

LAKE COUNTY

Coastal Energy Impact Program

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November, 1979



THE HOAG-WISMAR PARTNERSHIP
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INTRODUCTION

The construction of the Perry Nuclear Power Plant (P.N.P.P.) has created a tremendous impact on the visual quality, traffic patterns, physical development possibilities, and human attitudes of the Lake County community. The land owned by Cleveland Electric Illuminating (C.E.I.) for the plant facility and for the transmission corridors has essentially been removed from the likelihood of future commercial, residential, or industrial development. The best remaining use for this land is for inclusion within the Lake County Metropolitan Park System or other local park districts. The argument for park use of this land is given additional support by the fact that the P.N.P.P. is located between three existing public parks (Perry Township Park, North Perry Park, and Lakeshore Reservation). The physical barrier along the coastal bluff and the elimination of Lockwood Road create a need for the development of a new link for both the public and for emergency and service vehicles.

PURPOSE: This report will discuss the merits of C.E.I.-owned and non-C.E.I.-owned lands for use as park linkages for inclusion within the various park systems. Attention will be given to C.E.I.'s legal arrangements and use limitations, as well as sources of public funding. In addition, the creation of the Perry Plant Overlook Park and the relocation of Lockwood Road will be discussed.

A thorough inventory of the natural features of the vicinity surrounding the P.N.P.P. can be found in the <u>Draft Environmental Impact Statement</u>, published November, 1973. More detailed site-specific inventories should be undertaken for areas suspected of having unique or delicate natural features.

SUMMATION

The communities adjacent to the Perry Nuclear Power Plant are presently rural in nature, with some subdivision urbinization beginning to evolve. The development of a green belt around the power plant will be beneficial to the Lake County community. In addition, the construction of a relocated Lockwood Road and the development of the proposed Perry Plant Overlook Park and both meritable programs.

The possible effect that the proximity of a nuclear facility will have on the public's opinion and the rate of future urbinization cannot be predicted. However, the land involved contains undeveloped lands that are worthy of preserving for future public recreation and appreciation. The time-frame for complete development of park linkage depends entirely upon extent of urbanization over the years and as user-demand develops the need for conflict-free pedestrian linkage. This report should be regarded as the guide for setting aside the desireable areas to retain the park linkage.

An undeveloped green belt provides a pedestrian linkage between the parks and lake access on either side of the power plant. An important linkage is also created between these areas and the Daykin and Nature Conservancy parcels to the south, and to the Board of Education parcels still farther to the south. The eastern north—south linkage is additionally more significant considering the preservation of the natural features. The western transmission corridor should be considered as available if needed. However, the transmission corridor does not contain nor is it adjacent to the significant natural features contained in the eastern linkage. The transmission corridor's merit as a pedestrian linkage rests with its proximity to the Perry Area Board of Education.

The relocation of Lockwood Road is strongly merited. The cost is estimated to be approximately \$600,000 for a two-lane road, including an earth-fill stream crossing.

The development of the Perry Plant Overlook Park is estimated to cost approximately \$150,000, and having a continual annual operating fund of \$60,000. The Perry Nuclear Power Plant Visitor's Center, situated in the Overlook Park, is estimated to cost \$50,000, including display facilities. The Route 20 pedestrian overpass should be estimated to cost \$400,000.

The park must also, however, be considered as a first-line safety buffer.

Minor nuclear "incidents" have proven to be a problem in existing generating facilities around the country, and must no longer be considered as "remote" possibilities. This green belt will separate the more developed areas of the community from the power facility, and simplify evacuation problems when minor "incidents" occur.

In conclusion, this park development program should be another positive step in a coastal preservation parks program. The coastal area accesses are one of the most important assets of Lake County and should continue to be made available to the public. These coastal areas have been at the mercy of continual human abuses over the years which have caused great harm to the natural amenities. Proper control and management is necessary to preserve these primary assets for permanent enjoyment and education.

CEI-owned land relating the P.N.P.P. project generally falls into three categories: Land outside the Exclusion Area, Land inside the Exclusion Area, and the transmission line corridors.

TRANSMISSION CORRIDORS: CEI uses a licensing arrangement for public park use of transmission line corridors. Such licensing arrangements have previously been used between CEI and Cleveland Metroparks and between Ohio-Edison and Akron Metroparks for bikeways.

In order for the park system to utilize the transmission line corridor for bike trails, the park system and CEI would enter into a agreement consisting of a license granted by CEI. A sample of the license agreement between CEI and the Cleveland Metropolitan Park District for hiking and bicycling trails within transmission corridors is included in Appendix A.

Such an agreement would have to be of mutual satisfaction as follows:

- a. The Park District would review the area involved to be assured that the design and construction is reasonably free of preventable safety hazards relating to such things as the towers, drainage structures, etc.
- b. CEI would review the Park District's proposals to be assured that the Park District has developed the safest route through CEI's property (such as keeping paths away from anything that might prompt curiosity or accident potential).

In their licensing agreements, CEI stipulates that they would not permit the use of motorized vehicles (dirt bikes, four-wheel and six-wheel drive all-terrain vehicles and snowmobiles); uses of these corridors are restricted to bicycle and horse riding, and pedestrians. The Park District involved is given the policing responsibility and arresting authority.

In addition, it is stipulated that the responsibility for maintenance (litter, path condition) belongs to the Park District.

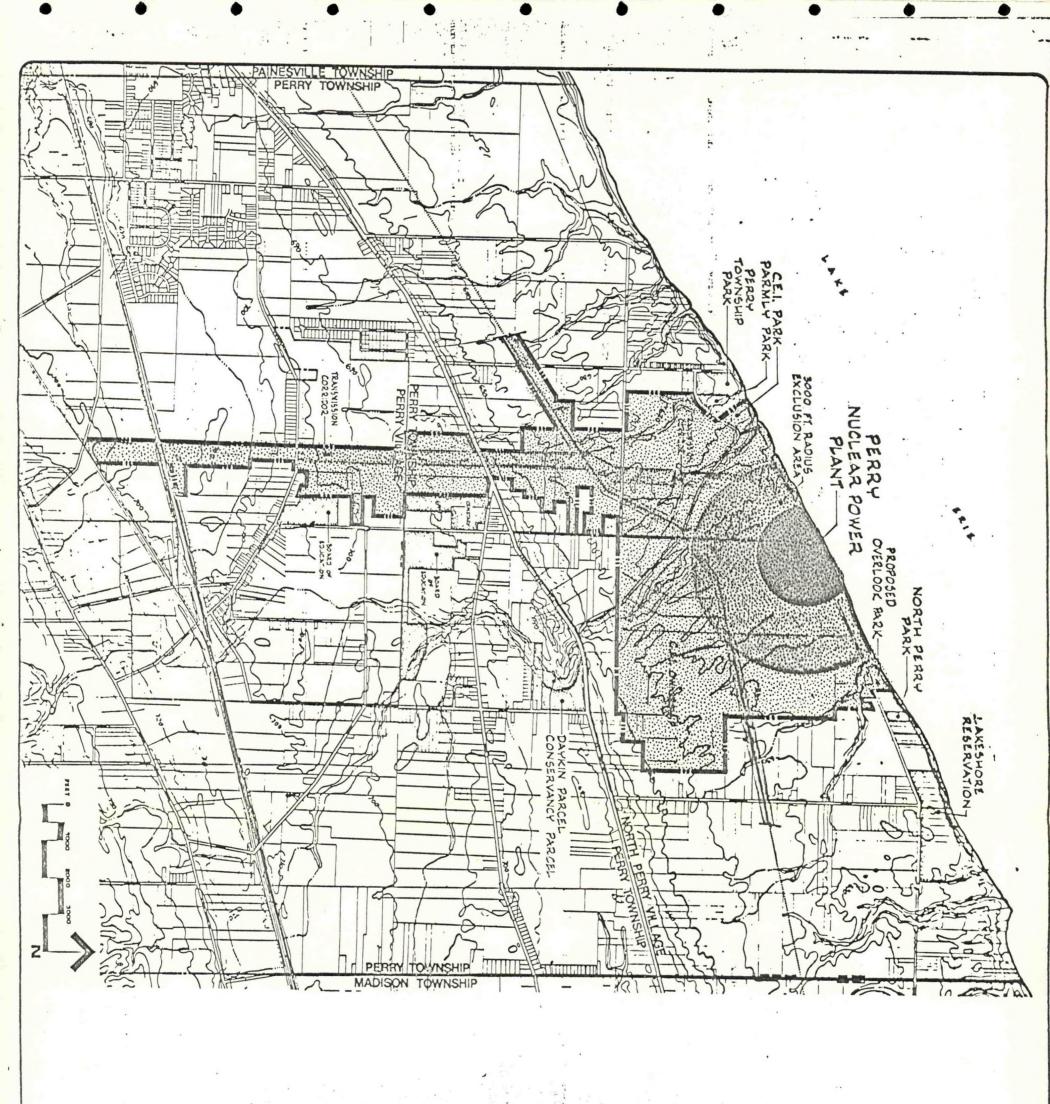
LAND PARCELS WITHIN THE EXCLUSION AREA: Specifically outlined in a document referred to as Section 10-CFR-100, the Exclusion Area consists of a restricted-use land (and lake) area the perimeter of which is a three thousand feet (3,000 ft) radius around the nuclear power plant, the center of which being halfway between the center lines of the Unit 1 and Unit 2 Reacter Buildings.

