

NAME OF STREET East College  
ROUTE NO. 10

ORDINANCE NO. 704 AC CMS  
DATE OF ENACTMENT 6/16/70

An emergency ordinance enacted by the ~~Village~~ <sup>City</sup> of Oberlin,  
Lorain 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:

Beginning at the intersection of East College Street with South Crosby  
Street, thence in an easterly direction along East College Street a distance of  
approximately 0.31 miles to the intersection of East College Street with East  
Lorain Street (S.R. 10) and there terminate. The project consists of constructing  
a new pavement of suitable width, plus curbs and gutters on a suitable roadway  
width, including all necessary grading, drainage, and other pertinent con-  
struction items.

NOW THEREFORE, Be it ordained by the Council of the ~~Village~~ <sup>City</sup> of Oberlin,  
Ohio:

#### SECTION I (Consent)

That it is declared to be in the public interest that the consent of said ~~Village~~ <sup>City</sup> 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, and the City  
further consents that funds provided for by Amended Senate Bill No. 428 passed  
by the 108th General Assembly of Ohio shall be used to finance said improvement  
in accordance with the provisions of Ohio Department of Highways, "Procedure  
Manual, State Issue 1 Funds".

#### SECTION II (Cooperation)

That said ~~Village~~ <sup>City</sup> hereby proposes to cooperate with the State of Ohio, in the cost of the above  
described improvement as follows:

By assuming and contributing the entire cost and expense of the improve-  
ment less the amount of Issue 1 Funds determined to be eligible for partici-  
pation in said improvement and the City further agrees to:

- ✓ A. Provide preliminary engineering, construction engineering and the  
necessary right of way and bear 100 percent of the costs thereof.

#### SECTION III (Authority to Sign)

That the City Manager <sup>City</sup> of said ~~Village~~ <sup>City</sup> is hereby authorized to enter  
(Contractual Officer's Title)  
into maintenance and parking agreements and special contractual obligations.

## 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

- (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:

No parking permitted.

## 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 street and public way 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 the installation of all utility facilities on the right of way shall conform with the requirements of the Bureau of Public Roads Policy and Procedure Memorandum 30-4 "Utility Relocations and Adjustments "
- (g) 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 VII (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 yea vote by three-fourths of all elected members)

Yeas 5 Nays 0, 2 absent

Vote on emergency clause: Yeas 5 Nays 0, 2 absent

Passed June 16 19 70 Yeas 5 Nays 0, 2 absent  
As an emergency measure.

Passed: June 16, 19 70.

Attest: Ruth B. Grogg  
Clerk

Attest: Mary J. Strickland

Edward C. Smith  
Mayor  
Arthur P. Vess, Jr.  
President of Council

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

City  
For the ~~XXXXXX~~ of Oberlin, Ohio

Attest: \_\_\_\_\_

Edward C. Smith, Date 6/24/70  
Contractual Officer

For the State of Ohio

Attest: \_\_\_\_\_

\_\_\_\_\_, Date \_\_\_\_\_  
Director, Ohio Department of Highways

## CERTIFICATE OF COPY

## STATE OF OHIO

City  
~~XXXXXX~~  
Village of Oberlin SS

County Lorain

I, Ruth B. Grogg, as clerk of the ~~XXXXXX~~ City of Oberlin

Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the legislative Authority of the said City ~~XXXXXX~~ on the 16th day of June, 19 70, 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. ---, Page ---.

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

24th day of June, 19 70.

(SEAL)

Ruth B. Grogg  
Ruth B. Grogg Clerk

CITY  
~~XXXXXX~~ of Oberlin, Ohio.