

ORDINANCE NO. 20-09By: Mr. Kessler

An Ordinance authorizing the Mayor and Auditor to sign a Consent and Hold Harmless Agreement, and execute a Quitclaim Deed of Encroachment Easement on behalf of the City of Bexley with the property owners at 2500-2510 East Main Street (Parcel No. 020-001523-00), regarding improvements made upon and within the City owned street right-of-way adjacent to Cassingham Road.

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

Section 1. That the property owner at 2500-2510 East Main Street (Parcel No. 020-001523-00) has requested approval to construct a variety of building features including, but not limited to, footings, stairs, a patio, patio railing, and bicycle rack pad, on the property as described above and in Exhibit "A" attached hereto and incorporated herein by reference, and in the easement/public right-of-way area which is public property.

Section 2. That the Mayor and Auditor be, and they hereby are, authorized to enter into a Consent and Hold Harmless Agreement, and Quitclaim Deed of Encroachment Easement with the property owners, in form and substance satisfactory to the City Attorney, authorizing the encroachments 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 building features, including any additional cost to the City of Bexley incurred in connection with its use of right-of-way occasioned by the location of the improvements.

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

Passed: 4/28, 2009

Matthew J. Lampke
President of Council

Attest: [Signature]
Clerk of Council

Approved: 4/28, 2009

John M. Brennan
John M. Brennan, Mayor

First Reading 3-31-09

Second Reading 4-14-09

Third Reading 4-28-09