The purpose of the Area is to be the minimum sized perimeter in which very limited public access is permitted. It is an area which the Plant Authority can evacuate immediately in case of an "incident" within the plant's nuclear operations.

The Exclusion Area perimeter is not fenced off to the public, but signs are recommended and may be posted at the Plant Authority's discretion.

All public uses which might be desired and proposed must be reviewed and approved by the Plant Authority. Light public use activities are allowed, i.e. public roads and railroads, based on individual case merit. Residential, commercial, and industrial development is generally not permitted. Heavy use park and recreational activities would also be discouraged. Lighter use activities, such as hiking and bicycling on defined trails would be easily permissible, although it must be noted again, that motorized, public-operated vehicles would not be permitted.

LAND PARCELS OUTSIDE THE EXCLUSION AREA: Generally, CEI will only issue to park districts short term (annual) leases for developable land outside the Exclusion Area, maintaining the option to sell for development if they so desire. The Park District would have to buy the land to assure long term use and control of particular parcels. However, in this particular case, CEI does not foresee wanting to sell for development any of the land that it owns adjacent to the Perry Nuclear Power Plant Project. However, for parcels outside the Exclusion Area, sale for development versus park-use ownership or park-use leasing decisions would be handled on a parcel by parcel, use-evaluation basis.



LAKE COUNTY

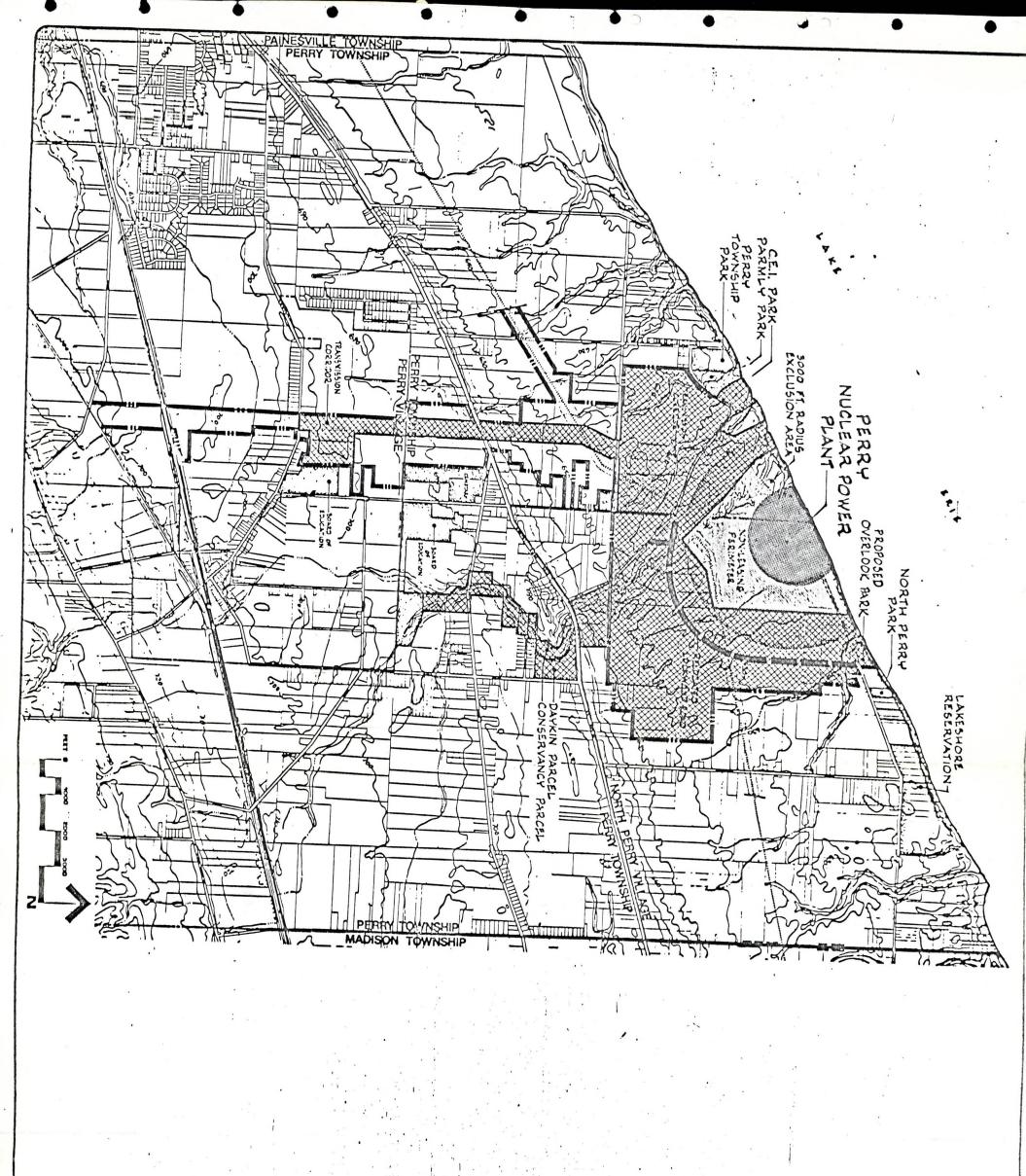
Coastal Energy Impact Program

KEY PLAN

EXISTING CEI FOUNDERSHIP

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LAKE COUNTY

Coastal Energy Impact Program

KEY PLAN

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FUNDING RESOURCES

Through the Ohio Department of Natural Resources (ODNR) and the U.S. Housing and Urban Development Agency, three primary sources of public funding are available for both planning and implementation. These three major funding sources are:

- A. Federal Land and Water Conservation Fund ODNR
- B. U.S. HUD Block Development Funds HUD
- C. Ohio Coastal Zone Management Program ODNR

Within these funding sources are numerous applications under which funding can be sought.

FEDERAL LAND AND WATER CONSERVATION FUND: This funding program in intended to provide partial reimbursement for projects involving implementation (acquisition and construction) of permanent public recreation areas.

Disbursement limitation requires 50% matching local funding if no other Federal funding is involved or 20% minimum local funding if other Federal funds are involved.

The Land and Water Conservation Fund, as the primary source, utilized in conjunction with the Coastal Zone Management Program would appear to be very good funding avenues for the development of the Perry Plant Overlook Park, as well as the acquisition and development implementation of several other CEI-owned and privately-owned parcels.

U.S. HUD BLOCK DEVELOPMENT FUNDS: This program is administered for a wide range of applications. It is stipulated that the results must benefit a low to moderate income population; Perry Township, Perry Village, and Lake County may not be eligible per se for HUD Funding.

OHIO COASTAL ZONE MANAGEMENT PROGRAM: The CZM Program could be a highly useful funding tool for this park development. The Coastal Zone Management Program seeks to work within the various existing applicable governing authorities rather than create new authority levels. The main thrust of CZM funding is applied to planning (site specific planning rather than early master planning), technical assistance and funding for inventory projects and program implementation guidance. Funding is not presently available for actual physical implementation of the programs.

There are six issue areas under which the thirty-five specific policies are divided. The six issue areas are:

Coastal Erosion and Flood Hazard Areas
Air and Water Quality
Recreation and Public Access
Environmentally Sensitive Areas
Energy and Mineral Resources
General Development

Specific projects can become eligible for funding by falling within the parameters of one or more of the thirty-five policies set forth in the Coastal Zone Management Program. Of the thirty-five policies, the following policies would be of particular interest within the scope of the park lands being considered in this report.

