

ORDINANCE NO. ⁸¹~~8~~-06

By: Mr. John B. Rohyans

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 2635 E. Broad St. (Lot No. 37; Ardmore Addition) regarding improvements to be made upon and with the City owned street right-of-way adjacent to South Cassingham Road . **NOW THEREFORE,**

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

Section 1. That the property owners at 2635 E. Broad Street (Lot No. 37; Ardmore Addition) have requested approval to construct a 12" - 18" high retaining wall within the street right-of-way; said wall to be approximately 85' in length running parallel and adjacent to South Cassingham Road.

Section 2. That the Mayor and 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 Attorney, 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 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 go into effect and be in force from and after the earliest period allowed by law.

Passed: 11-14, 2006

Melen Mac Murray
President of Council

Attest: [Signature]
Clerk of Council

Approved: 11/14, 2006

[Signature]
David H. Madison, Mayor

10-10-06 First Reading
10-24-06 Second Reading
11-14-06 Third Reading

CC

APPLICATION NUMBER 7006 0009
FILING FEE: \$ _____

CITY OF BEXLEY, OHIO
APPLICATION TO APPEAR BEFORE
BEXLEY CITY COUNCIL

1. This application is submitted for: (please check)
() Rezoning () Lot Split () Plat Approval Variance for fence

2. APPLICATION SUBMITTED FOR PROPERTY LOCATED:
2635 E BROAD ST BEXLEY, OH 43209

3. NAME OF APPLICANT: TRACY McCORD

ADDRESS: SAME

TELEPHONE NUMBER 614 235-8895

4. NAME OF OWNER: SAME

ADDRESS: SAME

TELEPHONE NUMBER: SAME

5. Narrative description of project (attached additional sheets, if necessary.)
REPLACE EXISTING 4X6 TIMBER RETAINING WALL (18" HT)
WITH LIMESTONE DRystackED RETAINING WALL (18" HT)

6. IF THIS APPLICATION INVOLVES A VARIANCE, PLEASE EXPLAIN WHY THE VARIANCE IS NECESSARY. (Attach additional sheets, if necessary.)

APPLICANT: *Tracy McCord* DATE 10.2.06
(Signature)

(NOTE: If the applicant is not the owner, a letter from the owner stating his or her approval of the application must be submitted with the application.)

\$40.00

PAID
CC # 1009
R.D.

STATE OF OHIO, COUNTY OF FRANKLIN:
SS:

The foregoing instrument was acknowledged before me this 11th day of December 2007 by David H. Madison, Mayor of the City of Bexley, Ohio, and ~~Richard A. Lavin~~, Auditor of the City of Bexley, Ohio.

LARRY A. HETSER

[Signature]
Witness

[Signature]
Mayor

[Signature]
Witness

[Signature]
Auditor

[Signature]
Notary Public

Anita S. Foley
Notary Public, State of Ohio
My Commission Expires July 23, 2008

STATE OF OHIO, COUNTY OF FRANKLIN:
SS:

The foregoing instrument was acknowledged before me this 27th day of November, 2006 by Tracy McCord

[Signature]
Witness

[Signature]
Property Owner

[Signature]
Witness

Property Owner

[Signature]
Notary

GLENDIA ARLENE BARLOW
Notary Public, State of Ohio
My Commission Expires 8/20/11