

ORDINANCE NO. 17-03
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER James E. Singer ON THE
15th DAY OF September, 2003.

AN ORDINANCE ENACTED BY THE CITY OF
CENTERVILLE TO COOPERATE WITH THE STATE
OF OHIO, DIRECTOR OF TRANSPORTATION TO
REPAIR AND RESURFACE THE EXISTING
ROADWAY OF CLYO ROAD FROM CENTERVILLE
STATION ROAD TO THE JUNCTION OF STATE ROUTE 725.

SECTION I. Project Description

WHEREAS, the City of Centerville has identified the need for the described project: This project proposes to repair and resurface the existing roadway and other roadway related items, from Centerville Station Road (Franklin Street) to the junction of State Route 725.

NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY
ORDAINS:

SECTION II. Consent Statement

Being in the public interest, the City of Centerville gives consent to the Director of Transportation to complete the above described project.

SECTION III. Cooperation Statement

The City of Centerville shall cooperate with the Director of Transportation in the above described project as follows:

The City of Centerville agrees to assume and bear 100% of the entire cost of the improvement, less the amount of Federal-aid and State funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation, and further, the City of Centerville agrees to assume and bear 100% of the cost of Preliminary Engineering and Right-of-Way, excluding in-house preliminary engineering and Right-of-Way charges incurred by the State. The maximum federal amount available for this project is capped at \$478,720.00.

In addition, the City agrees to assume and bear 100% of the cost of any construction items requested by the City of Centerville on the entire improvement, which are not necessary for the improvement, as determined by the State and Federal Highway Administration.

SECTION IV. Utilities and Right-of-Way Statement

The City of Centerville agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The City of Centerville also understands that right-of-way costs include eligible utility costs.

The City of Centerville agrees that all utility accommodations, relocations and reimbursements will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V. Maintenance


Upon completion of the Project, and unless otherwise agreed, the City of Centerville shall (1) provide adequate maintenance for the Project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION VI. Authority to Sign

The City Manager of said City of Centerville is hereby empowered on behalf of the City of Centerville to enter into contracts with the Director of Transportation necessary to complete the above described project.


SECTION VII. This Ordinance shall be effective from and after the earliest date allowed by law.

PASSED this 15th day of September, 2003.



Mayor of the City of Centerville, Ohio

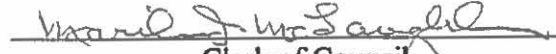
ATTEST:



Clerk of Council, City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio hereby certifies that the foregoing is a true and correct copy of Ordinance Number 17-03 passed by the Council of the City of Centerville, Ohio on the 15th day of September, 2003.


Clerk of Council

Approved as to form, consistency
with the Charter and Constitutional Provisions.

Department of Law
Robert N. Farquhar
Municipal Attorney