

By

An emergency ordinance enacted by the City of Bexley, Franklin County, Ohio, in the matter of the hereinafter described improvement, under the supervision of the Director of Highways.

WHEREAS, the Director of Highways is considering improving a portion of the public highway which is described as follows:

CLIFTON AVENUE

The improvement being on Clifton Avenue between the east end of the bridge over Alum Creek and Drexel Avenue, in the Corporate limits of the City of Bexley, Ohio.

It is proposed to construct a new two lane pavement plus curb and gutter with all necessary appurtenant work.

NOW THEREFORE, Be it ordained by the Council of the City of Bexley, Ohio:

Section I. (Consent)

That it is declared to be in the public interest that the consent of said City be and such consent is hereby given to the Director of Highways to construct the above described improvement, in accordance with plans, specifications and estimates as approved by the Director; and the City further consents that funds provided for by Amended Senate Bill No. 428 passed by the 108th General Assembly of Ohio shall be used to finance said improvement in accordance with the provisions of Ohio Department of Highways, "Procedure Manual, State Issue I Funds".

Section II. (Cooperation)

That said City hereby proposes to cooperate with the State of Ohio, in the cost of the above described improvement as follows:

The City of Bexley agrees to cooperate with the Director of Highways by assuming and contributing the entire cost and expense of the improvement less the amount of Issue I Funds determined to be eligible for participation in said improvement.

Section III. (Authority to Sign)

That the Mayor of said City is hereby empowered and directed on behalf of the City to enter into agreements with the Director of Highways necessary to complete the planning and construction of this improvement.

Section IV. (Traffic Control Signals and Devices)

That traffic control signals will not be installed on the project without prior approval by the State.

Section V. (Maintenance and Parking)

That upon completion of said improvement, said City will thereafter keep said highway open to traffic at all times, and

- (a) Maintain the improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance; and
- (b) Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the State of Ohio and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits; and
- (c) Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code.

posted  
10/11/72

- (d) Regulate parking in the following manner:

Prohibit parking at all times.

Section VI. (Right-of-way, Utility Rearrangement and Saving the State of Ohio Harmless of Damages)

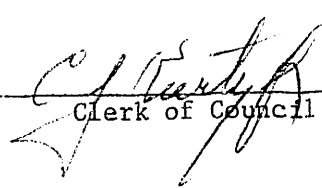
- (a) That all existing street and public way right-of-way within the City which is necessary for the aforesaid improvement, shall be made available therefor.
- (b) That the Municipality will acquire any additional right-of-way required for the construction of the aforesaid improvement.
- (c) That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the said improvement and said companies have agreed to make any and all necessary plant removals or rearrangements in such a manner as to be clear of any construction called for by the plans of said improvement and said companies have agreed to make such necessary rearrangements immediately after notification by said City or the Department of Highways.
- (d) That it is hereby agreed that the City shall at its own expense, make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other municipally owned utilities and/or any appurtenances thereto, whether inside or outside the corporate limits as may be necessary to conform to the said improvement and said rearrangements shall be done at such time as requested by the Department of Highways Engineer.
- (e) That the construction, reconstruction, and/or rearrangement of both publicly and privately owned utilities, referred to in subsections (c) and (d) above, shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the improvement and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provisions of the Ohio Department of Highways Construction and Material Specifications and shall be subject to approval by the State.
- (f) That the installation of all utility facilities on the right-of-way shall conform with the requirements of the Federal Highway Administration Policy and Procedure Memorandum 30-4 "Utility Relocations and Adjustments".
- (g) That said City hereby agrees that the said Department of Highways of the State of Ohio, shall be and is hereby saved harmless from any and all damages or claims thereof arising from or growing out of the certification or obligations made or agreed to in Sections (a), (b), (c), (d) and (e) hereinabove.

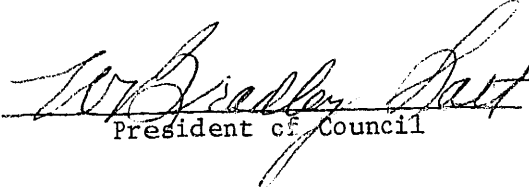
Section VII.

This ordinance is hereby declared to be an emergency measure by reason of the need for expediting highway improvements to promote highway safety, and provided it receives the affirmative vote of two-thirds of the members of Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

Passed: October 10th, 1972

Attest:

  
Clerk of Council

  
President of Council

Approved: October 10th, 1972

  
Mayor

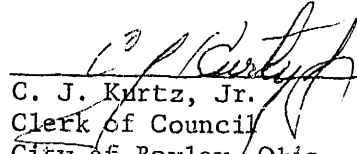
CERTIFICATE OF COPY

STATE OF OHIO )  
CITY OF BEXLEY )ss  
FRANKLIN COUNTY)

I, C. J. Kurtz, Jr., as clerk of the City of Bexley, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance No. 29-72 adopted by the legislative Authority of the said City on the 10th day of October, 1972, that the publication of such ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance and certificate of publication thereof are of record in Ordinance Record No. V, page 187.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 11 th day of October, 1972.

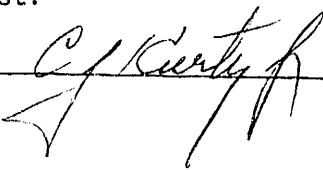
SEAL


  
C. J. Kurtz, Jr.  
Clerk of Council  
City of Bexley, Ohio

The foregoing is accepted as a basis for proceeding with the improvement herein described.

For the City of Bexley, Ohio:

Attest:

  
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Contractual Officer

October 11, 1972  
Date

For the State of Ohio:

Attest:

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\_\_\_\_\_  
Director, Ohio Dept. of Highways

\_\_\_\_\_  
Date