

ORDINANCE NO. 70-96

BY: David Goodman
Melisa D. Shroyer

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 owner at 2540 East Main Street (Lot Number 362; Bexley Park Addition) regarding improvements to be made upon and within the City owned right-of-way of East Main Street.

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

Section 1. That the property owner at 2540 East Main Street (Lot Number 362; Bexley Drive Addition) has requested approval to construct a patio and a 36 inch high wrought iron railing in the City right-of-way of said property which would encroach a distance of three feet upon and within the East Main Street right-of-way owned by the City of Bexley.

Section 2. That the property owner will request and receive Environmental Review Approval from the Bexley Planning Commission for the landscape plan and patio furniture associated with the encroachment.

Section 3. That the Mayor and Auditor be, and they hereby are, authorized to enter into a Consent and Hold Harmless Agreement with the property owner, in form and substance satisfactory to the City Attorney, authorizing the encroachment as proposed in accordance with the submitted request on the condition that the property owner assume all responsibility for damage, loss, and injury arising out of the location of said patio and railing 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 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: November 12, 1996

[Signature]
President of Council

Attest: [Signature]
Clerk of Council

October 8, 1996 - 1st Reading
October 22, 1996 - 2nd Reading
November 12, 1996 - 3rd Reading

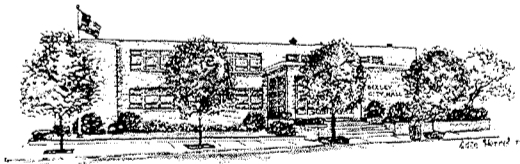
Approved: 11/12, 1996
[Signature]
David H. Madison, Mayor

NOTICE OF PUBLIC MEETING

This is to inform you that a public meeting will be held by the Engineering and Plats Committee of the Council of the City of Bexley, Ohio, at 6:30 p.m., Tuesday October 29, 1996, at Bexley City Hall, 2242 East Main Street, to consider adoption of Ordinance No. 70-96. This Ordinance, if allow for a patio and 36" high wrought iron railing to encroach a distance of 3' upon City owned right-of-way in front of 2540 East Main Street (Bexley Pizza Plus).

All interested parties are invited to attend.

mailed 10-23-96



2242 EAST MAIN STREET • BEXLEY, OHIO 43209 • PHONE (614) 235-0956 • FAX (614) 235-3420