

CITY OF BROADVIEW HEIGHTS

ORDINANCE NO. 61-66

BY: MR. Fahey

AN EMERGENCY ORDINANCE ENACTED BY THE CITY OF BROADVIEW HEIGHTS, CUYAHOGA COUNTY, OHIO, IN THE MATTER OF THE MAINTENANCE, REPAIR AND OPERATION OF INTERSTATE HIGHWAY (S) \_\_\_\_\_.

WHEREAS, the public interest requires that the Department of Highways maintain and keep in repair Interstate Highways within the City of Broadview Heights, Ohio,

NOW THEREFORE, Be it ordained by the Council of the City of Broadview Heights, Ohio:

SECTION 1. That it is declared to be in the public interest that the consent of said City be and such consent is hereby given to the Director of Highways to maintain and repair said Interstate Highway (s) and to bear the costs thereof, inclusive of the furnishing of electric power for sign lighting and highway lighting.

SECTION 2. That the City, hereby proposes to cooperate with the State of Ohio and will bear the cost, and

- (a) Maintain and repair all grade separated municipal streets, exclusive of bridge structures within the right of way limits of the interstate highway.
- (b) Maintain and repair the wearing surface on bridges carrying municipal streets over the interstate highway when such wearing surface is separate from the bridge floor slab. Changes in type or depth of wearing surface will not be permitted without prior approval by the State.
- (c) Remove snow and place abrasives and chemicals for ice control on all grade separated municipal streets, inclusive of bridges carrying such streets over the interstate highway.
- (d) Maintain and repair all service roads, drainage structures, and other roadway items located outside the fenced portion of the interstate highway.
- (e) Furnish, install, maintain and repair all signs, pavement markings and other traffic control devices on the intersecting local streets at interchanges or on overpass or underpass roadways in accordance with the Ohio Manual of Uniform Traffic Control Devices.
- (f) Maintain and repair (including furnishing electric power) highway lighting units on intersected local streets at interchanges and on overpass or underpass roadways.

SECTION 3. That the Director of Highways shall be the issuing authority for permits to use or occupy interstate high-

way right-of-way and permits for the movement of oversize and over-weight loads over interstate highways.

SECTION 4. That traffic control lights will not be installed at the intersections of ramp terminals and the local streets without prior approval by the State.

SECTION 5. This ordinance is hereby declared to be an emergency measure by reason of the need 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.

Vote on suspension of the rule requiring an ordinance to be fully and distinctly read on three different days: (Requires a yea vote by three-fourths of all elected members)

Yeas Six (6) Nays None (0)

Vote on emergency clause: Yeas 6 Nays 0

Passed Dec. 19th 1966. Yeas 6 Nays 0  
As an Emergency measure.

PASSED: December 19, 1966

APPROVED: December 19th, 1966

ATTEST: Elnore I. Gehring  
Elnore I. Gehring, Clerk

Peter H. Presson  
Peter H. Presson, President of Council

FILED WITH  
THE MAYOR: December 20th, 1966

RAYMON FETZEK  
RAYMON FETZEK, MAYOR

CERTIFICATE OF COPY

STATE OF OHIO

CITY OF BROADVIEW HEIGHTS SS

COUNTY OF CUYAHOGA

I, Elnore I. Gehring, as Clerk of the City of Broadview Heights, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the council of the said city on the 19th day of December, 1966.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal this 20th day of December, 1966.

Elnore I. Gehring  
Clerk

**BALDWIN & SOURS**  
5263 Trabue Road Columbus, Ohio 43228  
614-851-8800

February 18, 1993

Mr. Jim Marszal, Maintenance Engr.  
Ohio Department of Transportation  
P.O. Box 258003  
5500 Transportation Blvd.  
Garfield Hts., Ohio 44125-8003

Dear Jim,

On Thursday, February 11, I was traveling on Rt. 82 east of I-71 when I noticed the ends of median guardrail exposed in a blunt end condition.

This may not be under your jurisdiction but I simply wanted to recommend that if this site experiences accidents occasionally, the application of a G-R-E-A-T impact attenuator would be the safest treatment available. If there is a slight chance an accident will ever happen at this site, the BRAKEMASTER is a cheaper alternative if you have 4' of clearance on either side of the guardrail to allow for flared panels upon impact. I neglected to check for these geometrics of the highway.

I thought you would want to check this site before anyone has a serious accident on this barrier. I am grateful for the opportunity to share this observation with you. If you require additional information please do not hesitate to contact us.

Sincerely,

BALDWIN & SOURS

*Bill Cline*

William H. Cline

rt

PS. Jill Rey was going to send me a copy of the accident report on your TMA that was crunched several months ago. Could you possibly check on this. I still have not seen it. Thanks.

*Bill Cline  
Garfield Hts.*



Richard F. Celeste/Governor

# OHIO DEPARTMENT OF TRANSPORTATION

25 South Front Street      District 12  
P.O. Box 899      P. O. Box 258003  
Columbus, Ohio 43216-0899      Garfield Heights, OH 44125-8003

February 22, 1990

Richard Allar, Broadview Heights City Engineer  
c/o Western Reserve Engineering & Surveying Corp.  
5500 Broadview Road  
Parma, OH 44134

**Re: South Hills Blvd/SR 82 Intersection**

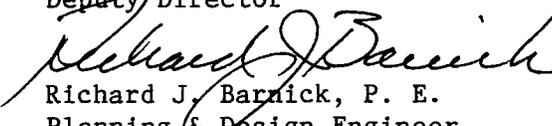
Dear Sir:

We have reviewed your proposal to construct South Hills Blvd. as a city street intersecting SR 82 opposite Old Royalton Road in the City of Broadview Heights. The proposed intersection is at the location established as a point of access when limited access rights were acquired by the State of Ohio in conjunction with the construction of this portion of SR 82.