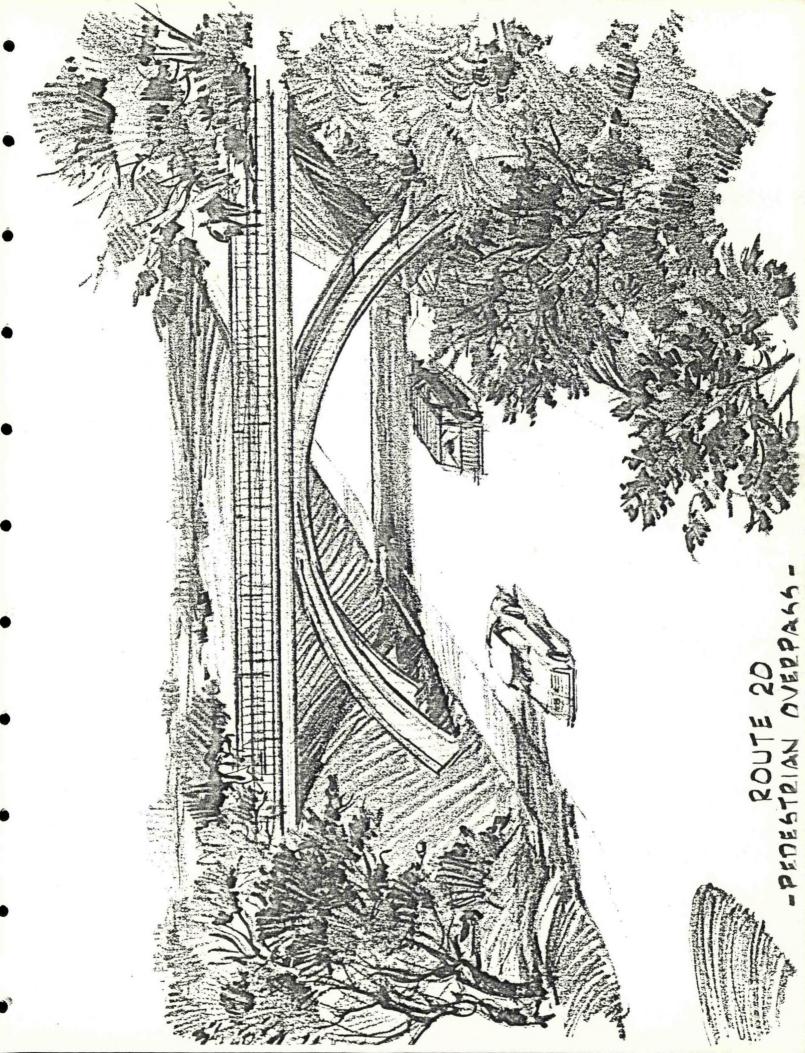
POLICY (1) Erosion protection

POLICY (2) Shoreline regulation

- POLICY (4) Simplified application procedures
- POLICY (5) Shoreline erosion assistance manual
- POLICY (6) Feasibility of reducing extreme high water levels
- POLICY (8) Water pollution control
- POLICY (11) Litter and dumping law enforcement
- POLICY (13) Public recreation facilities and access in the coastal area
- POLICY (14) Public fishing access (and hunting) opportunities
- POLICY (15) Public recreational boating
- POLICY (16) Hiking and bicycling trails
- POLICY (18) Endangered species significant natural area
- POLICY (19) Protect coastal wetland
- POLICY (21) Restoration of wetland
- POLICY (22) Fish and wildlife habitats
- POLICY (35) Visual quality

FEDERAL HIGHWAY FUNDING FOR BIKEWAYS: In addition to the sources of funding discussed above, Federal Highway Department funds are available through the Ohio Department of Transportation for bikeway development. Federal Aid to Urban Systems Funds are used for bikeway planning and development; this funding is available on a 75% Federal, 25% local matching program. New legistration for another federally-funded bikeway program is presently pending; it will be used for both planning and implementation. This program will be available under Section 141 of Surface Assistance Transportation Act - 1979. No information about this program is available at the time of this report.

SUMMARY: A sufficient number and variety of funding programs appear available to be utilized for both planning, acquisition, and construction of this link park system. The progress of the development obviously depends upon success in acquiring the funding (a very competitive application process), the ability of the local community to acquire matching funding as well as maintenance and policing monies, and the amount of urbinization that takes place over the years.



LAND-USE RECOMMENDATIONS

The following land-use recommendations and accompanying maps provide an evaluation of the Perry area lands as they have been affected by the P.P.N.P., and the feasibility of utilizing this impact to achieve a park linkage system around the plant facility and to continue to expand public shoreline access.

The maps were prepared utilizing the Kucera survey, revised to show the approximate location of the power plant and transmission corridor. These revisions were made possible from construction drawings and staff assistance from C.E.I. Property lines were developed from tax maps and survey-observable features and, as such, should be regarded as approximate.

Further evaluation of natural features and further development of the pedestrian linkages and recreation uses should be undertaken as master planning programs proceed to develop.

(A) Parcel south of Parmly Road, west of transmission corridor, north of Clark Road, to western CEI property line.

There are a number of positive reasons for including this parcel within the park system. Its relationship to the three parks north of Parmly Road is important to these parks as well as being park-desireable land itself.

WATERSHED - This parcel contains the majority of the upper watershed for the ravine passing through Parmly Park. Park inclusion of this parcel will assure purity of the majority of the watershed.

WILDLIFE EDGE - This parcel contains a large open field area with a long meandering forest edge (which bears a spatial relationship with the open space north of Parmly Road). The open space and the forest edge should be maintained as such, allowing this to be a good Park District protected wildlife area.

PEDESTRIAN LINKAGE - Having the transmission corridor passing through the eastern half of this parcel and, in addition, utility service drive entering off Clark Road, this land can serve as an important north-south and east-west pedestrian link to the existing park areas. The Park District should utilize this land on a long term plan. A wildlife inventory might be valuable to determine just how populated the forest edge is. Should this area find significant value as a wildlife area, it would be wise to prohibit dirt bikes and snowmobiles.

(B) NORTH-SOUTH TRANSMISSION CORRIDOR: More properly referred to as the Perry-Mac, Perry-Hanna lines, this corridor could serve as a pedestrian linkage as far south as desired, should the surrounding countryside ever become so developed as to need a pedestrian linkage.

The corridor passes through primarily agriculturally disturbed lands, having little natural interest. Although the corridor does not pass near any park areas south of Route 20, it is adjacent to Perry Area Board of Education property, a couple of parcels of Perry Township Cemetery property, and in proximity to other Perry Area Board of Education property. This relationship could be developed into a workable linkage for biking, marathon running events, or bicycling events utilizing school facilities and events. A conflict-free crossing of Route 20 does not appear easily achievable. The ravine just to the west of the transmission corridor might be considered for development as a pedestrian underpass if the need for conflict-free crossing is determined to be strongly merited by sufficient user-demand.

(C) These Parcels of Land have highly disturbed areas due to construction operations. Their primary values to the Park System would be an east-west pedestrian link and a good study in restorative succession.

It should be noted here that a number of road and railroad-crossing conflicts arise (the railroad being a sparingly-used service track); further study of a two thousand foot radius area around this intersection should be undertaken as to how to best minimize these conflicts.

The land bounded by P.N.P.P. to the east, Parmly Road to the south and Neff-Perkins on the west is sufficiently enough within the Exclusion

Area that the entire area north of Parmly Road should probably be considered by CEI to be Exclusion Area. It was observed that a dangerous overflow pipe presently exists in retention pond west of the plant.

This pipe is likely temporary (for the spillway construction), but its existence and condition should be noted, and corrected if the public is permitted access near it. This ravine is attractive and does make a good access to the lake and beach; an evaluation of a heavy runoff from the spillway should be made to determine the extent of destructive impact. However, vehicular access and an attractive knoll do exist for a developed picnic area with beach access.

(D) An area bounded by Parmly Road on the west, the relocated Lockwood Road and the Perry-Ashtabula transmission corridor on the north, and the CEI property lines on the east and south.

