

Ordinance No. 22 -03

By: Jeffrey McClelland

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 2533 Bryden Road (Lot No(s) 283 & 284 Bexley Park Addition) regarding improvements to be made upon and within the City owned right-of-way on Bryden Road.

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

Section 1. That the property owner at 2533 Bryden Road (Lot No (s) 283 & 284 Bexley Park Addition) has requested approval to allow a 15 inch high stone retaining wall in the side and rear setbacks of said property which would encroach a distance of approximately 3 feet upon and within the Cassingham Road right-of-way owned by the City of Bexley.

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 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 assumes 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 their 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: 4-22, 2003

President of Council

Attest: [Signature]
Clerk of Council

Approved: 4/22, 2003

[Signature]
David H. Madison, Mayor

3-25-03 First reading
4-08-03 Second reading
4-22-03 Third reading
Passed

STATE OF OHIO, COUNTY OF FRANKLIN:
SS:

The foregoing instrument was acknowledged before me this 22nd day of May, 2003 by David H. Madison, Mayor of the City of Bexley, Ohio, and Gary Qualmann, Auditor of the City of Bexley, Ohio.

Sara Chunnock
Witness

David H. Madison
Mayor

Rhonda Larson
Witness

Gary Qualmann
Auditor

Anna S. Hughes
Notary Public
ANNA S. HUGHES
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES JULY 26, 2003

STATE OF OHIO, COUNTY OF FRANKLIN:
SS:

The foregoing instrument was acknowledged before me this 24th day of April, 2003 by Heidi Levey

Sara Chunnock
Witness

Heidi Levey
Property Owner

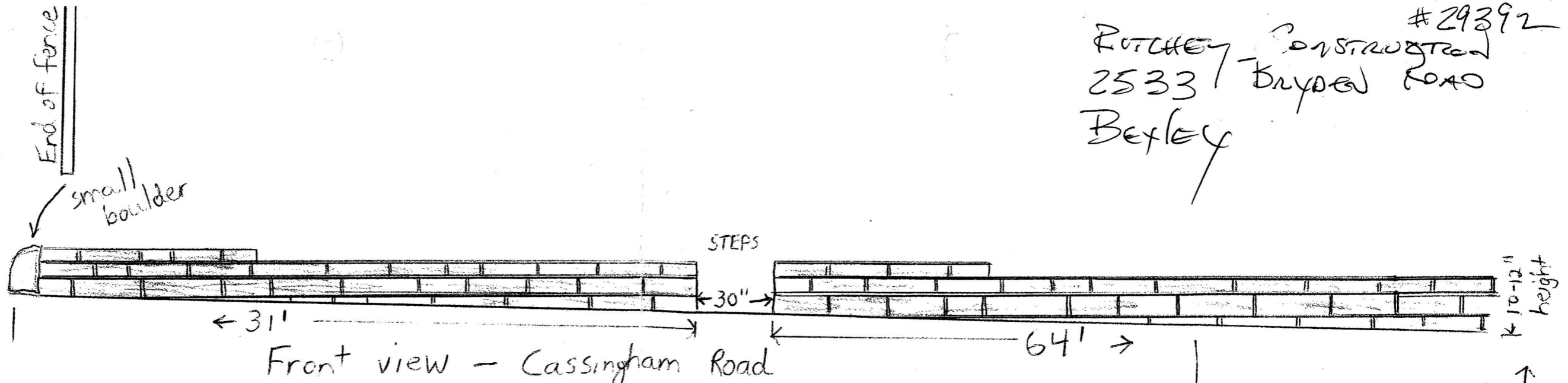
William W. Beebe
Witness

2533 Bayden Rd
Property Address

Kathleen Marie Rose
Notary Public

KATHLEEN MARIE ROSE
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES July 11 2005

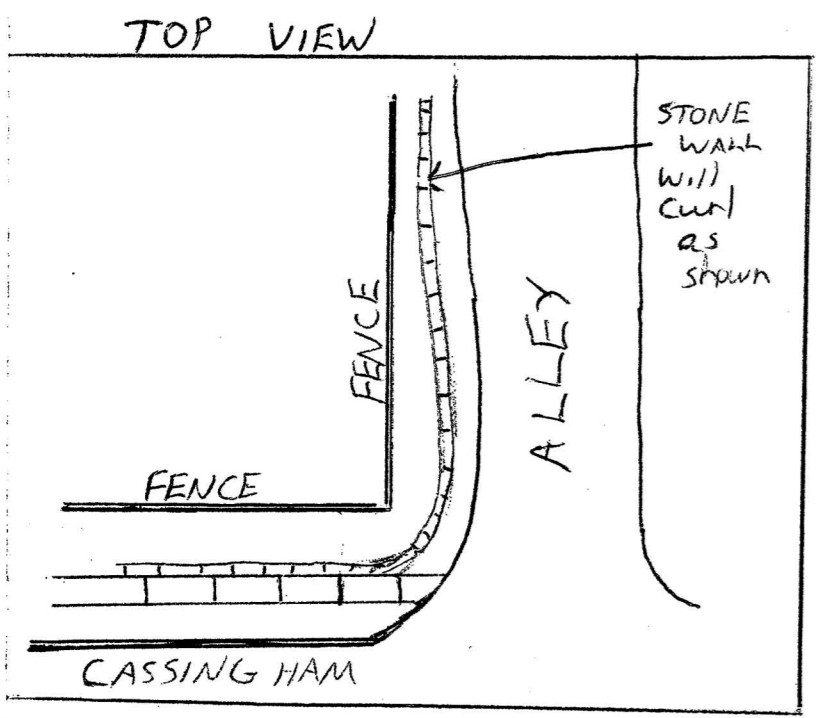
#29392
 POTTERY CONSTRUCTION
 2533 Bryden Road
 Bexley



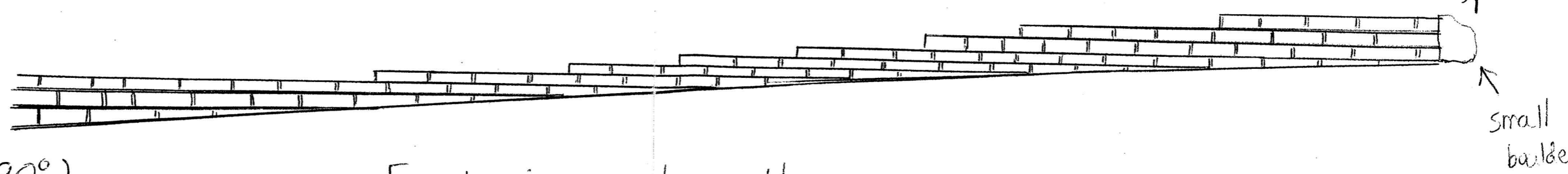
DRYSTACK STONE

Stone wall will be built as close to sidewalk as possible

↑ curls (to meet wall along alley)



80 linear feet



curls (90°) around corner to meet Cassingham Rd. wall

Front view - along alley

This wall (on the Cassingham Road end) will be 4'6" from the fence. On the other end the wall will be 2' from the fence.