

Bikeway Crosses (7) Existing City
Name of Street: Artino Street is on the abandoned
Penn Central Right-of-Way. It is on (1)
Route No. Off-road Right-of-Way and is on
(1) Existing City Street (Artino).

ORDINANCE NO. 86-8 AC CMS

DATE February 18, 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 City has identified the need for and proposes the improvement of a portion of the
public highway which is described as follows:
Situated in the City of Oberlin, Lorain County, Ohio, beginning on the old abandoned
Penn Central Right-of-Way at Pyle South Amherst Road northeasterly across seven exist-
ing City Streets through the City for approximately 12,700 feet/2.4 miles, then due
west on one off-road Right-of-Way for approximately 1,000 feet/0.19 mile, connecting
the asphalt bikeway on the abandoned Penn Central Right-of-Way with a two lane ten
foot wide striped and signed bikeway on the asphalt pavement along the east side of
Artino Street, northerly for approximately 1,110 feet/0.21 mile, ending at the
Rogers-Permittech Company, 300 Artino Street.

The improvement consists of constructing a two lane ten foot wide bikeway of
asphaltic concrete. The bikeway will cross one abandoned train bridge (Structure
File No. 1892) on the abandoned Penn Central Right-of-Way. Work to include grading,
drainage, pavement marking, signing, guardrail and miscellaneous construction items.
Total length of Phase One of the Bikeway is approximately 2.80 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 hereby requests the cooperation of the Director of Transportation in the
cost of the above described improvement as follows:

The City of Oberlin agrees to assume and bear all costs for the Preliminary
Engineering and any Rights-of-Way required for the improvement, and

Further, the City agrees to maintain the bikeway after it is constructed,
and

Further, The City will assume and bear all costs for any extra work requested
by the City and not necessary for the improvement, as determined by the State
and Federal Highway Administration.

SECTION II (Consent)

That it is declared to be in the public interest that the consent of said City 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, or anyone empowered
and directed in writing by the City to enter into agreement with the Director of Transportation,
necessary to complete the planning and construction of said improvement.

SECTION IV (Traffic Control Signals and Signals)

That traffic control devices installed within the limits of the project will conform with Section
411 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 in 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 motorized vehicles will be permitted on the bikeways except for the vehicles owned, operated or authorized by local agencies to perform maintenance or safety related services.

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

- (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 ~~County~~ City 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 said 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 removal 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 thereof, which do not comply with the provisions of Directive 28-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 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 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 Recommendation.
- (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.

LOR - Oberlin Bikeway
P.E. No. LOR-75

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: February 18, 19 86.

Attest: Julie A. Simonson
Clerk

Attest: _____

P. J. [Signature]
Mayor
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 18th day of February, 19 86, 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. N/A, Page N/A.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 19th day of February, 19 86.

(SEAL)

Julie A. Simonson
Clerk

City of Oberlin, Ohio.

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

Per the City of Oberlin, Ohio.

Attest:

Dale S. Sugerman, Date 02/19/86
Contractual Officer
Dale S. Sugerman, City Manager

For the State of Ohio

Attest:

_____, Date _____
Director, Ohio Department of Transportation