

CITY OF FRANKLIN, OHIO
RESOLUTION 2018-09

**DECLARING THE NECESSITY OF CONSTRUCTING OR REPAIRING SIDEWALKS,
CURBS OR GUTTERS (PHASE 3)**

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:

Allen Street, from E. Second Street to E. Third Street;
Alvin Court, from Julia Drive to north terminus;
Apache Drive, from Shawnee Drive to Sherman Drive;
Beam Drive, from E. Second Street to E. Fourth Street;
Charles Court, from Millard Drive to east terminus;
Choctaw Circle, from Sherman Drive to Sherman Drive;
David Boulevard, from E. Fourth Street to Moore Drive;
Dwinell Court, from Beam Drive to north terminus;
E. Fourth Street (north side), from Riley Boulevard to I-75;
E. Second Street (south side), from Riley Boulevard to Conover Drive;
E. Third Street, from Hill Avenue to Allen Street;
Eastlawn Drive, from E. Second Street to corporation limit;
Easton Street, from Beam Drive to east terminus;
Faulkner Way, from Minnick Street to Patti Court;
Fitzgerald Way, from Harding Court to west terminus;
Foster Street, from Kristine Drive to north terminus;
Greenup Court, from E. Fourth Street to Thomas Drive;
Harding Court, from Pam Drive to north terminus;
Hill Avenue, from E. Third Street to E. Fourth Street;
Hollyhock Avenue, from E. Second Street to south terminus;
John Street, from Millard Drive to Michaels Drive;
Julia Drive, from Millard Drive to Beam Drive;
Kristine Lane, from Martha Drive to north terminus;

Locust Street, from E. Second Street to south terminus;
Martha Drive, from David Boulevard to east terminus;
Mayer Court, from E. Fourth Street to north terminus;
Michaels Drive, from Millard Drive to corporation limit;
Millard Court, from Millard Drive to west terminus;
Millard Drive, from E. Second Street to Stanton Court;
Minnick Street, from Fitzgerald Way to south terminus;
Moore Drive, from E. Second Street to Foster Street;
Pam Drive, from Patti Court to east terminus;
Patti Court, from Minnick Street to east terminus;
Riley Boulevard, from E. Second Street to E. Fourth Street;
Ruth Drive, from Foster Drive to Millard Drive;
Shawnee Court, from north terminus to south terminus;
Sherman Drive, from Michaels Drive to E. Fourth Street;
Stanton Court, from Harding Court to north terminus;
Thomas Drive, from E. Fourth Street to David Boulevard;

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, 2018.

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 5, 2018

ATTEST: Jane McGee
Jane McGee, Clerk of Council

APPROVED: Todd Hall
Todd Hall, 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 2018-09 passed by that body on February 5, 2018.

Jane McGee, Jane McGee, Clerk of Council