

ORDINANCE NO. 6-99

**AN ORDINANCE ENACTED BY THE VILLAGE OF
SPENCER, MEDINA COUNTY, OHIO, IN THE
MATTER OF THE HEREINFTER DESCRIBED
IMPROVEMENTS UNDER THE SUPERVISION OF
THE DIRECTOR OF TRANSPORTATION
OF THE STATE OF OHIO**

BE IT ORDAINED, by the Council of the Village of
Spencer, Ohio, three-fourths (3/4) of its members concurring
herein as follows:

1. The public interest demands the improvement of the
at-grade crossings of State Route 301 (AAR Nos. 473-577-R and
002-045-N) and track(s) of the Wheeling & Lake Erie Railway
Company by the reconstruction of the at-grade crossing pavement
and approach work necessary, and being hereinafter referred to as
"the project."

2. The Village does hereby give its consent to the
project and its administration by the Director of the Ohio
Department of Transportation.

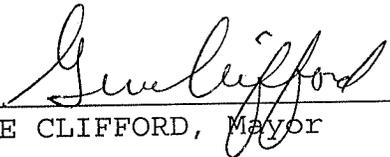
3. The Ohio Department of Transportation agrees to
perpetuate and maintain all advance warning signs and pavement
markings on the approaches to the at-grade crossing(s) in
conformance with the Ohio Manual of Uniform Traffic Control
Devices, as adopted under § 4511.11 of the Ohio Revised Code.
The Ohio Department of Transportation further agrees to provide
for the maintenance of the highway traffic during the

construction of the improvement(s) by either closing the road with no signed detour or by designating a temporary detour with all necessary incidentals and assuming and bearing the cost of erecting, maintaining, and removing signs and barricades required to close the crossing and detour traffic. State Route 301 shall be detoured and closed by the Ohio Department of Transportation.

4. To the extent permitted by law the Village hereby agrees that the Ohio Department of Transportation shall be and is saved harmless from any and all damages or claims thereof arising from or growing out of the certification or obligation made or agreed to hereinabove.

5. This Ordinance is hereby declared to be an emergency measure, necessary for the public peace, safety, health, and welfare of said Village, and for the particular purpose that the railroad crossings need to be improved, and that this Ordinance shall take effect and be in full force and effect from and after its passage.

PASSED: June 23, 1999



GENE CLIFFORD, Mayor

ATTEST:



ROBIN M. COLEMAN, Clerk