

ORDINANCE NO. 32-46

By Mr. Stackhouse

Granting permission to the Trustees of the Estate of R. H. Willcox to remove curb and construct a 24 foot driveway to premises at Numbers 2208-2218 East Main Street.

Whereas, Bertha P. Willcox and Richard V. Willcox, Trustees of the Estate of R. H. Willcox, deceased, have made application for permission to cut the curb on East Main Street in front of the above described property and immediately west of the store building thereon, now occupied by Albers Super Markets, Inc., and to construct a driveway 24 feet in width in order that ingress and egress may be afforded to the parking lot, and Council being of the opinion that said permission should be granted in accordance with said request, NOW, THEREFORE: BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, STATE OF OHIO:

Section 1. That permission be and the same is hereby granted to Bertha P. Willcox and Richard V. Willcox, Trustees of the Estate of R. H. Willcox, deceased, to construct a 24 foot driveway into the above described premises, the center line of which driveway being a line which would intersect at right angles the center line of East Main Street at the traffic light now in East Main Street at the intersection of College Avenue; and permission is further given to remove the necessary curbs along the north side of East Main Street, a distance of approximately 30 feet, and to construct new curbs at the entrance to said driveway which curbs shall be circular, with 6 feet radii on each side thereof. Said Trustees shall construct or cause to be constructed a concrete entrance to said driveway extending from the street pavement to the inside line of the sidewalk and for that purpose may, if necessary, remove portions of the present sidewalk so as to make a safe and continuous driveway, as well as a safe and continuous concrete sidewalk.

The removing of said curb and the construction of said new curbs and concrete entrances and sidewalk shall be done under the supervision of the Engineers and Superintendent of Streets, and shall be to their satisfaction and in accordance with the plans and specifications now on file in the office of the Mayor. During the progress of said construction the said Trustees shall place proper warning signals to guard the public against danger resulting from said construction, and they shall hold the city harmless from liability or damage resulting from any negligence in connection with the making of said improvement.

Section 2. Whereas, there is at present a driveway from East Main Street into said premises situated immediately east of the store building thereon, and it will greatly facilitate traffic conditions if said east driveway shall be used only for entrance to said premises and the driveway so to be constructed under authority of said ordinance shall be used for both entrance and exit to and from said premises, this authority to construct said new driveway is conditioned upon the agreement of said Trustees, and the occupants of said premises, to use said east driveway for entrance purposes only, and to use the west driveway for both entrance and exit purposes, and that they place appropriate signs at the entrance to each of said drives so as to inform the public as to said limitations upon the use thereof.

Section 3. Provided, however, that this permission to remove said curb and to construct said driveway is further conditioned upon said Trustees agreeing that in the event said premises shall cease to be used for purposes requiring the use of such driveway they or their successors or assigns will, upon request of the Council of the City of Bexley and at their own expense, restore said curb to its former location and elevation and will also restore the surface of the street and sidewalk adjacent thereto to the level existing prior to the removing of said curb, which said agreement shall be evidenced by their acceptance in writing of the terms of this ordinance.

Section 4. This ordinance shall take effect and be in force from and after the earliest period allowed by law and the acceptance thereof by said Trustees as herein above provided.

Passed September 10, 1946.

F. H. Bonnet
F. H. Bonnet
President of Council

S. W. Roderick
Attest S. W. Roderick
Clerk

Approved September 10, 1946.

W. A. Schneider
W. A. Schneider
Mayor

The undersigned, Bertha P. Willcox and Richard V. Willcox, Trustees of the Estate of R. H. Willcox, deceased, for themselves, their successors, and assigns, hereby accept the terms and conditions of the foregoing ordinance and agree to comply in all respects with the provisions thereof.

The Acceptance letter attached

Trustees of the Estate of R. H. Willcox.

I, S. W. Roderick, Clerk of Council, City of Bexley, Ohio, do hereby certify that there is no newspaper published in said municipality and that publication of the foregoing Ordinance was duly made by posting true copies thereof at five of the most public places in said city as determined by the Council as follows:
1. Parkview Avenue
2. College Avenue
3. Maxwell Avenue
4. Broadway Avenue
and Parkview Avenue and Clifton Avenue each for a period of fifteen days commencing on the 12th day of September, 1946.

S. W. Roderick
S. W. Roderick
Clerk of Council, City of Bexley, Ohio.

184

81110