This area is primarily unforested land with some forest cover on the northeast and southwest, including an interesting meandering stream parallel to Parmly Road. Several possible hiking directions are developable in this area, this being the pedestrian linkage to the Perry Plant Overlook Park. Parking off of the relocated Lockwood Road is possible. The area would probably become used by snowmobiles; whether or not this activity would be permitted would require the decisions of both CEI and the Metropolitan Park District.

The visual effect on the traffic of the relocated Lockwood Road - from either direction, passing through a forested area, entering a vast open meadow, and re-entering another forested area (the forested areas acting as "doorways" between the open spaces) - creates a succession of views and spaces, a desireable road design factor.

Should the extension of Route 2 proceed towards reality, the pedestrian linkage concept would become even more important because of the negative physical barrier that a freeway would create. A pedestrian underpass or overpass should be insisted upon during highway planning.

(E) Privately owned parcels situated between the CEI property and North Ridge Road (RT. 20). These parcels are both attractive and interesting, and are worthy of inclusion within the park system. The value of these parcels become more significant as the pedestrian linkage to the Daykin and Nature Conservancy parcels. North Ridge Road is very busy and the traffic is quite high speed. However, the topography lends itself very well to the construction of a pedestrian overpass.

We feel that the merits for a pedestrian overpass are very strong when considering the traffic on the highway and the strength of combining the two sides of the highway as part of the park system. Such an overpass adds much convenience to extending the desire of the park user to utilize the benefits of the park lands on both sides of the highway. Funding for such a project is discussed in the funding section of this report.

South of the Nature Conservancy parcels are additional privatelyowned parcels which would be worthwhile including in the Park District.

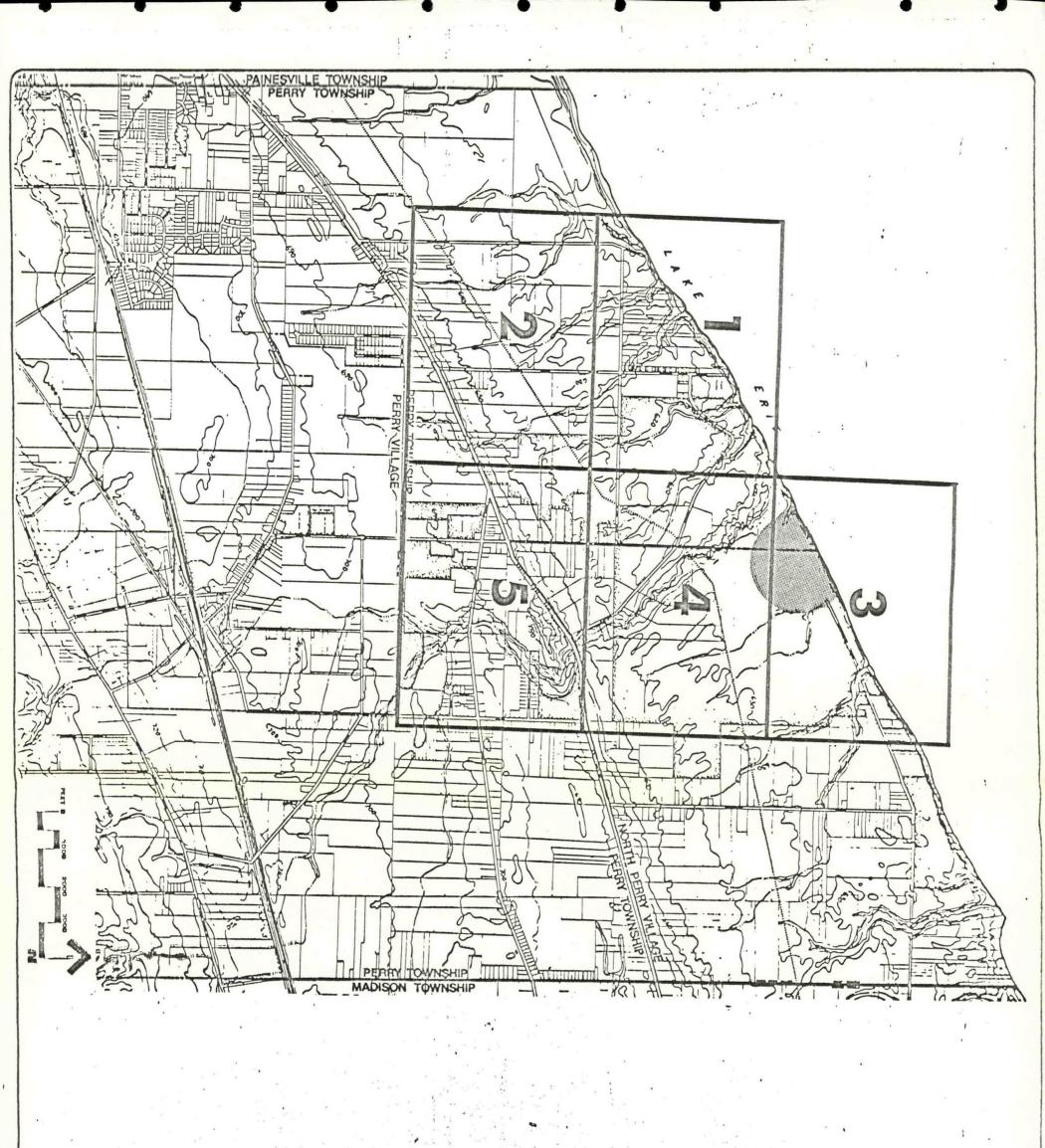
These parcels are an attractive continuation of Nature Conservancy
parcel and complete the link to the Perry Township Board of Education
property. The acquisitions shown on Map 5 should be considered as the
minimum recommended for park linkage. However, inclusion of other
desireable parcels will further strengthen the preservation program
and recreational possibilities.

open field on the north edge of this area has become highly disturbed by the plant construction and restorative succession will be necessary.

Several soil types are present in the generally very permeable but poorly-draining flat lake ridge plain, typical throughout the area.

Before the relocated Lockwood Road and any pedestrian linkage are built, an inventory should be made to determine if any unique vegetative, wildlife, or marsh conditions are found to exist. This forested

area makes an excellent visual and physical buffer between the plant and the public community.



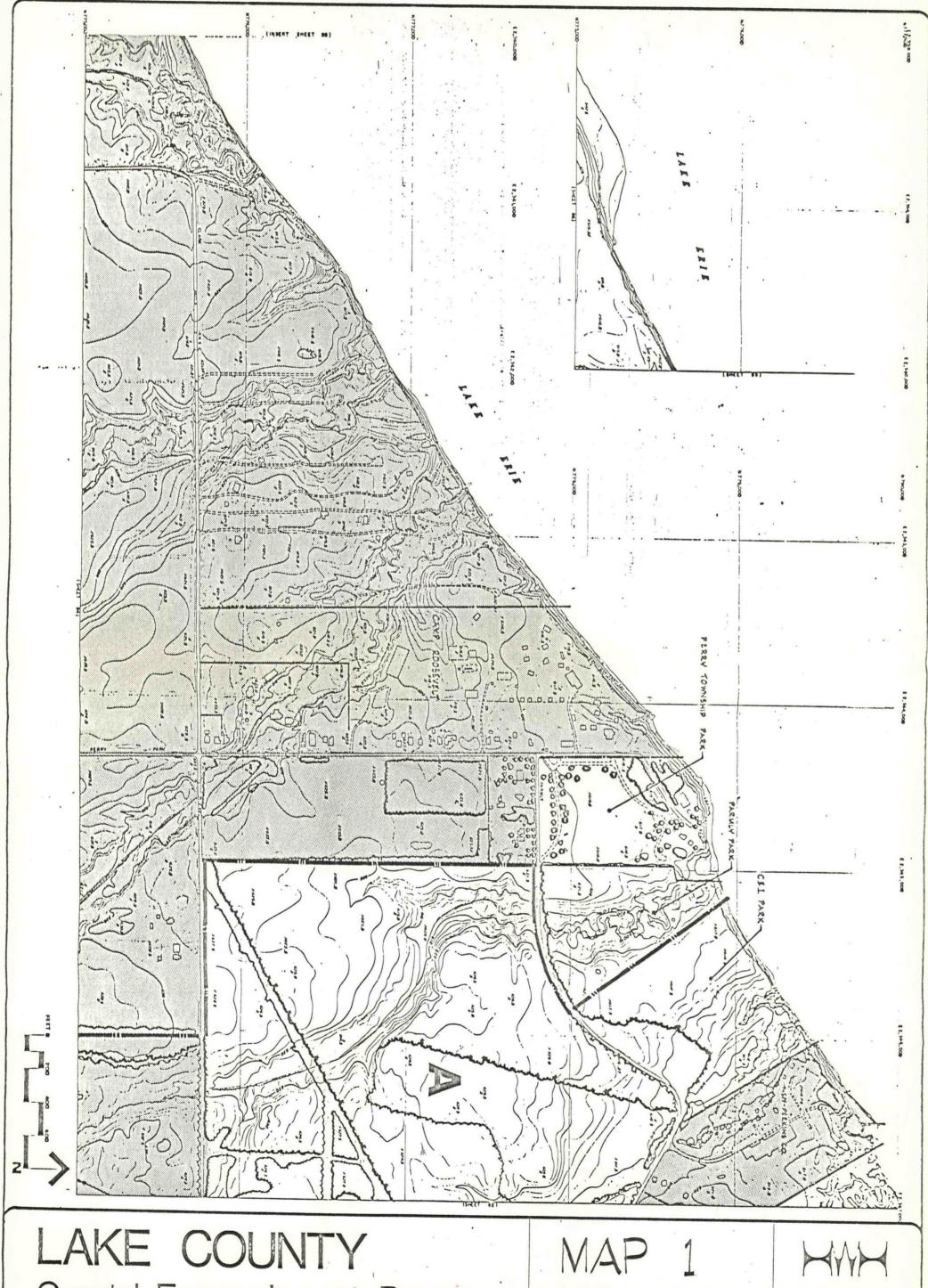
LAKE COUNTY

Coastal Energy Impact Program

KEY PLAN

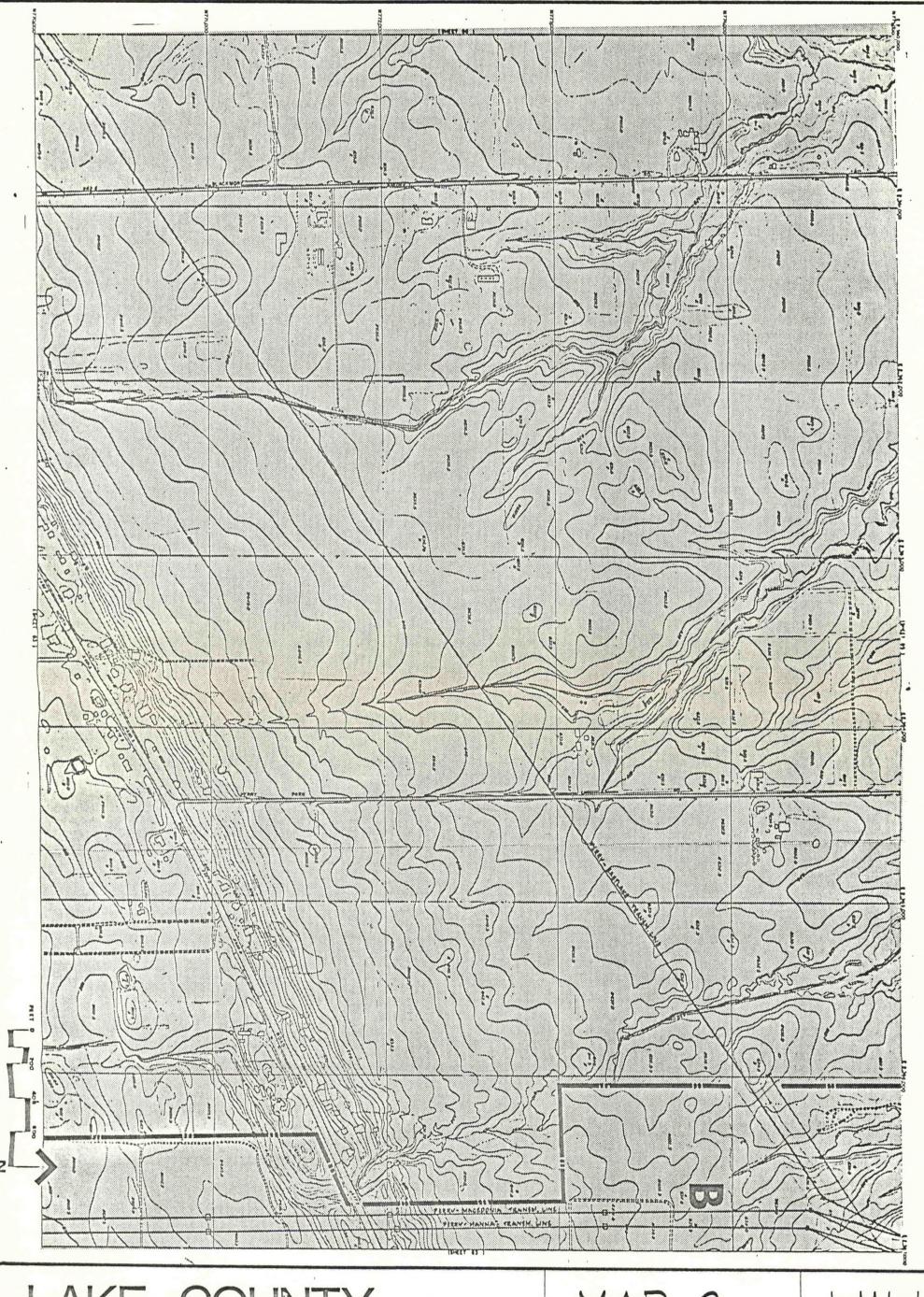
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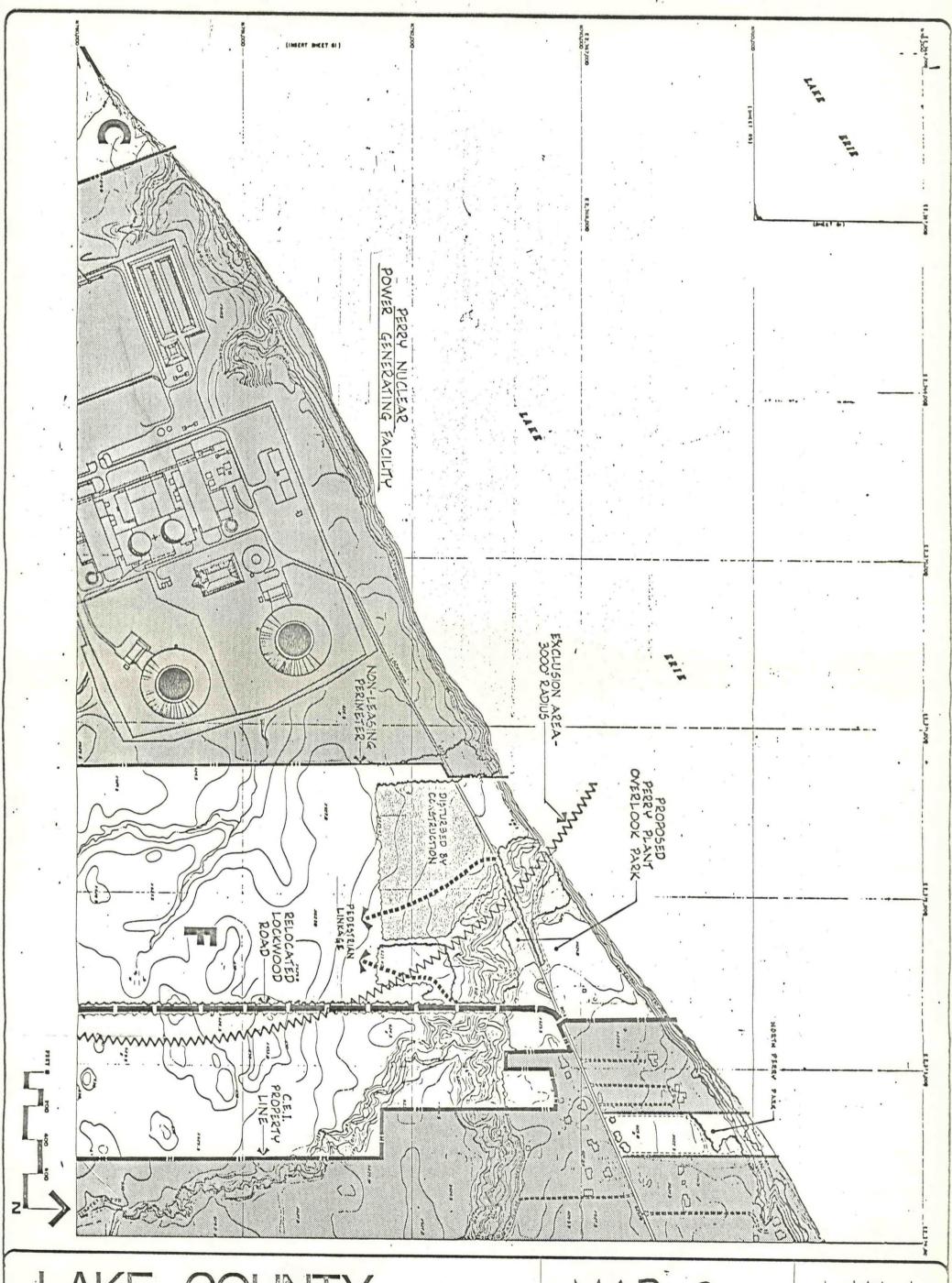
AREA PLAN