It is our opinion that the intent of the access restriction will be satisfied if the proposed pavement and utilities for South Hills Blvd. are confined to a 60' width at the crossing of the SR 82 limited access right of way line.

Yours truly,

Martin A. Gallito, P. E.  
Deputy Director

  
Richard J. Barnick, P. E.  
Planning & Design Engineer

RJB:pj

cc: K. Seifert  
F. Belanger ✓  
Reading file  
file



R/W Form 40LA (Ind.)  
Iss. 12-59

283672

WARRANTY DEED

VOL 12541 PG 131

KNOW ALL MEN BY THESE PRESENTS:

That Alice D. Green, Widow, not remarried

~~TO BE EXECUTED~~

hereinafter referred to as the grantor (as used herein, Grantor includes the plural and words in the masculine in-  
cludes the feminine) in consideration of the sum of Twenty-six thousand two hundred eighty five

and no/100 -----Dollars (\$ 26,285.00)  
to him paid by the State of Ohio, the Grantee, the receipt whereof is hereby acknowledged, does hereby grant,  
bargain, sell and convey to the said Grantee, its successors and assigns forever, the following described real estate:

Situated in the City of Brecksville, County of Cuyahoga, State of  
Ohio, and in Section -----, Town -----, Range -----, and bounded and described as follows:

PARCEL NO. 105A WA

Being a parcel of land lying on the right side of the centerline of a survey, made by the Depart-  
ment of Highways, and recorded in Book 194, Page 30, of the records of Cuyahoga County  
and being located within the following described points in the boundary thereof:

11-19-89  
276  
1160 R.C. 105A WA  
1160 C.P. 1160

Being part of Original Lot No. 30 Brecksville Township bounded and described as follows:  
Beginning at the northeasterly corner of Original Lot No. 30; thence southerly along the easterly  
line of said Lot No. 30, 1115.40 feet to the southeasterly corner of said grantor's; thence  
westerly along the southerly line of said grantor to a point on intersection with the easterly  
Limited Access Line of Interstate Route 77 also being the place of beginning; thence continuing  
westerly along the southerly line of said grantor to the southwesterly corner; thence Northerly  
on the westerly line of said grantor to its intersection with the centerline of existing Royalton  
Road as now established; thence easterly along the centerline of existing Royalton Road to  
a point of curvature; thence continuing easterly along the centerline of existing Royalton Road  
on a curve to the left along the arc of a circle having a radius of 1637.02 feet, an arc distance  
of 348.99 feet to a point in the Northerly Limited Access Line of relocated Royalton Road; said  
point being 99.40 feet left of centerline Station 224+00.00 relocated Royalton Road; thence con-  
tinuing along the centerline of existing Royalton Road and the northerly Limited Access Line of  
relocated Royalton Road on a curve to the left along the arc of a circle having a radius of  
1637.02 feet, an arc distance of 238.00 feet to a point of tangency, said point of tangency being  
at Station 226+27.84 existing Royalton Road; thence Continuing North 42° 45' 03" East, along the  
centerline of existing Royalton Road and the Northerly Limited Access Line of relocated Royalton  
Road, 135.09 feet to a point, said point being at Station 227+62.93 centerline existing Royalton  
Road; thence South 52° 47' 02" East, 203.85 feet to a point in the centerline of relocated Royalton  
Road at Station 228+38.42; thence continuing South 52° 47' 02" East a distance of 54.59 feet to a  
point 50.58 feet right of Station 228+58.94 relocated Royalton Road; thence South 31° 23' 03" East  
a distance of 19.41 feet to a point 70 feet right of Station 228+59.17 relocated Royalton Road,  
said point being in the southerly Limited Access Line of relocated Royalton Road; thence along  
said Limited Access Line South 59° 17' 43" West and passing through a point of access 60 feet wide  
for utilities and 28 feet wide for pavement the centerline of said point of access being at Sta-  
tion 227+75.00 relocated Royalton Road a distance of 466.33 feet to a point 70 feet right of Sta-  
tion 223+92.84 relocated Royalton Road; thence along a curve to the right having a radius of  
11,529.16 feet a distance of 701.02 feet to a point in said Easterly Limited Access Line of Inter-  
state Route 77, said point being 690.59 feet right of Station 152+50.27 Interstate Route 77;  
thence South 11° 57' 04" East along said Easterly Limited Access Line of Interstate Route 77 to the  
principal place of beginning and containing 3.37 acres of land exclusive of the present road  
which occupies 1.88 acres of land, more or less.

Description for the above parcel is based on a survey made by Henry H. Carpenter, Registered  
Surveyor No. 4671.

Grantor claims title by instrument(s) of record in D. B. 4199 Page 636, Cuyahoga County Recorder's  
Office.

Grantor, for himself, his heirs, executors, administrators and assigns does hereby Release to the State of Ohio,  
its successors and assigns any and all abutter's rights, including access rights, in, over and to the above described  
real estate including such rights with respect to any highway facility constructed thereon.

TO HAVE AND TO HOLD the real estate with all the rights, privileges and appurtenances thereto belonging to  
the Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the said grantor, who hereby releases all right and expectancy of dower herein,

has hereunto set his hand this 14 day of July, 19 69

*Robert Thompson*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Alice D. Green  
Alice D. Green, Widow, not remarried