**UTILITY ACQUISITION AGREEMENT**

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| Acquisition of Property by Negotiation or Appropriation | |
| CRS: |  |
| PID: |  |
| Utility: | UTILITY COMPANY NAME |

THIS AGREEMENT, made this Choose an item. day of Click or tap to enter a date. between the State of Ohio, acting by and through the Director of Transportation of the State of Ohio, hereinafter, referred to as STATE, and UTILITY COMPANY NAME, hereinafter referred to as the COMPANY.

WITNESSETH:

WHEREAS, the STATE proposes to improve State Route 57 in Franklin County, said project being known as and will cross or affect certain electric facilities of the COMPANY and,

WHEREAS, the COMPANY proposes to relocate the existing electric facilities to conform to said highway project, and

WHEREAS, the COMPANY has tried to acquire certain lands for said relocation and has been unable to acquire such property, and

WHEREAS, the Director of Transportation of the State of Ohio is empowered generally by Chapter 5501 of the Revised Code of Ohio to carry forward highway improvements of the type herein contemplated, and to acquire such lands for said COMPANY, and

WHEREAS, the parties hereto are agreed that it is practical and expedient for the STATE to acquire such lands by negotiation or appropriation in the name of the COMPANY or its successor or assign for relocation of the referenced utility facilities to conform to said highway project.

NOW THEREFORE, for and in consideration of the mutual covenants hereinafter stipulated to be kept and performed, it is agreed between the parties as follows:

The COMPANY agrees that the STATE shall acquire such lands by negotiation or appropriation in the name of the COMPANY for the relocation of the COMPANY’S facilities with the right to construct, operate and maintain said facilities. The COMPANY further agrees to furnish the STATE with all plats, descriptions and information necessary for the STATE to perform such acquisition.

Upon receipt of the required plats, descriptions and information from the COMPANY, the STATE agrees to acquire such lands necessary for the COMPANY to relocate its facilities together with the right to construct, operate and maintain thereon said facilities to conform to the project mentioned herein. The lands mentioned herein shall be acquired by the STATE for the COMPANY under the provisions of Chapter 5501.31 of the Revised Code of Ohio.

The STATE shall pay the costs and expenses for the acquisition of such lands that it has acquired hereunder for the COMPANY. The COMPANY agrees that, in exchange for acquisition of new private right of way and the granting of rights equal to those held by the COMPANY in its existing right of way, it will release the existing private right of way that is replaced. The COMPANY further agrees to reimburse the STATE for such costs and expenses to the extent that the relocation is a COMPANY responsibility in accordance with the STATE’S standard procedure.

IN WITNESS WHEREOF, the parties hereunto have caused this agreement to be duly executed in duplicate as of the day and year first above written.

THE STATE OF OHIO

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| --- | --- | --- | --- | --- |
| Date |  |  | By |  |
|  | | | JACK MARCHBANKS, PH.D.  Director of Transportation | |
| Date |  |  | By |  |
|  |  |  | Name  Utility Company | |