

ORDINANCE NO. 424

By: Steve Keyes

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 2123 Fair Avenue (Acreage in the Park Addition; Parcel No. 020-004248) regarding improvements made upon and within the City owned street right-of-way adjacent to Westland Avenue.

WHEREAS, concrete is the standard material for a driveway approach and/or sidewalk in the City right-of-way;

WHEREAS, the property owner at 2123 Fair Avenue (Acreage in the Park Addition; Parcel No. 020-004248) would like to have brick pavers installed, in lieu of concrete and as part of the overall driveway replacement project for a driveway that exits onto Westland Avenue, which currently does not have sidewalks and/or curbs;

WHEREAS, the proposed brick pavers would be a nice improvements over the existing deteriorated concrete;

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

Section 1. That the property owners at 2123 Fair Avenue (Acreage in the Park Addition; Parcel No. 020-004248) have requested approval to replace the existing 29' wide driveway approach and driveway with 29' wide brick pavers within the street right-of-way; adjacent to Westland Avenue.

Section 2. That the Mayor and Auditor be, and they hereby are, authorized to enter 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 driveway and driveway approach 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 structure.

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

Passed: _____, 2014

President of Council

Attest: _____
Clerk of Council

Approved: _____, 2014

Ben Kessler, Mayor

*Introduced 6-25-14
Second Reading 8-12-14*