are permitted herein, when such damages arise out of AEP's exercise of the rights herein granted.

The failure of AEP to exercise any of the rights granted herein, or the removal of any facilities from the Easement, shall not be deemed to constitute an abandonment or waiver of the rights granted herein.

This instrument contains the complete agreement, expressed or implied between the parties herein and shall inure to the benefit of and be binding on their respective successors, assigns, heirs, executors, administrators, lessees, tenants, and licensees.

This Easement may be executed in counterparts, each of which shall be deemed an original, but all of which, taken together, shall constitute one and the same instrument.

**Any remaining space on this page left intentionally blank. See next page for signatures.**

Executed this 23 day of March, 2017

GRANTOR  
*Richard Dorland*  
Richard Dorland, Mayor

State of Ohio §  
§ SS:  
Tuscarawas County §

This instrument was acknowledged before me on 3-23-, 2017 by Richard Dorland, Mayor of The City of Uhrichsville.

*BK Kelly*  
Notary Public  
Commission expires: Life

ATTEST:

*Trisha Addison*  
Trisha Addison  
Council Clerk

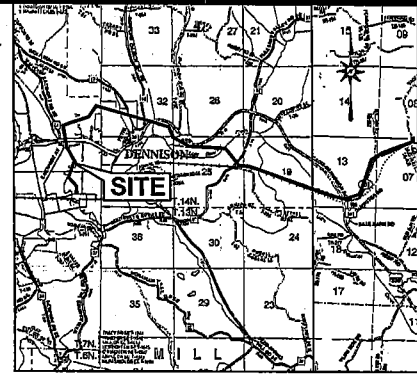
*Bob Baker*  
Bob Baker  
President Pro Temp

This instrument prepared by Thomas G. St. Pierre, Assistant General Counsel - Real Estate, American Electric Power Service Corporation, 1 Riverside Plaza, Columbus, OH 43215 for and on behalf of **Ohio Power Company**, a unit of American Electric Power.

When Recorded Return to: American Electric Power - Transmission Right of Way, 700 Morrison Road, Gahanna, OH 43230

**EXHIBIT "A"**

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 28°51'30" E	171.86'
L2	S 15°37'18" W	52.40'
L3	S 31°00'00" E	46.20'
L4	S 79°00'00" E	45.58'
L5	S 28°51'31" E	460.09'
L6	S 42°55'40" W	383.78'
L7	N 75°24'52" W	51.76'
L8	S 86°28'08" W	79.04'
L9	N 42°55'40" E	393.27'
L10	N 28°51'31" W	615.97'
L11	N 31°43'39" E	114.80'
L12	N 42°55'40" E	23.01'
L13	S 08°09'52" E	17.53'
L14	N 88°25'43" W	18.17'



Vicinity Map (NTS)

Gerald R. Reed and Patricia A. Reed  
DV. 435, P. 347  
Lot No. 1064  
PIN: 4101702000

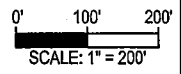
Trinity Hospital Twin City  
ORB. 1355, P. 1297  
10.764 ac. tr.  
PIN: 4200081000

**EASEMENT AREA  
CONTAINING 2.378± TOTAL ACRES:  
0.000± ACRES IN ROAD RIGHT-OF-WAY  
2.378± EASEMENT NET ACRES  
(EASEMENT LENGTH = 1057.2')**

The City of Uhrichsville  
DV. 194, P. 249  
14.5 ac. tr.  
PIN: 4102969000

Mark R. Dickey and Danielle R. Dickey  
ORB. 1411, P. 794  
3.697 ac. tr.  
PIN: 4102446000

Village of Dennison  
DV. 394, P. 100  
3.63 ac. tr.  
PIN: 4201598000



**NOTES**

-This drawing is for easement purposes only and has been created using existing public records and field collected data. -Bearings are oriented to the Ohio State Plane Coordinate System (NAD 83).

**LEGEND**

- Centerline
- Easement Area
- Right-of-Way Line
- Road Right-of-Way Line
- LARW Limited Access Right-of-Way
- Property Line

**BAIR, GOODIE AND ASSOCIATES, INC.**  
153 North Broadway, New Philadelphia, Ohio  
Email: ktoukonen@baigoodie.com  
Telephone: 330.343.3499 | Fax: 330.343.9505

Line Name: Dennison - New Philadelphia  
Line Number: TLN160:02115

Revised: 03.20.2017 (KS)

**OHIO POWER COMPANY**

EASEMENT ACROSS THE LANDS OF  
**CITY OF UHRICHVILLE**  
CONTAINING 2.378± ACRES

Situated in the State of Ohio, County of Tuscarawas, and City of Uhrichsville.