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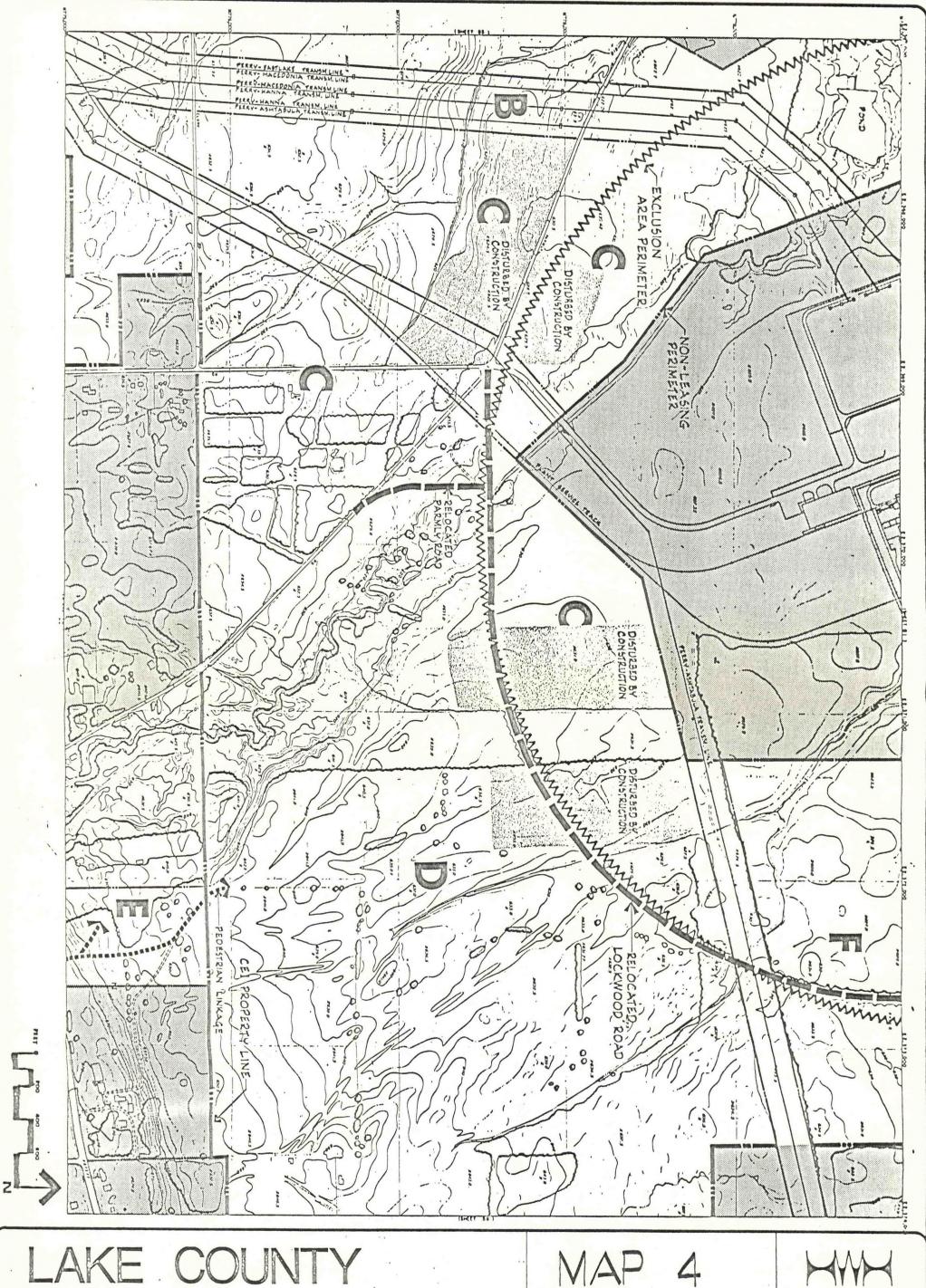
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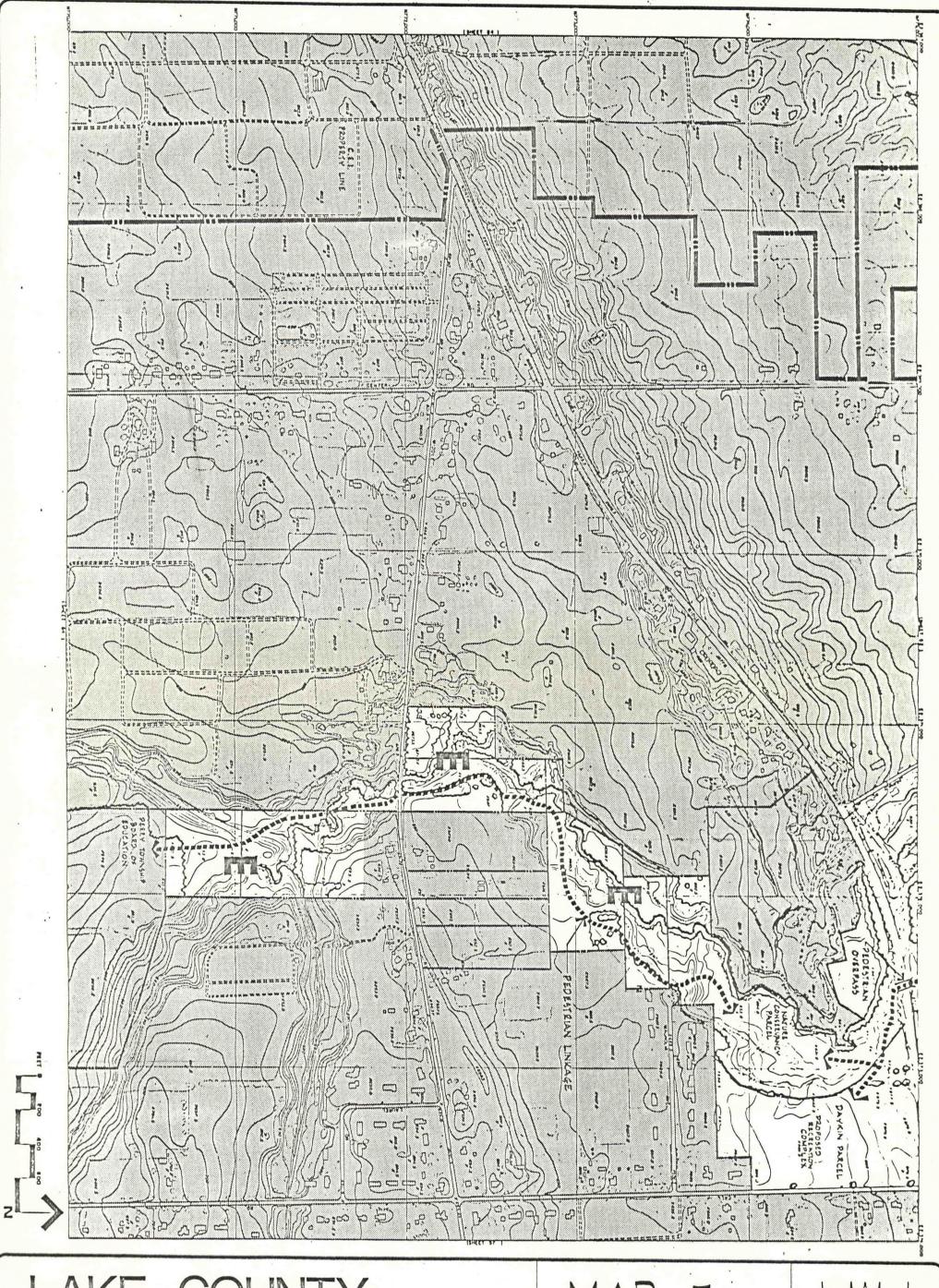
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MAP 4 AREA PLAN



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MAP 5 AREA PLAN THE HOAD—WISSIAN PARTIÉRISHE ANORTETS AN APPLIATE DE BOOK ABOOKLYS MC THE WEST THING ST CLEVELING SHO

THE RELOCATION OF LOCKWOOD ROAD

The construction of the Perry Nuclear Power Plant included the removal of a portion of Lockwood Road, eliminating the east-west traffic movement.

