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By: Thomas Elsass

NAME OF STREET Drexel Avenue

ORDINANCE NO. 6-73

ROUTE NO. USR 40

DATE OF ENACTMENT March 27, 1973

An emergency ordinance enacted by the ^{City} ~~Village~~ 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:

By applying an asphaltic concrete surface course on USR 40, beginning at Broad St. (SIM. 15.99) ending at Main St. (SIM. 16.84) and being a total length of 0.85 of a mile.

Length 0.17 of a mile, width 40', approximate thickness 1"

Length 0.68 of a mile, width 42', approximate thickness 1"

NOW THEREFORE, Be it ordained by the Council of the ^{City} ~~Village~~ of Bexley, Ohio:

SECTION I (Consent)

That it is declared to be in the public interest that the consent of said ^{City} ~~Village~~ 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.

SECTION II (Cooperation)

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

A lump sum of Ten Thousand Thirty Four Dollars and Eighty Cents (\$10,034.80), which includes adjusting of the catch basins, manholes and water valve castings.

SECTION II-A

That the ~~lump sum of Ten Thousand Thirty Four Dollars and Eighty Cents (\$10,034.80)~~ is hereby appropriated for the improvement of the highway as described hereinabove.

SECTION III (Authorization)

That the Mayor ^{City} ~~Village~~ is hereby authorized to enter into maintenance and parking agreements and ~~other~~ negotiations.

Printed 3-28-73

effective immediately

SECTION IV (Maintenance and Parking)

That upon completion of said improvement, said City ~~XXXXXX~~, 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) Regulate parking in the following manner:

Parallel Parking on both sides.

SECTION V (Traffic Control Signals and Devices)

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

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 ~~XXXXXX~~ which is necessary for the aforesaid improvement, shall be made available therefor.
- (b) That the ~~XXXXXX~~ 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 ~~XXXXXX~~ or the Department of Highways.
- (d) That it is hereby agreed that the City ~~XXXXXX~~ 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 Highway 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 Bureau of Public Roads Policy and Procedure Memorandum 30-4 "Utility Relocations and Adjustments"
- (g) That said City ~~XXXXXX~~ 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.

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SECTION VII (Emergency Clause)

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 elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Vote on suspension of the rule requiring an ordinance to be fully and distinctly read on three different days:
(Requires a yea vote by three-fourths of all elected members)

Yeas six Nays none

Vote on emergency clause: Yeas six Nays none

Passed March 27th 19 73 Yeas six Nays none

As an emergency measure.

Passed: March 27th, 1973.

X Attest: [Signature]
Clerk

X K.B. McClure
Mayor

X Attest: [Signature]

X Paul H. Martin
President of Council

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

City ~~XXXX~~ of Bexley, Ohio

Attest: [Signature]

X K.B. McClure, Date March 27th, 1973
Contractual Officer

For the State of Ohio

Attest: _____

_____, Date _____
Director, Ohio Department of Highways

CERTIFICATE OF COPY

STATE OF OHIO

City ~~XXXX~~ of Bexley SS

County Franklin

I, C. J. Kurtz, Jr., as clerk of the ~~City~~ ^{City} ~~XXXX~~ of Bexley, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the legislative Authority of the said City ~~XXXX~~ on the 27th day of March, 19 73, 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 241.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 27th day of March, 19 73.

(SEAL)

X [Signature]
Clerk

CITY ~~XXXX~~ of Bexley, Ohio.