

NAME OF STREET NOT A STREET

ORDINANCE NO. 81-07

ROUTE NO. Sanitary Sewer

DATE OF ENACTMENT 24 March 1981

An emergency ordinance enacted by the ~~XXX~~ Village of Buckeye Lake,
Licking 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 building a sanitary sewer
~~XXXXXX~~ which is described as follows:

Beginning at a point on the East Corporation Line of Buckeye Lake,
said point being 1,400 feet, more or less, southerly from the
Northeast corner of said Corporation Limits; thence, southerly
520 feet, more or less, and there terminate.

NOW THEREFORE, Be it ordained by the Council of the ~~XXX~~ Village of Buckeye Lake
Ohio:

SECTION I (Consent)

That it is declared to be in the public interest that the consent of said ~~XXX~~/
Village 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)

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

At no cost to the Village.

SECTION III (Authority to Sign)

That the Charles E. Slater Mayor,
of said ~~XXX~~ Village, is hereby empowered and
directed on behalf of the ~~XXX~~ Village 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 signals will not be installed on the project without prior
approval by the State.

SECTION V (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) 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.

~~XXXXREGULATED PARKING IN THE FOLLOWING XXXXX~~

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 ~~XXXX~~ Village which is necessary for the aforesaid improvement, shall be made available therefor.
- (b) That the State/~~XXXXXX~~ 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 ~~XXXX~~ Village or the Department of Transportation.
- (d) That it is hereby agreed that the ~~XXXX~~ 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, 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 Accommodation.
- (g) That said ~~XXXX~~ Village 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.

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: March 24, 1981.

Attest: Betty Reskins
Clerk

Attest: _____

Charles E. Slater

Charles E. Slater
Mayor
President of Council

CERTIFICATE OF COPY

STATE OF OHIO

~~City~~ Village of Buckeye Lake SS

County Licking

I, Betty Reskins, as clerk of the ~~City~~ Village of Buckeye Lake, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the legislative Authority of the said ~~City~~ Village on the 24 day of March, 1981, 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. 4, Page _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 24 day of March, 1981.

(SEAL)

Betty Reskins
Clerk

~~City~~ Village of Buckeye Lake, Ohio.

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

For the ~~City~~ Village of Buckeye Lake, Ohio.

Attest: Betty Reskins

Charles E. Slater
Contractual Officer

Date 3-25-81

For the State of Ohio

Attest: Jean E. Chambers

David L. Weir
Director, Ohio Department of Transportation

Date 5-29-81

No Official
seal
at this time
B.R.