

RESOLUTION NO. 63-07

A RESOLUTION AUTHORIZING THE DIRECTOR OF UTILITIES TO ENTER INTO AN AGENCY CONTRACT AND/OR CONTRACTS, AND A PIKE ISLAND DEVELOPMENT CONTRACT AND/OR CONTRACTS, WITH GENPOWER PIKE ISLAND, LLC, REGARDING THE DEVELOPMENT OF THE PIKE ISLAND HYDROELECTRIC PROJECT, 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 GenPower Pike Island, LLC, specifically the *Amended and Restated Pike Island Agency Agreement* and the *Pike Island Development Agreement*, in substantially the form, and under substantially the terms and conditions of the unsigned contracts 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 in its continued role as Licensee of the FERC-issued license currently held by the City of Orrville, Ohio, and the services of GenPower Pike Island, LLC, as Agent, are necessary to facilitate the timely and efficient development, financing and operation of the Pike Island Project; therefore, this Resolution shall be in full force and effect immediately after its passage and approval by the Mayor.

Passed this _____ day of _____ 2007.

President of Council

Attest:

Clerk of Council

Approved:

Mayor

Date _____