

NAME OF STREET ORCHARD ST./NORTH AVE. ORDINANCE NO. 1987-6
ROUTE NO. STATE ROUTE NO. 774 DATE OF ENACTMENT 8-12-87

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 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 junction of S.R. 125 North to the Hamersville
North Corporation Line, a distance of 0.17 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 sixteen dollars thirty one cents 16.31
~~sum of five hundred twenty four dollars (\$524.00)~~
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 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 on the pavement, the length of the project.

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 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: 8-12, 1987.

Attest: Debra S. Dix
Clerk

Attest: _____

Charlotte A. Bue
Mayor
Mike Brown
President of Council

CERTIFICATE OF COPY

STATE OF OHIO

Village of HAMERSVILLE SS

County BROWN

I, Debra Dix, 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 8-12 day of August, 1987, 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. Dix
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

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>16.31</u>
(2) Expended to date	\$ <u>- 0 -</u>
(3) Funds committed for other maintenance	\$ <u>- 0 -</u>
(4) Available for expenditure	\$ <u>16.31</u>
(5) Funds anticipated for use on <u>STATE</u>	
Route No. <u>774</u> project.*	\$ <u>524.00 16.31</u>

*Not less than (4) above.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal as fiscal officer this
12 day of August, 19 87

Debra S. Dix

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

FISCAL OFFICER'S CERTIFICATE

I hereby certify that the money, to wit: \$ ~~524.00~~ 16.31,
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 overlaying the existing pavement with
asphalt concrete. This improvement begins at the junction of
State Route No. 125 North to the North Corporation Line of
Hamersville, a distance of 0.17 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

12th day of August, 1987

Debra S. Guin

Fiscal Officer of HAMERSVILLE, Ohio.