

Main St.
NAME OF STREET Franklin Ave
~~XXXXXX~~ ⁴⁸
ROUTE NO. S. R. 725 Centerville

RESOLUTION
ORDINANCE NO. 2-62

DATE OF ENACTMENT MARCH 21, 1962

An emergency ^{RESOLUTION} ordinance enacted by the ~~City~~ ^{City} of Centerville,
Montgomery County, Ohio, in the matter of the hereinafter described
improvement, under the supervision of the Director of Highways.

WHEREAS, the Director of Highways is considering improving a portion of the public high-
way which is described as follows:

(Location and general nature of work)

Beginning at a point 1.04 miles inside or north of the south corporation line of
the village of Centerville, said point being log station 2.74 on SR-48, thence in
a northerly direction a distance of 0.29 of a mile at 24 ft. in width to log statio
3.03, thence in a northerly direction a distance of 0.23 of a mile at 41 ft in
width to log station 3.26, thence in a northerly direction a distance of 0.12 of a
mile at 45 ft in width to log station 3.38 and there ending on SR-48; _____
thence beginning at a point 0.29 of a mile inside or east of the west corporation
line of the village of Centerville, said point being log station 18.33 on SR-725,
thence in an easterly direction a distance of 0.03 of a mile at 41 ft. in width to
log station 18.36, thence in an easterly direction a distance of 0.13 of a mile at
38 ft. in width to log station 18.49, thence in an easterly direction a distance of
0.06 of a mile at 45 ft. in width to log station 18.55 and there ending. Said
point being the intersection of SR-725 and SR-48,
The aforesaid being for the purpose of applying a Bituminous Concrete Surface Course
of an average thickness of 1 inch. Sufficient material to correct irregularities
and weak areas will also be provided.

NOW THEREFORE, Be it ordained by the Council of the ~~City~~ ^{City} of Centerville, Ohio:

SECTION I (Consent)

That it is declared to be in the public interest that the consent of said ~~Village~~ ^{City} be and such con-
sent is hereby given to the Director of Highways to construct the above described improvement,
in accordance with plans, specifications and estimates as prepared by said Director.

SECTION II (Cooperation)

That said ~~Village~~ ^{City} hereby proposes to cooperate with the State of Ohio, in the cost of the above
described improvement, by assuming and contributing a lump sum of 442.90

inclusive of the cost of engineering, contingencies and other incidental expenses.

SECTION III (Authority to Sign)

That the ~~Mayor~~ ^{MAYOR} of said ~~Village~~ ^{City}, is hereby authorized to enter into main-
tenance and parking agreements and special contractual obligations.

SECTION IV (Maintenance)

That it is hereby agreed that said ~~Village~~ ^{City} will, after completion of the aforementioned
project, maintain the improvement herein contemplated in accordance with the provisions of the
statutes relating thereto and will make ample financial and other provisions for such maintenance,
and maintain the right of way and keep it free of obstructions in a manner satisfactory to the State of
Ohio.

SECTION V (Parking Regulations)

That upon completion of said improvement, said ~~City~~ Village, will thereafter

- (a) Keep said highway open to traffic at all times; and
- (b) Regulate parking in the following manner:

No parking on traveled portion of pavement

SECTION VI That traffic control lights will not be installed on the project without prior approval by the State.

SECTION VII That the rights-of-way provided for said improvement shall be held inviolate for public highway purposes and no signs, posters, billboards, roadside stands or other private installations shall be permitted within the right-of-way limits.

SECTION VIII (CERTIFICATION OF AVAILABILITY OF RIGHT OF WAY, UTILITY REARRANGEMENT AND SAVING THE STATE OF OHIO HARMLESS OF DAMAGES.)

- (a) That all existing right of way within the Village, which is necessary for the aforesaid improvement, shall be made available therefor.
- (b) That the State/Municipality will acquire any additional right of way required for the construction of the aforesaid improvement.
- (c) That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the said improvement and said companies have agreed to make any and all necessary plant removals or rearrangements in such a manner as to be clear of any construction called for by the plans of said improvement and said companies have agreed to make such necessary rearrangements immediately after notification by said ~~City~~/village or the Department of Highways.
- (d) That it is hereby agreed that the ~~City~~/village shall at its own expense, make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other municipally owned utilities and/or any appurtenances thereto, whether inside or outside the corporate limits, as may be necessary to conform to the said improvement and said rearrangements shall be done at such time as requested by the Department of Highways Engineer.
- (e) That the construction, reconstruction, and/or rearrangement of both publicly and privately owned utilities, referred to in subsections (c) and (d) above, shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the improvement and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provisions of Section I-2.06 of the Ohio Department of Highways Construction and Material Specifications and shall be subject to approval by the State.
- (f) That said ~~City~~/village hereby agrees that the said department of highways of the State of Ohio, shall be and is hereby saved harmless from any and all damages or claims thereof arising from or growing out of the certification or obligations made or agreed to in Sections (a), (b), (c), (d) and (e) hereinabove.

SECTION IX (Emergency Clause)

^{RESOLUTION}
This ordinance is hereby declared to be an emergency measure by reason of the need for expediting construction of project(s) to promote highway safety, and provided it receives the affirmative vote of two-thirds of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Vote on suspension of the rule requiring an ordinance to be fully and distinctly read on three different days:

(Requires a yea vote by three-fourths of all elected members)

Yeas _____ Nays _____

Vote on emergency clause: Yeas _____ Nays _____

Passed _____ 19 _____ Yeas _____ Nays _____

As an Emergency measure.

Passed: March 21, 1962

Attest: Charles G. Taylor, Jr.
CLERK

Wm O. Gumbel
MAYOR

Attest: _____

C. L. Aughey
PRESIDENT OF COUNCIL

The foregoing is accepted as a basis for proceeding with the construction herein described.

~~City~~
For the Village of Centerville, Ohio.

Attest: _____

Wm O. Gumbel Date 4/12/62
CONTRACTUAL OFFICER

For the State of Ohio.

Attest: _____

DIRECTOR, OHIO DEPARTMENT OF HIGHWAYS

CERTIFICATE OF COPY

STATE OF OHIO

~~City~~
Village of Centerville SS

County Montgomery

I, CHARLES G. TAYLOR JR., as clerk of the village of Centerville, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the

council of the said village on the 21 day of MARCH, 1962, that the publication of such ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance and certificate of publication thereof are of record in ordinance Record No. _____,

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IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 28 day of March, 1962

Charles G. Taylor Jr.
CLERK

~~CITY~~
VILLAGE of Centerville, Ohio.