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662

NAME OF STREET Alexanderville-Bellbrook Rd ORDINANCE NO. 12-1967  
ROUTE NO. SR-725 DATE OF ENACTMENT May 28, 1967

An emergency ordinance enacted by the ~~CITY~~ Village 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 highway  
which is described as follows:

By applying an asphalt concrete leveling course of an average thickness of 1/2  
inch and a surface course of 1 inch on SR-725 in the Village of Centerville  
beginning at the north intersection of SR-48 and SR-725 and covering the existing  
pavement width through to the east corporation line of the Village of Centerville,  
a distance of 0.79 mile. Sufficient material will be supplied to cover existing  
sealed areas adjacent to the pavement.

NOW THEREFORE, Be it ordained by the Council of the ~~CITY~~ Village of Centerville,  
Ohio:

SECTION I (Consent)

~~CITY~~  
That it is declared to be in the public interest that the consent of said Village be and such  
consent is hereby given to the Director of Highways to construct the above described improvement, in  
accordance with plans, specifications and estimates as approved by the Director.

SECTION II (Cooperation)

~~CITY~~  
That said Village hereby proposes to cooperate with the State of Ohio, in the cost of the above  
described improvement as follows:  
By contributing a lump sum of \$1,009.00 and by raising of existing  
Village owned sewer manhole castings or water valve castings as required with  
our own forces.

SECTION III (Authority to Sign)

That the MAYOR ~~CITY~~ of said Village, is hereby authorized to enter  
(Contractual Officer's Title)  
into maintenance and parking agreements and special contractual obligations.

BON

## SECTION IV (Maintenance and Parking)

That upon completion of said improvement, said ~~CITY~~/Village, will thereafter

Keep said highway open to traffic at all times, and MAINTAIN EXISTING CENTERLINE THRU SECTIONS 19.02  
TO 20.12

- (a) Maintain the improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance; and
- (b) Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the State of Ohio and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits; and
- (c) Regulate parking in the following manner:

See sketch on parking regulations

SLM - 1962 - 20.12 - Parallel parking on right  
SLM - 20.12 - 20.41 - No parking

## SECTION V (Traffic Control Signals and Devices)

That traffic control signals will not be installed on the project without prior approval by the State and the ~~CITY~~/Village will place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code.

SECTION VI (Right-of-Way, Utility Rearrangement and  
Saving the State of Ohio Harmless of  
Damages)

- (a) That all existing right-of-way within the ~~CITY~~/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 the Ohio Department of Highway 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 VIII (Emergency Clause)

This ordinance is hereby declared to be an emergency measure by reason of the need for expediting highway improvements 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 yeas vote by three-fourths of all elected members)

Yeas 4 Nays 0  
Vote on emergency clause: Yeas 4 Nays 0  
Passed May 24, 19 67 Yeas 4 Nays 0  
As an emergency measure.

Passed: May 24, 19 67.  
Attest: Ronald F. Budzik Clerk  
Attest: Ronald F. Budzik  
Paul C. Gray Mayor  
K.C. McClellan President of Council

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

City  
For the Village of Centerville, Ohio  
Attest: Ronald F. Budzik  
Paul C. Gray Contractual Officer, Date May 27, 1967  
For the State of Ohio  
Attest: Will A. Brannon  
P.E. Masheter Director, Ohio Department of Highways, Date 6/14/67

CERTIFICATE OF COPY

STATE OF OHIO

City Centerville  
Village of Centerville SS  
County Montgomery

I, RONALD F. Budzik, as clerk of the City Village of Centerville, Ohio  
Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the legislative Authority of the said City/Village on the 24th day of May, 19 67, 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. 1, Page 302.

IN WITNESS WHEREOF, I have hereunto subscribed by name and affixed by official seal, this

24th day of May, 19 67.  
Ronald F. Budzik  
Clerk

(SEAL)

CITY  
VILLAGE of Centerville, Ohio.

# FISCAL OFFICER'S CERTIFICATE

I hereby certify that the money, to-wit: \$ 1,009.00, required for the payment of the cost other than that part thereof assumed by the State

By applying an asphalt concrete leveling course of an average thickness of 1/2 inch and a surface course of 1 inch on SR-725 in the Village of Centerville beginning at the north intersection of SR-48 and SR-725 and covering the existing pavement width through to the east corporation line of the Village of Centerville, a distance of 0.79 mile. Sufficient material will be supplied to cover existing sealed areas adjacent to the pavement.

is in the treasury to the credit of, or has been levied, placed on the duplicate and in process of collection for the appropriate fund and not appropriated for any other purpose; or is being obtained by sale of bonds issued on account of said improvement, which bonds are sold and in process of delivery.

I further certify that this certificate was made, sealed and filed with the legislative authority of Centerville, Ohio, before said legislative authority passed the final resolution in connection with the within described project; and that this certificate was forthwith recorded in the record of proceedings of said legislative authority, namely: Legislative authority's journal, volume 1, at page 302.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal

[Fiscal Officer's seal]

as said fiscal officer, this 24th day of May, 1967.

Ronald R. Budzik  
Fiscal Officer of Centerville, Ohio.

FISCAL OFFICER'S CERTIFICATE

Expenditures for State Highways within Municipal Corporations.

Note: This certificate shall be made with seal affixed, in duplicate and filed with the Division Deputy Director of Highways.

I hereby certify that  $7\frac{1}{2}\%$  funds received as set forth in Sec. 5735.28

Ohio Revised Code are as follows:

(1)	Available and anticipated in fiscal year	\$ <u>7500.00</u>
(2)	Expended to date	\$ <u>4,000.00</u>
(3)	Funds committed for other maintenance	\$ <u>2491.00</u>
(4)	Available for expenditure	\$ <u>1,009.00</u>
(5)	Funds anticipated for use on <u>ALEX-BELL RD.</u> Route No. <u>SR725</u> project.*	\$ <u>1,009.00</u>

\*Not less than (4)

IN WITNESS WHEREOF, I have hereunto set my hand and official seal as fiscal officer this 24th day of May, 19 67.

Ronald V. Budzik

(Fiscal Officer's Seal) Fiscal Officer of Centerville, Ohio.

FISCAL OFFICER'S CERTIFICATE

Funds for Utility Rearrangements.

Note: This certificate shall be made with seal affixed, in duplicate and filed with the Division Deputy Director of Highways.

I hereby certify that the following funds are available to pay for the cost of utility rearrangements.

(1)	Available and anticipated in fiscal year	\$ <u>7500.00</u>
(2)	Expended to date	\$ <u>4000.00</u>
(3)	Available for expenditure	\$ <u>3500.00</u>
(4)	Funds anticipated for use on highway project	
	<u>SR-725</u> in accordance with Ordinance	
	No. <u>12-1967</u>	\$ <u>1000.00</u>

IN WITNESS WHEREOF, I have hereunto set my hand and official seal as fiscal officer this 24<sup>th</sup> day of May, 19 67.

Donald V Budzik

(Fiscal Officer's Seal) Fiscal Officer of Centerville, Ohio.

There is not a Fund set up for Utility Rearrangements in the Village of Centerville. The Village will assume the financial responsibility of Utility Rearrangements if it becomes necessary.

Donald V Budzik