

Ordinance No. 37-71

Passed 17th day of May, 19 71

ORDINANCE NO. 37-71
CITY OF CENTERVILLE, OHIO

AN 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 track, 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 shall be effective from and after the earliest date allowed by law.

PASSED this 17th day of May, 1971

/S/ Paul C. Hoy
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. 37-71, passed by the Council of the City of Centerville, Ohio, on the 17th 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