

## **Ordinance 41 - 24**

By: Sam Marcellino

**An Ordinance authorizing the Mayor and Auditor to sign a Consent and Hold Harmless Agreement on behalf of the City of Bexley with the property owner 2409 Plymouth Ave. (Parcel No. 020-000309-00), regarding improvements made upon and within the City owned right-of-way between the sidewalk and the property line.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:**

**Section 1.**

That the property owner at 2409 Plymouth Ave. (Parcel No. 020-000309-00) is permitted to install a fence in the Right-of-Way between the sidewalk and the property line as described above. If consent is granted, the owner has committed to hiring a landscape architect and working with the City on final location and design of the fence.

**Section 2.**

That the Mayor and Auditor are authorized to enter into a Consent and Hold Harmless Agreement with the property owners, in form and substance satisfactory to the City Attorney, authorizing the encroachments as proposed in accordance with the submitted request on the condition that the property owners assume all responsibility for damage, loss and injury arising out of the location of said building features, including any additional cost to the City of Bexley incurred in connection with its use of right-of-way occasioned by the location of the improvements.

**Section 3.**

That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2024

\_\_\_\_\_  
Monique Lampke, President of Council

Attest: \_\_\_\_\_  
Matt McPeck, Clerk of Council

\_\_\_\_\_  
Ben Kessler, Mayor

First Reading: November 19, 2024

Second Reading:

Third Reading: