

OHIO TURNPIKE COMMISSION

Resolution Delegating Authority to Issue Permits for the Drilling of Wells for the Extraction of Oil and Gas and Their Constituents on Commission Property

WHEREAS, the Commission wishes to encourage and cooperate in the development of new energy sources within the State of Ohio in order to further promote economic development so long as it does not have an adverse effect on the operations of the Turnpike System; and

WHEREAS, the Commission has the authority under O.R.C. Section 5537.04 to make or enter into agreements necessary or incidental to the performance of its duties, and to acquire, hold and dispose of property necessary or incidental to the exercise of its powers; and

WHEREAS, the Commission adopted Resolutions 26-1976 on December 14, 1976 and Resolution No. 1-2008 on February 11, 2008, to delegate authority to the Executive Director to issue permits granting approval for Commission property to be included in pooling units for the extraction of oil and gas and their constituents; and

WHEREAS, Section 5.08 of the current Master Trust Agreement between the Commission and Huntington National Bank dated February 15, 1994, authorizes the Commission by resolution to dispose of such property or any interest therein that it determines is no longer useful or necessary for the operations or maintenance of the Turnpike System if the Consulting Engineer consents to such action or disposition in writing; and

WHEREAS, the Commission has received requests to permit the drilling of gas and oil within its right of way, which it intends to grant subject to the imposition of certain safety and risk management requirements.

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby authorizes the Executive Director to take those actions necessary to effectuate this resolution, and to request that the Engineering Department and Consulting Engineer make recommendations as to those terms and conditions that the Commission should require to ensure the safe drilling of gas or oil on its property; and

FURTHER RESOLVED that Executive Director and General Counsel are authorized to negotiate and execute permits that allow the drilling of oil or gas on Commission property subject to those general liability insurance requirements recommended by the Commission's risk management consultant and in the form recommended by the Legal Department; and

FURTHER RESOLVED that the Executive Director is authorized to collect those fees and royalties due to the Commission under said agreements.

(Resolution No. 8-2011 adopted February 28, 2011)