

RESOLUTION NO. 34-07

A RESOLUTION AUTHORIZING THE DIRECTOR OF UTILITIES TO ENTER INTO A CONTRACT AND/OR CONTRACTS, WITH BEDFORD ENERGY ASSOCIATES, PIKE ISLAND DEVELOPMENT CORPORATION AND GENPOWER PIKE ISLAND, LLC, TO TERMINATE AND EXTEND CERTAIN RIGHTS TO THE PARTIES TO THE AGREEMENT AND TO EFFECT THE TRANSFER OF THE FERC-ISSUED LICENSE CURRENTLY HELD BY THE CITY OF ORRVILLE, OHIO, AND DECLARING AN EMERGENCY.

BE IT RESOLVED by the Council of the City of Orrville, Ohio:

Section 1: That the Director of Utilities is hereby authorized to enter into a contract and or contracts with Bedford Energy Associates, Pike Island Development Corporation and GenPower Pike Island, LLC, substantially in the form, and under the terms and conditions of the unsigned draft contract attached hereto and incorporated herein as “Exhibit 1.”

Section 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of said City, and for the further reason that its passage is necessary in order to prevent the imminent termination by FERC of the FERC-issued license currently held by the City of Orrville, Ohio, which would jeopardize the City of Orrville’s recovery of certain monies expended on the Pike Island project.

Passed this _____ day of _____ 2007.

President of Council

Attest:

Clerk of Council

Approved:

Mayor

Date _____