

CITY OF FRANKLIN, OHIO
RESOLUTION 2017-10

**DECLARING THE NECESSITY OF CONSTRUCTING OR REPAIRING SIDEWALKS,
CURBS OR GUTTERS (PHASE 2)**

WHEREAS, Section 729.01 of the Ohio Revised Code grants this Council the special power to require the construction or repair of sidewalks, curbs or gutters by the owners of lots or lands abutting thereon and to prescribe the time in which such construction or repair must be completed;

WHEREAS, Section 729.02 of the Ohio Revised Code states that when it is deemed necessary by this Council to require the construction or repair of sidewalks, curbs or gutters within the City, it shall cause plans, specifications and an estimate of the cost of such construction or repair to be prepared and filed in the office of the Clerk;

WHEREAS, in accordance with Section 729.01 of the Ohio Revised Code, this Council finds it necessary to require the construction or repair of sidewalks, curbs or gutters within the City;

WHEREAS, the plans, specifications and estimate of cost have been filed with the Clerk of Council, as required by Section 729.02 of the Ohio Revised Code; and

WHEREAS, Section 729.02 of the Ohio Revised Code further states that upon such filing, this Council may declare the necessity for the construction or repair of such sidewalks, curbs or gutter by the passage of a resolution,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Franklin, Ohio, a majority of the members of Council present concurring, that:

Section 1. It is hereby declared necessary for the preservation of the public health, safety and welfare of the City of Franklin, Ohio, to construct or repair certain sidewalks, curbs and/or gutters in the City of Franklin at the following locations:

Argile Court, from Arlington Avenue to south termini;
Arlington Avenue, from Victoria Drive (Lane) to Deardoff Road;
Black Drive, from Victoria Drive (Lane) to east termini;
Charles Avenue (Street), from E. Second Street to Virginia Avenue (Street);
Cris Court, from Victoria Drive (Lane) to south termini;
Dale Avenue, from Poplar Street to Virginia Avenue (Street);
Deardoff Road, from E. Second Street to north corporation line;
E. Bryant Avenue, from N. Main Street to Judy Drive;
E. First Street, from Riley Boulevard to High Street;
E. Jackson Street, from Riley Boulevard to east termini;
East side of Riley Boulevard, from E. Second Street to E. First Street;
Elaine Drive (Avenue), from Victoria Drive (Lane) to Judy Drive;
Gaynor Court, from Arlington Avenue to east termini;
Gribble Drive, from Victoria Drive (Lane) to north termini;
Harold Street, from E. Second Street to Virginia Avenue (Street);
Harpwood Drive, from Stadia Drive to south termini;
Hemlock Street; from E. Second Street to Arlington Avenue;
High Street, from E. Second Street to E. Jackson Street;
Highland Avenue, from E. Second Street to Woodlawn (Wood Lawn) Drive;

Highridge (High Ridge) Court, from south termini to north termini;
Holly Drive, from north termini to south termini;
Judy Drive, from E. Bryant Avenue to north termini;
Lance Drive, from Arlington Avenue to north termini;
Larry Drive, from E. Bryant Avenue to Elaine Drive (Avenue);
Libby Court, from Harpwood Drive to south termini;
Meadowview Street (Meadow View Ave.), from E. Second St. to Woodlawn (Wood Lawn) Drive;
Melanie Drive, from Stadia Drive to east termini;
Morgan Court, from Victoria Drive (Lane) to east termini;
Mulberry Street (Drive), from Highland Avenue to Meadowview Street (Meadow View Avenue);
Noelle Court, from Holly Drive to east termini;
Normal Drive, from Virginia Avenue (Street) to north termini;
North side of E. Second Street, from Riley Boulevard to Commerce Center Drive;
Overlook Drive, from Lance Drive to west termini;
Patricia Street, from Stadia Drive to Charles Avenue (Street);
Poplar Street, from E. Second Street to Virginia Avenue (Street);
Robinson (Robison) Court, from Victoria Drive (Lane) to south termini;
Rossman Court, from Gribble Drive to east termini;
Ruppert Court, from Deardoff Road to west termini;
Skokiaan Drive, from E. Second Street to north termini;
Stadia Drive, from E. Second Street to north termini;
Sunny Lane, from Westline Drive to Dale Avenue;
Vernon Street, from Charles Avenue (Street) to west termini;
Victoria Drive (Lane), from E. Bryant Avenue to Gribble Drive;
Virginia Avenue (Street), from Highridge (High Ridge) Court to Deardoff Road;
Wells Bridge Drive, from E. Second Street to north termini;
Westline Drive, from Dale Avenue to Virginia Avenue (Street); and
Woodlawn (Wood Lawn) Drive, from Highland Ave. to Meadowview Street (Meadow View Ave.).

Section 2. The plans, specifications and estimate of cost of the proposed construction or repair, now on file in the office of the Clerk, are hereby approved.

Section 3. The owner(s) of each lot and parcel of land bounding and abutting on such sidewalks, curbs and/or gutters shall construct or repair that portion of the sidewalks, curbs and/or gutters which abuts his or her property, in accordance with the plans and specifications on file in the office of the Clerk of Council.

Section 4. Such sidewalks, curbs and/or gutters shall be constructed or repaired by the owner(s) of the lots and lands abutting thereon no later than May 31, 2017.

Section 5. In the event any such abutting property owner does not complete the required construction or repair of that portion of such sidewalks, curbs and/or gutters which abut his or her property in accordance with the plans and specifications and within the time prescribed by this Resolution, this Council will cause the construction or repair to be done and will assess the cost thereof against the lots and lands abutting thereon.

Section 6. The Clerk of Council is hereby directed to serve notice of the passage of this Resolution on the owners of the lots and lands abutting on the sidewalks, curbs or gutters to be constructed or repaired in accordance with Ohio Revised Code Section 729.03.

Section 7. It is found that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

Section 8. This Resolution shall become effective immediately upon its passage.

ADOPTED: February 6, 2017

ATTEST: Jane McCabe
Clerk of Council

APPROVED: [Signature]
Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of Resolution 2017-10 passed by that body on February 6, 2017.

Jane McCabe
Clerk of Council