AME OF STREET Lorain ORDINANCE NO. 1246 AC CMS OUTE NO. 10 DATE OF ENACTMENT February 7, 1977 City An emergency ordinance enacted by the XXXXXXX of Oberlin Lorain County, Ohio, in the matter of the hereinafter described improvement, order the supervision of the Director of Transportation. WHEREAS, the Director of Transportation is considering improving a portion of the public highway which is described as follows: By applying an asphalt concrete surface course on SR-10 (Lorain Street) from Street Corp. limits (S.L.M. 5.12) to Prospect Street (S.L.M. 5.89); width 20' and 18'; length 4,065'; approximate thickness 3/4"; total length of project 0.77 mile.			•		11.	
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That upon completion of said improvement, said City/XXIDEK, 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) 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; and
- (d) Regulate parking in the following manner:

Permit no parking on 18' and 20' pavement.

SECTION V

(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/XIXXXwhich is necessary for the aforesaid improvement, shall be made available therefor.
- (b) That the State/NONCOMMAN will acquire any additional right of way required for the construction of the aforesaid improvement.
- XXXXIIX XEE SAIGE SAIGE SAIGE XIIXXXXII SAIGE GEL MUXXXIIX MARAX M
- (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 Transportation 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 Federal Highway Administration Policy and Procedure Memorandum 30-4 "Utility Relocations and Adjustments" and the Department of Transportation's rules on Utility Accomposation.
- (g) That said City/WXXXAhereby agrees that the said Department of Transportation 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 of obligations made or agreed to in Sections (a), (b), (c), (d) and (e) hereinabove.

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 6 ayes		Nays U nays	(1 absent)	
	Vote on emergency clause:	Yeas 6 ayes	Nay	s 0 nays (1	absent)
	Passed February 7 As an emergency measure.	,19 <u>77</u> Yeas	6 ayes	Nays 0 nays	(1 absent)
Passed Attest	: Clerk Clerk : Cugan F	19_77 mor		President of Council	Manager
Attes	The aforegoing is accepted as	Semon For	City theof	Oberlin	, Ohio
		For the State	ctual Officer of Ohio		
Attes	t:		·	, Date	
		Director, Ohio Departme	ent of Transportation	<u> </u>	
		CERTIFICATE	OF COPY		
	STATE OF OHIO				
City	of Oberlin	ss			
Cour	ty <u>Lorain</u>		City		·
Auth publi to a	I, Eugene F. Simon, do hereby certify that the ority of the said City, cation of such ordinance has referendum upon such ordinance of are of record in Ordinance	e foregoing is a true and on the 7th been made and certified nance have been taken;	developed day of Febro of record according and that such ordinates	rdinance adopted b uary , 19 to law; that no pro	77 , that the ceedings looking
	IN WITNESS WHEREOF	day of February	subscribed my na	me and affixed	my seal, this
(SEA	AL)	- Cong	Clerk		.ৰু.
	· ·	CITY of_	Oberlin		, Ohio.

Page 3 of 3