

NAME OF STREET ORCHARD STREET

ORDINANCE NO. 1989-8

ROUTE NO. STATE ROUTE NO. 774

DATE OF ENACTMENT 6/5/89

An emergency ordinance enacted by the Village of HAMERSVILLE,
BROWN 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 is described as follows:
To maintain and preserve the pavement by making the necessary repairs and by overlaying the existing pavement with asphalt concrete. This improvement begins at the Village South Corporation Line, north to State Route No. 125, a distance of 0.13 of a mile, more or less.

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 HAMERSVILLE,
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 sum of six hundred and seven dollars (\$607.00)

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 improvement, 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 on the pavement, the length of the project.

SECTION V

(Right-of-Way, Utility Rearrangement and Damage and Liability Responsibilities)

- (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 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. DH-P-411.
- (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 the Village hereby agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees or agents in the performance of the Village's obligations made or agreed to in Sections (a), (b), (c), (d), (e) and (f) hereinabove. Likewise, The State agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees or agents in the performance of the State's obligations made or agreed to in Sections (a), (b), (c), (d), (e) and (f) 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:

June 5, 1989

Attest:

Debra S. Ginn
Clerk

Attest:

William Baruffi
Mayor
Martha Jones
President of Council

CERTIFICATE OF COPY

STATE OF OHIO

Village of HAMERSVILLE SS

County BROWN

I, DEBRA S. GINN, as Clerk of the Village of HAMERSVILLE, 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 5 day of JUNE, 1989, 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. _____, Page _____.

(SEAL)

Debra S. Ginn
Clerk

Village of HAMERSVILLE, Ohio.

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

For the Village of HAMERSVILLE, Ohio.

Attest: _____

_____, Date _____
Contractual Officer

For the State of Ohio

Attest: _____

_____, Date _____
Director, Ohio Department of Transportation

COST BREAKDOWN
SUPPLEMENT TO P.F. FORM

DISTRICT MI
COUNTY BPD
ROUTE SR 206-774

P.F. NO. 1580

PART 2
Hamersville Portion

SECTION (0.00)
STRUCTURE NO.

ITEM NO.	APPROXIMATE QUANTITIES	ITEM	UNIT PRICE		TOTAL PRICE	
			DOLLARS	CENTS	DOLLARS	CENTS
202	16	EA. RAISED PAVEMENT MARKERS REMOVED FOR STORAGE	4	00	64	00
403	33	CU.YD. ASPHALT CONCRETE, AC-20	45	00	1485	00
404	67	CU.YD. ASPHALT CONCRETE, AC-20	45	00	3015	00
407	181	GAL. TACK COAT	1	00	181	00
614	0.36	MI. TEMPORARY CENTER LINES, CLASS II	175	00	63	00
614	4	EA. WORK ZONE MARKING SIGNS	10	00	40	00
617	18	CU.YD. COMPACTED AGGREGATE, TYPE A	20	00	360	00
617	1	M.GAL. WATER	10	00	10	00
621	0.18	MI. CENTER LINES	300	00	54	00
621	0.36	MI. EDGE LINES	200	00	72	00
847	10	LIN.FT. STOP LINES, 947.03, TYPE A1, INLAID	4	00	40	00
621	LUMP	LUMP MOBILIZATION			51	00
614	LUMP	LUMP MAINTAINING TRAFFIC			87	00
		INCIDENTALS - .10%			55	00
		TOTAL PART 2 COST			6071	00

STATE OF OHIO
DEPARTMENT OF TRANSPORTATION

FISCAL OFFICER'S CERTIFICATE

Expenditures for State Highways within Municipal Corporations.

Note: This certificate shall be made with seal affixed, in duplicate and filed with the District Deputy Director, Ohio Department of Transportation.

I hereby certify that 7 1/2% funds received as set forth in Sec. 5735.28, Ohio Revised Code are as follows:

(1) Available and anticipated in fiscal year	\$ <u>9.01</u>
(2) Expended to date	\$ <u>510.00</u>
(3) Funds committed for other maintenance	\$ <u>00.0</u>
(4) Available for expenditure	\$ <u>9.01</u>
(5) Funds anticipated for use on <u>STATE</u>	
Route No. <u>774</u> project.*	\$ <u>607.00</u>

*Not less than (4) above.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal as fiscal officer this

5 day of June, 19 89

Debra S. Linn, Clerk

(Fiscal Officer's Seal) Fiscal Officer of HAMERSVILLE, Ohio.

FISCAL OFFICER'S CERTIFICATE

I hereby certify that the money, to wit: \$ 607.00,
required for the payment of the cost other than that part thereof assumed by
the State of Ohio to maintain and preserve the pavement by making the necessary
repairs and by overlaying the existing pavement with asphalt concrete. This
improvement begins at the Village South Corporation Line, north to State Route
No. 125, a distance of 0.18 of a mile, more or less.

has been lawfully appropriated for such purpose and is in the treasury to the
credit of, or has been levied, placed on the duplicate and in process of collection
for the appropriate fund and not appropriated for any other purpose; or is being
obtained by sale of bonds issued on account of said improvement, which bonds are
sold and in process of delivery.

I further certify that this certificate was made, sealed and filed with the
legislative authority of HAMERSVILLE, Ohio, after said legis-
lative authority passed the ordinance/resolution in connection with the within
described project; and that this certificate was forthwith recorded in the record
of proceedings of said legislative authority, namely: Legislative Authority's
Journal, volume _____, at page _____.

(Fiscal Officer's Seal)

IN WITNESS WHEREOF, I have hereunto set my hand
and official seal as said fiscal officer, this

5 day of June, 1989

Albra S. Linn, Clerk

Fiscal Officer of HAMERSVILLE, Ohio