

NAME OF STREET Cleveland-Oberlin Rd. ORDINANCE NO. 86-32 AC CMS
ROUTE NO. USR 20 (FAPS 69) DATE June 2, 1986

An emergency ordinance enacted by the City of Oberlin
Lorain County, Ohio, in the matter of the hereinafter described improvement
and to request cooperation by the Director of Transportation.

WHEREAS, the State identified the need for and proposed the improvement of a portion of the
public highway which is described as follows:

Relocation of USR 20 from 2.00 miles northeast SR 58 to 0.33 mile southeast SR 301.

The improvement consists of construction of a divided limited access highway on new
location. Work to include an interchange with SR 10 (New Designation SR 511), bridges
at Parsons Road, Hale Road, SR 10 (SR 511), Plum Creek and Black River, new service
roads or connections at Hallauer Road, Hamilton Road, existing USR 20 and Hastings
Road. Construction to include roadway, drainage, pavement, signing, pavement marking,
erosion control and other miscellaneous construction items.

Total length of the improvement is approximately 04.03 miles.

Said portion of highway within the municipal corporation limits being hereinafter referred to
as the improvement, and

WHEREAS, the City further desires cooperation from the Director of Transportation in the
planning, design and construction of said improvement,

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

SECTION I (Cooperation)

That said City Manager requests the cooperation of the Director of Transportation in the
cost of the above described improvement as follows:

The City of Oberlin consents to having the Director of Transportation construct
the above described improvement, and

Further, no financial participation is being requested from the City other than
the City agrees to assume and bear all costs for added construction items request-
ed by the City and not necessary for the improvement, as determined by the State.

SECTION II (Consent)

That it is declared to be in the public interest that the consent of said City 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 III (Authority to Sign)

That the City Manager of said City, is hereby empowered
and directed on behalf of the City to enter into agreements with the Director of Transportation
necessary to complete the planning and construction of this improvement.

SECTION IV (Traffic Control Signals and Devices)

That traffic control devices installed within the limits of the project will conform with Section
49.01 of the Ohio Revised Code.

SECTION V (Maintenance and Parking)

That upon completion of said improvement, said City, 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.
- (d) Regulate parking in the following manner:

No parking permitted on pavement within the limits of the improvement.

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 which is necessary for the aforesaid improvement, shall be made available therefor.
- (b) That the State/XXXXX 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 or the Department of Transportation.
- (d) That it is hereby agreed that the City 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 thereon, which do not comply with the provisions of Directive 23-A, 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 Transportation Engineers.
- (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 23-4 "Utility Relocations and Adjustments" and the Department of Transportation's rules on Utility Accommodation.
- (g) That said City 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 or obligations made or agreed to in Sections (a), (b), (c), (d) and (e) hereinabove.

LX-21-08.53
 Rotation, 4 Lane Divided
 P.F. No. 1423

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.

Passed: June 2, 1986.

Attest: Julie A. Simonson Bill P. Hays
 Clerk of Council President of Council

CERTIFICATE OF COPY

STATE OF OHIO

City of Oberlin, ss

County Lorain

I, Julie A. Simonson, as clerk of the 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 on the 2nd day of June, 1986, that the publication of said ordinance has been made and certified of record according to law; that no proceedings leading 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. N/A, Page N/A.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 3rd day of June, 1986.

(SEAL)

SEAL
 AFFIXED

Julie A. Simonson
 Clerk
 City of Oberlin, Ohio.

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

Attest: Julie A. Simonson For the City of Oberlin, Ohio.

Dale S. Sugerman, Date 6/3/86
 Contractual Officer

By: Dale S. Sugerman, City Manager
 For the State of Ohio

Attest: Barbara M. King Wanda J. Smith, Date 6-27-86
 Director, Ohio Department of Transportation