Line Name: Dennison-New Philadelphia  
 Line No.: TLN160:02115 Easement No.: 5  
 Parcel(s): 41-02969-000

**EASEMENT PAYMENT SCHEDULE**

**THE UNDERSIGNED:**

**GRANTOR:** The City of Uhrichsville

**ADDRESS:** 305 East Second Street, Uhrichsville, Ohio 44683

**HEREBY OFFER** to accept amount as determined in accordance with the schedule below in full payment of the Easement and Right of Way for an electric transmission, distribution and communication lines, being, in, on, over, under, through and across the land of the Undersigned under an easement dated \_\_\_\_\_, 2017 from the Undersigned to the Company, to wit:

**PAYMENT SCHEDULE**

Easement Acquisition Cost Description:	Easement Paid	Damages Paid
Easement Consideration Paid - 2.378 acres +/- @ \$ 29,777.12 /ac =	\$ 70,810.00	\$
	\$	\$
	\$	\$
	\$	\$
<b>Pre-Construction Cost Description:</b>		
	\$	\$
Easement Consideration to be paid after the date of	\$	\$
Sub-Totals	\$ 70,810.00	\$
Total Consideration includes Initial Consideration Paid		\$ 70,810.00

The amounts so determined are full payment for the Easement and Right of Way. Any construction damages will be paid separately unless noted above.

Accepted on \_\_\_\_\_, 2017 Signed on \_\_\_\_\_, 2017

Property ROW, LLC  
 Contract Agent for

**Ohio Power Company**

By: \_\_\_\_\_  
 Print: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**GRANTOR**

By: Julie Beach  
Auditor  
 By: [Signature]  
Mayor

Attach Required W-9

For Office Use Only:

GL	PCBU	Project BPID	Work Order	Account	Dept	CC	Act	ZIP CODE
160	TRANS		4236806803			942		

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 Line No.: TLN160:02115 Easement No.: 5  
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 Contract Agent for

**Ohio Power Company**

By: \_\_\_\_\_  
 Print: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**GRANTOR**

By: Julie Beach  
Auditor  
 By: Ronald Beards  
Mayor

Attach Required W-9

For Office Use Only:

GL	PCBU	Project BPID	Work Order	Account	Dept	CC	Act	ZIP CODE
160	TRANS		4236806803			942		

# Request for Taxpayer Identification Number and Certification

**Give Form to the  
requester. Do not  
send to the IRS.**

Print or type See Specific Instructions on page 2.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. <b>CITY OF UHRICHSVILLE</b>		
	2 Business name/disregarded entity name, if different from above		
	3 Check appropriate box for federal tax classification; check only <b>one</b> of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ <b>Note.</b> For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input checked="" type="checkbox"/> Other (see instructions) ▶ <b>GOV'T ENTITY</b>		4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>
	5 Address (number, street, and apt. or suite no.) <b>305 E. 2ND STREET</b>		Requester's name and address (optional)
	6 City, state, and ZIP code <b>UHRICHSVILLE, OH 44683</b>		
	7 List account number(s) here (optional)		

**Part I Taxpayer Identification Number (TIN)**

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

<b>Social security number</b>									
or									
<b>Employer identification number</b>									
3	4		6	0	0	2	8	6	7

**Note.** If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

**Part II Certification**

- Under penalties of perjury, I certify that:
- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
  - I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
  - I am a U.S. citizen or other U.S. person (defined below); and
  - The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

<b>Sign Here</b>	Signature of U.S. person ▶ <i>Julie Pearch, Auditor</i>	Date ▶ <i>3/24/17</i>
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**General Instructions**

Section references are to the Internal Revenue Code unless otherwise noted.  
**Future developments.** Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at [www.irs.gov/fw9](http://www.irs.gov/fw9).

**Purpose of Form**

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
  - Form 1099-C (canceled debt)
  - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.
- If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.*
- By signing the filled-out form, you:
- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
  - Certify that you are not subject to backup withholding, or
  - Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
  - Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.