

NAME OF STREET LorainORDINANCE NO. 1246 AC CMSROUTE NO. 10DATE OF ENACTMENT February 7, 1977

City
 An emergency ordinance enacted by the ~~XXXX~~ of Oberlin,
Lorain County, Ohio, in the matter of the hereinafter described improvement,
 under 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 West 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.

City
 NOW THEREFORE, Be it ordained by the Council of the ~~XXXX~~ of Oberlin,
 Ohio:

SECTION I (Consent)

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

SECTION II (Cooperation)

City
 That said ~~XXXX~~ hereby proposes to cooperate with the State of Ohio, in the cost of the above described improvement as follows:

The lump sum of \$ 1,400.00 which
 includes the cost of raising castings.

SECTION II-A

That the Lump Sum of \$ One Thousand, Four Hundred Dollars and---00/100.
 is hereby appropriated for the improvement of the highway as described hereinabove.

SECTION III (Authority to Sign)

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

That upon completion of said improvement, said City/~~XII~~^{XXII}, will thereafter keep said highway open to traffic

- (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.

(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/~~CINCINNATI~~/which is necessary for the aforesaid improvement, shall be made available therefor.
- (b) That the State/~~KENTUCKY~~/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 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/~~Maryland~~/or the Department of Transportation.
- ~~(d) THAT THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM ANY AND ALL AFFECTED PUBLIC UTILITIES COMPANIES TO RELOCATE OR REMOVE SUCH UTILITY LINES OR STRUCTURES AS MAY BE REQUIRED BY THIS PROJECT IN ACCORDANCE WITH THE REQUIREMENTS OF THE OHIO DEPARTMENT OF TRANSPORTATION CONSTRUCTION AND MATERIAL SPECIFICATIONS AND SUBJECT TO APPROVAL BY THE STATE.~~
- (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 Accomodation.
- (g) That said City/~~MARYLAND~~/hereby 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.

SECTION VI (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 6 ayes Nays 0 nays (1 absent)

Vote on emergency clause: Yeas 6 ayes Nays 0 nays (1 absent)

Passed February 7, 19 77 Yeas 6 ayes Nays 0 nays (1 absent)
As an emergency measure.

Passed: February 7, 19 77

Attest: Eugene F. Simon
Clerk

Attest: Eugene F. Simon

[Signature]
City Manager
[Signature]
President of Council

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

City
For the of Oberlin, Ohio
Attest: Eugene F. Simon
[Signature] Date February 8, 1977
Contractual Officer

For the State of Ohio

Attest: _____

_____, Date _____
Director, Ohio Department of Transportation

CERTIFICATE OF COPY

STATE OF OHIO

City
 of Oberlin SS

County Lorain

I, Eugene F. Simon, as clerk of the 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 on the 7th day of February, 19 77, 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. 1247 AC CMS.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal, this
8th day of February, 19 77

(SEAL)

Eugene F. Simon
Clerk

CITY
 of Oberlin, Ohio.