Presently, that traffic movement must use Parmly Road, North Ridge Road, and Antioch Road as the substitute. The rebuilding of a relocated Lockwood Road is merited for a number of reasons.

As previously mentioned, C.E.I. has expressed the feeling that they will not sell any of the land within the Exclusion Area and they do not foresee desiring to sell any of the land outside the Exclusion Area. Therefore, the relocated Lockwood Road would not likely be subject to development in the future. There are a number of merits covering both why to rebuild the road and where to rebuild the road.

The public's use of the road relates to both safety and convenience. The convenience is simply the easier ability of traffic to travel from one side of the power plant to the other side. Related to this is a factor of safety. Presently, traffic, in order to accomplish the same end, must use North Ridge Road (Route 20) which presently carries a high volume of thru-traffic. The re-routed traffic is forced to make turns at Parmly Road and Antioch Road, an increased accident potential which would be eliminated with a new Lockwood Road. Additionally, public services (police, fire, ambulance) need this road for emergency use.

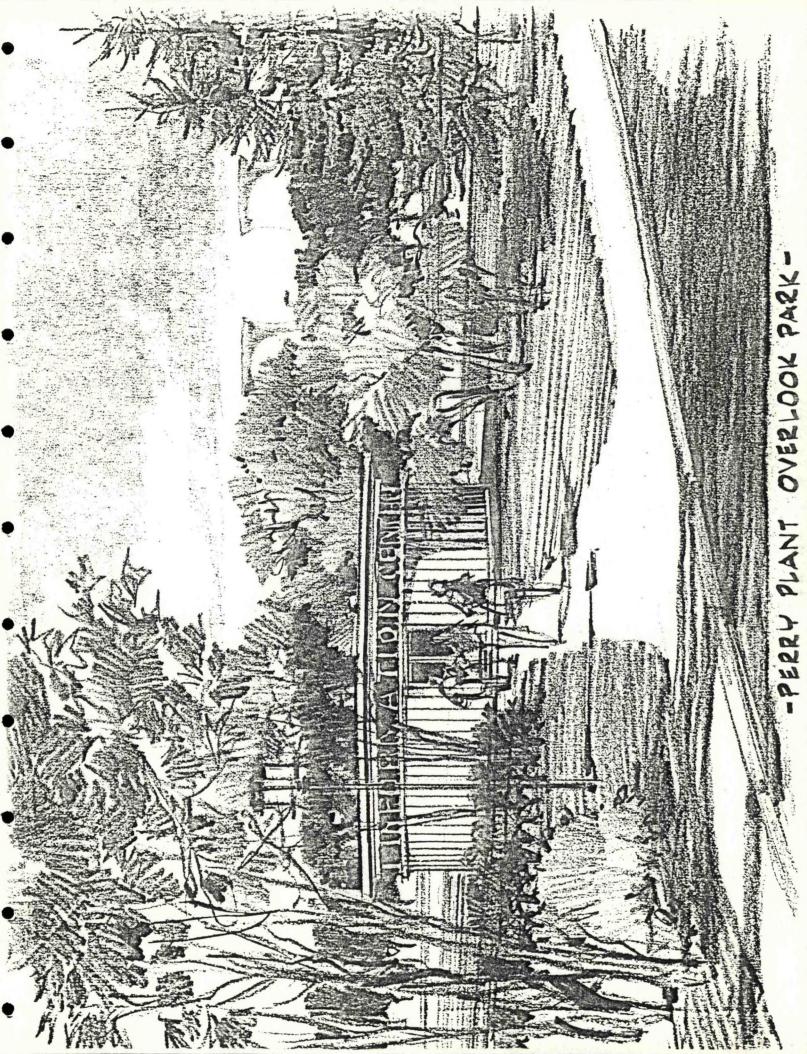
The construction of a new Lockwood Road takes on greater significance when considering the existing parks to west of the power plant, the proposed Overlook Park, and the existence of the plant itself. First, park services -

policing and maintenance - need a convenient route between the existing and proposed parks. In addition, the Plant Authority needs a road which provides quick access to the parks, should an incident occur requiring a timely evacuation of the public.

The location of the road, as shown on the drawings, was chosen because of two primary factors: the perimeter of the Exclusion Area and the proposed Perry Plant Overlook Park. Beginning at the intersection of Parmly Road and Center Road, the road can be laid out approximately along the line of the Exclusion Area perimeter. As a large sweeping curve, it easily delineates to the public and to the policing authorities, aided with signs, the limit of the Exclusion Area.

As shown on the drawing, Parmly Road was re-routed to intersect the proposed Lockwood Road. This is merited due to the odd configuration of the Parmly Road - Center Road - Plant entrance road intersection compounded by the railroad crossing.

By intersecting the existing Lockwood Road at a point east of the existing turnaround, traffic is eliminated through the proposed park, allowing the park on both sides of the road to be treated as a single unit without traffic conflict. A ravine crossing is necessary, an earthen-embankment crossing containing a pedestrian lane. The culverting below should also contain provision for hiking use, i.e., separate stream culvert and pedestrain culvert, attractively designed.



PERRY PLANT OVERLOOK PARK

As presently shown on the drawings, Overlook Park is shown to be enclosed by the natural ravine to the west and south and the relocated Lockwood Road and privately-owned property to the east. If the Park District so desired, the defined limitation of the Overlook Park might well extend westward to the limit of the lease arrangement as it might be agreed upon with C.E.I.

This tract of land has good potential for a park, having positive natural features and positive, usable man-made improvements. As previously mentioned, the location of the relocated Lockwood Road plays an important role in the design success of this park. The removal of public vehicular traffic allows both sides of the road to be treated as a single park. According to P.P.N.P. construction drawings, the abandoned section of Lockwood Road will remain intact and provide access from the plant. Such access may be utilized in the form of: an emergency evacuation of the park and community, services to the Visitor's Center, plant tours utilizing the Visitor's Center and a shuttle vehicle, and as part of an eventual bikeway system.

Due to the park's small size, and natural features, this park is best suited for passive recreation functions:

Picnicking

Hiking and bicycling

Beachcombing and wadding

Education

PICNICKING: Because of continuing erosion of the bluff edge and the damage presented by crumbling edges, the north sides of Lockwood Road should not be considered suitable for a picnic shelter.

Picnic shelter family activities tend to include less controlled supervision of children (while setting or clearing the table).

There is less danger in allowing children to wander in the ravine to the south. The knoll to the south is more quiet, intimate setting for a family or group picnic.

