

NAME OF STREET Hebron Rd.  
 ROUTE NO. State Route 79

ORDINANCE NO. 85-07  
 DATE OF ENACTMENT May 6, 1985

An emergency ordinance enacted by the Village of Buckeye Lake,  
Licking County, Ohio, in the matter of the hereinafter described  
 improvement, and to request cooperation from the Director of Transportation.

WHEREAS, the Village has identified the need for and proposes the improvement of a portion of  
 the public highway which described as follows:

Beginning at a point which is 0.11 mile south of the intersection of C.R. 489  
 (Mill Dam Road) with S.R. 79 (Hebron Rd.); thence, northerly 0.11 mile to the  
 intersection of said S.R. 79 with the northern corporation line of the Village  
 of Buckeye Lake, and there terminate.

This is a Hazard Elimination Safety Project.

The undersigned, Clerk/Treasurer of the Village of Buckeye Lake,  
 Ohio, hereby certifies that this Ordinance 85-07  
 was posted pursuant to Section 731.25 of the Ohio Revised Code and was  
 posted in at least six (6) designated public places from the 7th day  
 of May, 1985 until the 22 day of May, 1985  
Johnette Harmon  
 CLERK/TREASURER OF THE VILLAGE  
 OF BUCKEYE LAKE, OHIO

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

WHEREAS, the Village 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 Village of Buckeye Lake,  
 Ohio:

#### SECTION I (Cooperation)

That said Village hereby requests the cooperation of the Director of Transportation, in the cost  
 of the above described improvement as follows:

#### SECTION I - A

That the X sum of \$ 0 - money ordered 7 1/2% is to be spent on Highway  
79 Drain between Post office & Ashland  
 is hereby appropriated for the improvement of the highway as described hereinabove, by the Village.

#### SECTION II (Consent)

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

#### SECTION III (Authority to Sign)

That the Mayor of said Village, is hereby authorized  
 (Contractual Officer's Title)  
 to enter into maintenance and parking agreements and special contractual obligations.



SECTION IV (Maintenance, Parking Traffic Control Signals and Devices)

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

Prohibit parking within the project limits.

- (e) The Village shall, upon completion of said improvement, take such action as is deemed necessary to designate as public streets those portions of Approach "A" and Approach "B", so named on the project plans, that lie within the limits of the project; and the Village shall thereafter exercise its obligation pertaining to the care, supervision and control of these streets.

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 Village which is necessary for the aforesaid improvement, shall be made available therefor.
- (b) That the State/~~Village~~<sup>XXXXX</sup> 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 Village or the Department of Transportation.
- (d) That it is hereby agreed that the 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 No. 28-A.
- (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 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 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.

Passed: ☒ 5/6, 1985.  
Attest: ☒ Antoinette Gasman Clerk ☒ Charles E. Slater Mayor  
Attest: ☒ Robert Hall ☒ same as above President of Council

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CERTIFICATE OF COPY

STATE OF OHIO

Village of Buckeye Lake SS  
County Licking

I, Antoinette Gasman, as clerk of the 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 Village on the 6th day of May, 1985, 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. 85-7, Page 1985 Ordinance

(SEAL)

☒ Antoinette Gasman Clerk  
Village of Buckeye Lake, Ohio.

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

For the Village of Buckeye Lake, Ohio.  
Attest: ☒ Antoinette Gasman ☒ Charles E. Slater, Date May 7, 1985  
Contractual Officer

For the State of Ohio  
Attest: \_\_\_\_\_, Date \_\_\_\_\_  
Director, Ohio Department of Transportation

Ordinance or Resolution Number: 85-72 85-07  
Introduced By: \_\_\_\_\_  
Motion to Suspend Rules Wolf Second Motts

	<u>Ayes</u>	<u>Nayes</u>
Mrs. Braig	<u>      </u>	<u>      </u>
Mrs. Motts	<u>      </u>	<u>      </u>
Mr. Nimocks	<u>      </u>	<u>      </u>
Mr. Wilson	<u>      </u>	<u>      </u>
Mr. Wolf	<u>      </u>	<u>      </u>
Mr. Swartzwalder	<u>      </u>	<u>      </u>
Total:	<u>6</u>	<u>0</u>

Motion to Adopt Wolf Second Motts

	<u>Ayes</u>	<u>Nayes</u>
Mrs. Braig	<u>✓</u>	<u>      </u>
Mrs. Motts	<u>✓</u>	<u>      </u>
Mr. Nimocks	<u>✓</u>	<u>      </u>
Mr. Wilson	<u>✓</u>	<u>      </u>
Mr. Wolf	<u>✓</u>	<u>      </u>
Mr. Swartzwalder	<u>✓</u>	<u>      </u>
Total:	<u>6</u>	<u>      </u>

Date Posting Began 5/7/85  
Effective Date 5/6/85

Certification

I hereby certify the above to be an accurate account of the action of Council on the above matter.