

CS-2
Rev. 8-1-73

NAME OF STREET Main Street ORDINANCE NO. 20-78
ROUTE NO. US-33 US-40 DATE OF ENACTMENT _____

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

WHEREAS, the Director of Transportation is considering improving a portion of the public highway which is described as follows: US-33-by applying an asphaltic concrete surface course on US-33 (Main Street) beginning at the west corporation line (SLM 20.26), ending at College Avenue (SLM 20.42) approximate thickness 3/4", length 0.10 of a mile, width 54', length 0.06 of a mile, width 50', for a total length of 0.16 of a mile. Main Street-by applying an asphaltic concrete surface course on Main Street beginning at US-33 (SLM 0.00) ending at US-40 (SLM 0.09) approximate thickness 3/4", length 0.09 of a mile, width 50'. US-40-by applying an asphaltic concrete surface course on US-40 (Main Street) beginning at Drexel Avenue (SLM 16.84) ending at the east corporation line (SLM 17.57) approximate thickness 3/4", length 0.73 of a mile, width 50'.

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

SECTION I (Consent)

City
That it is declared to be in the public interest that the consent of said ~~Village~~ be and such consent is hereby given to the Director of Transportation to construct the above described improvement, in accordance with plans, specifications and estimates as approved by the Director.

SECTION II (Cooperation)

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

A lump sum of nineteen thousand one hundred two dollars (\$19,102.00)

SECTION II-A

That the lump sum of nineteen thousand one hundred two dollars (\$19,102.00) hereby appropriated for the improvement of the highway as described hereinabove.

SECTION III (Authority to Sign)

City
That the Mayor of said ~~Village~~, is hereby authorized to enter
(Contractual Officer's Title)
into maintenance and parking agreements and special contractual obligations.

Posted 5-29-78

SECTION IV (Maintenance, Parking, Traffic Control Signals and Devices)

That upon completion of said improvement, said City/Village, 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; and
- (d) Regulate parking in the following manner:

US-33 (Main Street)

Bexley west corporation (SLM 20.26) to Sheridan Avenue (SLM 20.36)
width 54' - No Parking

Sheridan Avenue (SLM 20.36) to College Avenue (SLM 20.42)

Width 50' - Restricted Parking one side

US-40 (Main Street)

Drexel Avenue (SLM 16.84) to Bexley east corporation (SLM 17.57)

Width 50' - Restricted Parking two sides.

SECTION V

(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/Village which is necessary for the aforesaid improvement, shall be made available therefor.
- (b) That the State/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 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/Village or the Department of Transportation.
- (d) That it is hereby agreed that the City/Village 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, which do not comply with the provisions of Directive No. 28-A.
- (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 Transportation 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" and the Department of Transportation's rules on Utility Accommodation.
- (g) That said City/Village hereby agrees that the said Department of Transportation 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 of obligations made or agreed to in Sections (a), (b), (c), (d) and (e) hereinabove.

SECTION VI. (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 ye vote by three-fourths of all elected members)

Yeas 7 Nays 0

Vote on emergency clause: Yeas 7 Nays 0

Passed March 28, 19 78 Yeas 7 Nays 0
As an emergency measure.

Passed: March 28, 19 78

Attest: [Signature]
Clerk

[Signature]
Mayor

Attest: [Signature]

[Signature]
President of Council

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

City
For the Village of Bexley, Ohio

Attest: [Signature]

[Signature] Date 3/29/78
Contractual Officer

For the State of Ohio

Attest: _____

_____, Date _____
Director, Ohio Department of Transportation

CERTIFICATE OF COPY

STATE OF OHIO

City
Village of Bexley SS

County Franklin

I, JOHN W. HOENIGER, as clerk of the Village 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/Village on the 29th day of March, 19 78, 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. 70-78, Page _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal, this 29th day of March, 19 78.

(SEAL)

[Signature]
Clerk

CITY
VILLAGE of Bexley, Ohio.

FISCAL OFFICER'S CERTIFICATE

I hereby certify that the money, to wit: \$ 19,102.00,
required for the payment of the cost other than that part thereof assumed by

the State of Ohio US-33 by applying an asphaltic concrete surface course on US-33 (Main Street) beginning at the west corporation line (SLM 20.26) ending at College Avenue (SLM 20.42) approximate thickness 3/4", length 0.10 of a mile, width 54', length 0.06 of a mile, width 50', for a total length of 0.06 of a mile, width 50', for a total length of 0.16 of a mile.

Main Street-by applying an asphaltic concrete surface course on Main Street beginning at US-33 (SLM 0.00) ending at US-40 (SLM 0.09) approximate thickness 3/4", length 0.09 of a mile, width 50'.

US-40-by applying an asphaltic concrete surface course on US-40 (Main Street) beginning at Drexel Avenue (SLM 16.84) ending at the east corporation line (SLM 17.57) approximate thickness 3/4", length 0.73 of a mile, width 50'.

has been lawfully appropriated for such purpose and is in the treasury to the credit of, or has been levied, placed on the duplicate and in process of collection for the appropriate fund and not appropriated for any other purpose; or is being obtained by sale of bonds issued on account of said improvement, which bonds are sold and in process of delivery.

I further certify that this certificate was made, sealed and filed with the legislative authority of Bexley, Ohio, after said legislative authority passed the ordinance/resolution in connection with the within described project; and that this certificate was forthwith recorded in the record of proceedings of said legislative authority, namely: Legislative Authority's Journal, volume _____, at page _____.

(Fiscal Officer's Seal)

IN WITNESS WHEREOF, I have hereunto set my hand
and official seal as said fiscal officer, this

29th day of MARCH, 1978

John J. Herberich
Fiscal Officer of Bexley, Ohio.