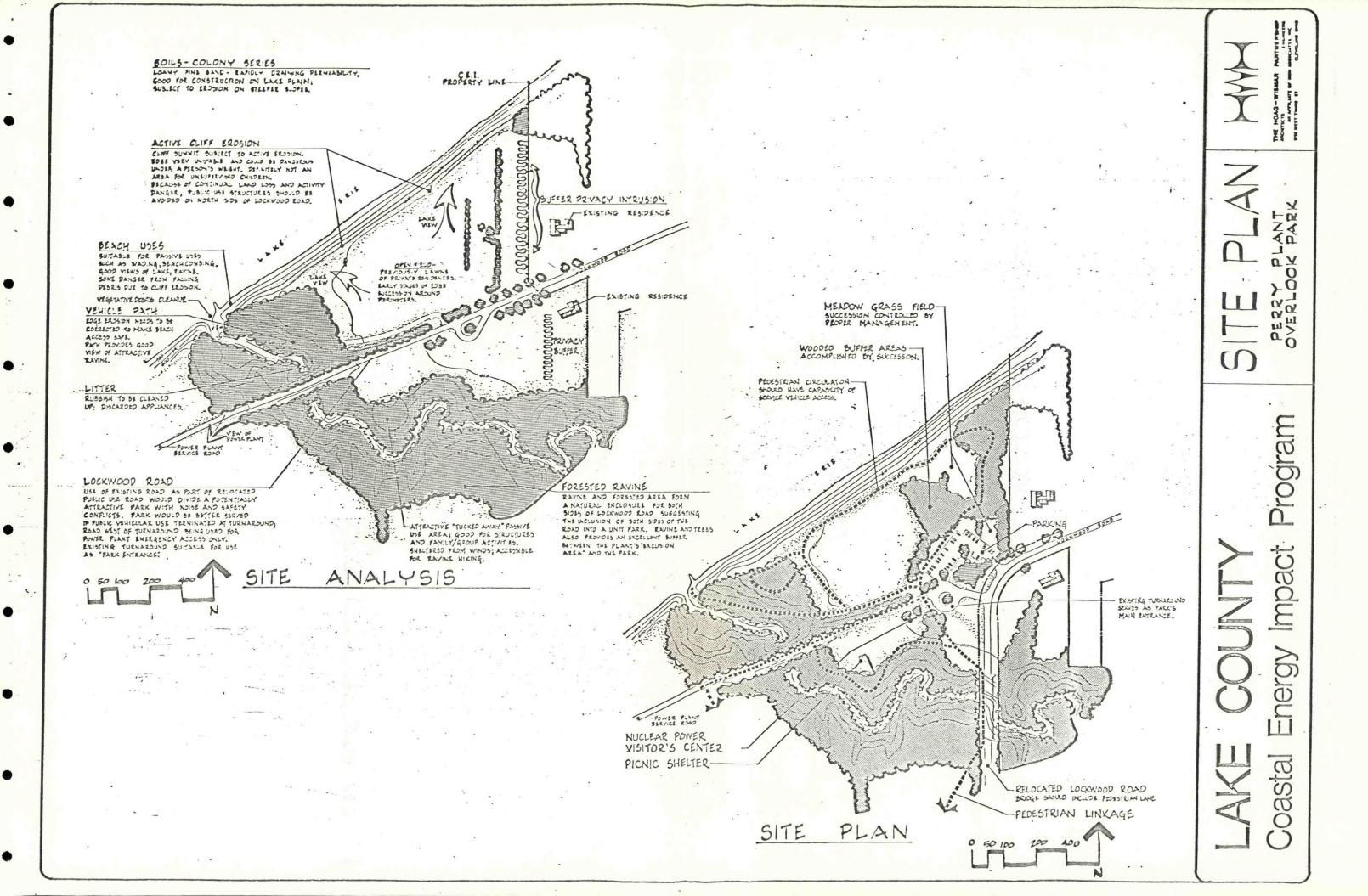
HIKING AND BICYCLING: Connected to pedestrian linkage around the plant, this park lends itself easily to hiking. Access to the beach and to the upper bluff are already available due to previous vehicular uses. An initial debris cleanup and safety improvements to the ravine, beach, and bluff areas should make an attractive use area.

BEACHCOMBING AND WADING: The mouth of the ravine, also the user access to the beach, is presently cluttered with vegetative debris, needing a minor cleanup. The beach itself is presently not very wide and occasionally non-existent due to the high water level. There is also a safety problem of falling earth and trees from the bluff above. However, should the International Lake Erie Regulation Study result in a lowering of Lake Erie's water level, both more beach availability and less erosion should occur, resulting in a very attractive shoreline.

EDUCATION: There are two aspects to the educational value of this park, the natural features of the site and the Nuclear Power Plant Visitor's Center. The park contains a wide variety of natural educational features: beach, erosion, the ravine, vegetation and succession. The Nuclear Power Plant Visitor's Center can be utilized for spontaneous public use as well as organized tours,

such as school groups, explaining the extensive siting and environmental studies, plant operation and nuclear theory. It should be noted, however, that this site is somewhat remote from Plant Authority supervision and may become subjected to vandalism, a factor which must also be considered when designing night lighting and security patrols or camera monitoring.

Overall, the Overlook Park should be considered a very positive addition to the Lake County Metropolitan Park District providing a valuable public access to Lake Erie.



APPENDIX A

SAMPLE LICENSE AGREEMENT FOR PARK TRAIL USE OF TRANSMISSION CORRIDORS.

LICHISE AGREEMENT

THIS AGREEMENT, made this day of, 1974
by and between THE CLEVELAND ELECTRIC ILLUMINATING COMPANY, an Ohio corporation
P. O. Box 5000, Cleveland, Ohio 44101, hereinafter called the LICENSOR, for and
in consideration of the performance and the observance of the conditions here-
inafter contained and the sum of One Doller (\$1.00) and other good and valuable
considerations received of the CLEVELAND METROPOLITAN PARK DISTRICT, 2000
Northern Ohio Bank Building, Cleveland, Ohio 44113, hereinafter called the
LICHISEE, does hereby license and permit the LICENSEE with the privilege and
right to construct, maintain, patrol and use the premises owned by the LICENSOR
as depicted by a red line on the map attached hereto and made a part hereof,
for the purpose of hiking and bicycle trails.

The license and permission hereby granted is subject to the following conditions:

- 1. This license shall be in full force and effect for a period of one (1) year commencing on the ______ day of _______, 1974 and ending on the _____ day of _______, 1975 and shall automatically continue on a year to year basis thereafter, provided, however, that upon ninety (90) days written notice prior to the expiration of the original term or any extension thereof, either party may terminate this agreement without cause and withold further obligation or liability to the other providing, however, such termination shall not operate to release Licensee from the indemnifying provisions contained herein.
- 2. Licensee accepts said premises in an "as is" condition and shall keep and maintain the premises free from debris, litter and trash at its sole cost and expense and also in a condition satisfactory to Licensor and any political subdivision or duly constitued public authority including any improvements thereon during its occupancy.
 - 3. Licensee will install and maintain, during the term of this

agreement or any extension thereof, the necessary barricades to prevent motorized vehicles from entering the premises, however, provisions will be made for
the Licensor, its agents, contractors, invitees or employees to enter the premises with motorized vehicles at any and all times and such barricades shall
be constructed and maintained in a manner satisfactory to Licensor.

- 4. Nothing in this agreement is to be interpreted or construed as preventing access to the premises by Licensor, its agents, contractors, invitees or employees for any purpose whatsoever, it being specifically agreed that said premises will also be used for the construction, operation, maintenance and repair of electric transmission and distribution lines. The license is also subject to easements, conditions, restrictions and liens of record and to the occupancy thereof by other utilities under easement or license.
- 5. Licensee will immediately repair any and all damages of any kind whatsoever resulting from Licensee's use of the herein described premises and will pay Licensor for any and all damages to Licensor's facilities located or which may subsequently be located on Licensor's premises, which may result from Licensee's use of the premises.
- 6. Licensee agrees that it shall not substantially change the grade of said premises or erect any buildings or other structures therein without the written consent of Licensor and any equipment, machinery or vehicles operated thereon shall not come closer than 15' to any pole or structure of Licensor's electric lines nor within 20' of any wire of the same.
- 7. Licensee for itself and its employees, contractors, agents, licensees and invitees agrees to defend, indemnify and save Licensor harmless from and against any and all claims, demands, damages, costs, actions or causes of action together with any and all losses, costs or expenses in connection therewith or related thereto, asserted by any person, firm or corporation for bodily injuries, death or property damage in any way arising out of its or their use and occupation of the herein described premises. Licensee agrees to further indemnify Licensor against all fines, penalties or losses incurred for

or by reason of the violation by the	e Licenses of any ordinance, regulation,
rule or law of any political subdiv	ision or duly constituted public authority.
IN WITNESS WHEREOF, the p	arties hereto have hereunto set their hands
as of the day and year first above	written.
Signed in the presence of:	THE CLEVELAND ELECTRIC ILLUMINATING COMPANY
	By LICENSOR
	<u> </u>
	CLEVELAND METROPOLITAN PARK DISTRICT
	ByLICENSES