

ORDINANCE NO. 1745 AC CMS

AN ORDINANCE AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN
THE CITY OF OBERLIN, OHIO, AND AMERICAN MUNICIPAL POWER-OHIO, INC.,
FOR THE PURCHASE AND SALE OF ELECTRIC POWER AND ENERGY
AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain,
State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the agreement between the City of Oberlin, Ohio, and American Municipal Power-Ohio, Inc. (AMP-Ohio), dated and effective as of February 1, 1984, a copy of which is attached hereto as "Exhibit A" and incorporated herein by reference, for the purchase and sale of electric power and energy for the City, is hereby authorized and approved, and the City Manager is hereby authorized and directed to execute same on behalf of the City.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

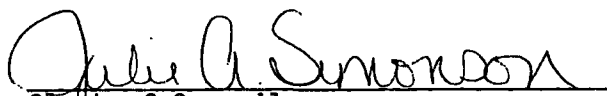
SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, to-wit:

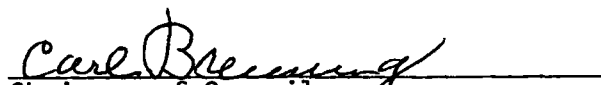
"to insure the availability of economical electric power for the
City at the earliest possible date"

and shall take effect immediately upon passage.

PASSED: 1st Reading - December 19, 1983 (Emergency)
2nd Reading -
3rd Reading -

ATTEST:


Clerk of Council


Chairman of Council

POSTED: December 20, 1983

CITY - AMP-OHIO AGREEMENT

(OHIO EDISON GROUP)

THIS AGREEMENT, made, entered into and effective as of the
1 day of February, 1984, by and between the
City of Oberlin, Ohio, a political
subdivision existing under the Constitution and laws of the State of
Ohio, (hereinafter called the "City") and American Municipal
Power-Ohio, Inc., an Ohio corporation not for profit (hereinafter
called "AMP-Ohio").

WITNESSETH:

WHEREAS, AMP-Ohio is an Ohio corporation not for profit,
organized to own and operate facilities, or to otherwise provide, for
the generation, transmission and/or distribution of electric power and
energy and to furnish technical services on a cooperative, non-profit
basis for the mutual benefit of its patrons, such patrons being, and
to be, electric systems owned and operated by municipal corporations
in the State of Ohio; and

WHEREAS, AMP-Ohio desires to coordinate and develop power
supply and interchange arrangements and to purchase electric power and
energy for its municipal electric system patrons and, in accordance
with such objectives, to sell electric power and energy to the City,

one of AMP-Ohio's patrons; and

WHEREAS, in order to obtain a source of economical electric power and energy, the City desires to purchase electric power and energy from AMP-Ohio and AMP-Ohio has entered, or will enter, into agreements [including an agreement with Ohio Edison Company (hereinafter Company)], providing for the generation and/or transmission of electric power and energy and other services to AMP-Ohio for the benefit of its patrons; and

WHEREAS, the City, if so required, has provided or will provide for necessary delivery arrangements with certain electric utilities in order to take service pursuant to this agreement; and

NOW, THEREFORE, in consideration of the conditions, terms and covenants hereinafter contained, the parties hereto do hereby mutually agree as follows:

ARTICLE I

TERM

SECTION 1 - TERM: Subject to the conditions contained herein, this Agreement shall be for a term of approximately five (5) years - beginning October 1, 1983 and ending September 30, 1988 or until the