

## RECORD OF ORDINANCES

COLUMBUS BLANK BOOK CO., COL., O.

Form No. 2806-A

Ordinance No. 36-71

Passed 3rd day of May, 19 71

## ORDINANCE NO. 36-71

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE CONNECTING RAILWAY COMPANY AND GEORGE P. BAKER, RICHARD C. BOND, JERVIS LANGDON, JR. AND WILLARD WIRTZ TRUSTEES OF THE PROPERTY OF PENN CENTRAL TRANSPORTATION COMPANY, DEBTOR FOR THE CONSTRUCTION OF A RAILROAD CROSSING AND APPROACHES THERETO AT EAST RAHN ROAD.

WHEREAS, the City has determined that, for the safety of its citizens and those of surrounding communities, it is advisable to construct a crossing of the railroad tracks presently crossing an extension of East Rahn Road at the Kettering Corporation Limit; and

WHEREAS, pursuant to this determination the City entered into negotiations with the owner of said railroad tract, The Connecting Railway Co., and its lessee, Penn Central Transportation Company, which negotiations culminated in a proposed contract, a copy of which is attached hereto and marked Exhibit "A"; and

WHEREAS, the Council is of the opinion that said contract is in all respects fair and necessary to the City;

NOW, THEREFORE

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS THAT:

Section 1. The City Manager is hereby authorized and directed on behalf of the City to execute the contract dated October 19, 1970, between the City of Centerville, and The Connecting Railway Company and George P. Baker, Richard C. Bond, Jervis Langdon, Jr. and Willard Wirtz, Trustee of the Property of Penn Central Transportation Company, Debtor, which is attached hereto, marked Exhibit "A", and incorporated herein by reference.

Section 2. This Ordinance is hereby declared to be an emergency ordinance and shall become effective immediately upon its adoption. A public emergency affecting health, safety and the public welfare is hereby declared to exist because of the traffic hazzard presently existing at East Rahn Road where same is crossed by railroad tracks at the Kettering City Limits and the construction of a crossing at that location at the earliest possible date is essential.

Passed this 3rd day of May, 1971.

/S/ John A. Davis  
Deputy Mayor-City of Centerville

ATTEST:

/S/ Marilyn J. McLaughlin  
Clerk of Council of the  
City of Centerville, Ohio

C E R T I F I C A T E

The undersigned, Clerk of the Council of the City of Centerville, Ohio hereby certifies the foregoing to be a true and correct copy of Ordinance No. 36-71, passed by the Council of the City of Centerville, Ohio, on the 3rd day of May, 1971.

/S/ Marilyn J. McLaughlin  
Clerk

Approved as to form, consistency  
with existing ordinances, the  
charter & constitutional provisions.

Department of Law  
Robert N. Farquhar  
Municipal Attorney