

CITY OF FRANKLIN, OHIO
RESOLUTION 2019-08

**DECLARING THE NECESSITY OF CONSTRUCTING OR REPAIRING SIDEWALKS,
CURBS OR GUTTERS (PHASE 4)**

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:

Anderson Street from E. Fourth Street to south terminus;
Ascot Glen Drive from Scholl Road to east terminus;
Broadcrest Drive from Rolling Hills Drive to west terminus;
Cattani Drive from SR 123 to west terminus;
Clark Street from E. Seventh Street to south terminus;
Clearbrook Drive from E. Fourth Street to south terminus;
Clearview Lane from Clearbrook Drive to Clearbrook Drive;
E. Fifth Street from Riley Blvd. to Sunnybrook Drive;
E. Fourth Street (south side), from Riley Boulevard to I-75;
E. Seventh Street from Anderson Street to Clark Street;
E. Sixth Street from Riley Blvd. to Community Park;
Evergreen Court from Lakeview Drive to east terminus;
Field Crest Drive from Hillsdale Drive to Green Knoll Drive;
Green Knoll Drive from Rolling Meadows Blvd. to east terminus;
Green Meadow Court from south terminus to north terminus;
Hancock Cove from Pleasant Hill Blvd. to west terminus;
Harrison Avenue from Clark Street to south terminus;
Hillsdale Drive from Rolling Meadows Blvd. to Green Meadow Court;
Lakeridge Drive from Lakeview Drive to south terminus;
Lakeview Drive from Waterstone Drive to east terminus;
Long Meadow Drive from Hillsdale Drive to Oleander Drive;
Meadowcrest Drive from Hillsdale Drive to Green Knoll Drive;
Oleander Drive from Ascot Glen Drive to Long Meadow Drive;

Pleasant Hill Blvd. from Shaker Road to west terminus;
Riley Blvd. from E. Fourth Street to E. Sixth Street;
Roberts Avenue from Union Road to Harrison Avenue;
Rolling Hills Drive from Hillsdale Drive to north terminus;
Rolling Meadows Blvd. from Scholl Road to Green Knoll Drive;
S. Dixie Highway from Riley Blvd. to Hamilton Middletown Road;
Scholl Road from approximately 175 feet north to 830 feet south of Ascot Glen Drive;
Sprucewood Court from Lakeview Drive to west terminus;
Sunnybrook Drive from E. Fourth Street to E. Sixth Street;
Troy Avenue from Pleasant Hill Blvd. to north terminus;
Twin Lakes Drive from SR 123 to Lakeview Drive;
Union Road from Anderson Road to South Corporation Limit;
Waterstone Drive from Lakeview Drive to Lakeview Drive;

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, 2019.

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 4, 2019

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 2019-08 passed by that body on February 4, 2019.

Jane McGee, Jane McGee, Clerk of Council