

ORDINANCE NO. 73 -89

BY: Joanne H. Ruff

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 owners at 263 South Cassady Road (Lot Number 13; Bullitt Park Amended Plat Addition) regarding improvements made upon and within the City owned right-of-way of S. Cassady Road.

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

Section 1. That the property owners at 263 South Cassady Road (Lot Number 13; Bullitt Park Amended Plat Addition) have requested approval to allow a stone retaining wall with a maximum height of 18 inches in the front yard setback of said property which would encroach a distance of approximately 14 feet, 6 inches upon and within the South Cassady Road right-of-way.

Section 2. That the Mayor and the Auditor be, and they hereby are, authorized to enter into a Consent and Hold Harmless Agreement with the property owners, in form and substance satisfactory to the City Solicitor, authorizing the encroachment 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 retaining wall including any additional cost to the City of Bexley incurred in connection with its use of the right-of-way occasioned by the location of the structure.

Section 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: January 23, 1990

Art K. Schmitz
President of Council

Attest: Jan. Deppa
Clerk of Council

Approved: Jan. 23, 1990

D. H. Madison
David H. Madison, Mayor

*Dec. 12, 1989 - 1st reading
Dec. 26, 1989 - 2nd reading
Jan. 9, 1990 - 3rd reading - tabled
Jan. 23, 1990 - Adopted*

STATE OF OHIO, COUNTY OF FRANKLIN: SS:

The foregoing instrument was acknowledged before me this
31st day of January, 1990, by David H. Madison, Mayor of
the City of Bexley, Ohio, and John W. Hornberger,
Auditor of the City of Bexley, Ohio.

Linda J. Hoops
Witness

D. Madison
Mayor

Robert E. Fulk
Witness

J. W. Hornberger
Auditor

Kathleen Marie Rose
Notary Public
KATHLEEN MARIE ROSE
NOTARY PUBLIC STATE OF OHIO
COMMISSION EXPIRES JULY 1, 1990

STATE OF OHIO, COUNTY OF FRANKLIN: SS:

The foregoing instrument was acknowledged before me this
31st day of January, 1990,
1990, by Ronald E. Guay.

Linda Hoops
Witness

Ronald E. Guay
Property Owner

Gert Mercuri
Witness

Property Owner

Karen M. Sluder
Notary Public
KAREN MARIE SLUDER
Notary Public, State of Ohio
My Commission Expires 7-1-90



City of Bexley, Ohio

BUILDING DEPARTMENT

2242 EAST MAIN STREET, 43209

235-0956

DAVID H. MADISON, MAYOR

NOTICE OF PUBLIC MEETING

This is to inform you that a public meeting will be held by the Council of the City of Bexley, Ohio, at 7:00 p.m., Tuesday, January 9, 1990, at Bexley City Hall, 2242 East Main Street, to consider adoption of Ordinance No. 73-89. This Ordinance, if approved, will allow a stone retaining wall to remain in the front yard setback of 263 South Cassady Road. All interested parties are invited to attend.