

ORDINANCE NO. 28-01
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Susan Leneach ON THE
5th DAY OF November, 2001.

AN ORDINANCE ENACTED BY THE CITY OF CENTERVILLE, MONTGOMERY COUNTY, OHIO, REFERRED TO AS THE LOCAL PUBLIC AGENCY (LPA) TO GIVE CONSENT TO THE DIRECTOR OF TRANSPORTATION TO COMPLETE THE PROJECT AS STATED HEREIN.

SECTION I. PROJECT DESCRIPTION

WHEREAS, the LPA has identified the need for the described project: This project proposes to plane and resurface the existing roadway and other roadway related items. PID No. 23897, County/Route/Section MOT-SR0048-1.70

WHEREAS, said portion of described project is within the municipal corporation limits.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

SECTION II. CONSENT STATEMENT

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

SECTION III. Cooperation Statement

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

ODOT shall assume and bear 100% of the necessary costs of the State's highway improvement project. In the event that the LPA requests certain features or appurtenances be included within the State's highway improvement project's design and construction, and which features and appurtenances are determined by the State and FHWA to be not necessary for the State's project, the LPA shall contribute 100% of the cost of those items.

SECTION IV. UTILITIES AND RIGHT-OF-WAY STATEMENT

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

The LPA agrees that all utility accommodations, relocations and reimbursements will comply with the current provisions of 23 CFR 65 and the ODOT Utilities Manual.

SECTION V. MAINTENANCE

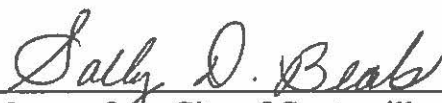
Maintain the right-of-way and keep it free of obstructions, and hold said right-of-way inviolate for public highway purposes.

SECTION VI. AUTHORITY TO SIGN

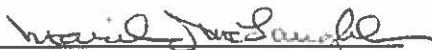
The City Manager of said City of Centerville is hereby empowered on behalf of the City of Centerville to enter into agreements with the Director of Transportation necessary to complete the above described project.

SECTION VII. This Ordinance shall become effective at the earliest date allowed by law.

PASSED THIS 5th day of November, 2001.



Mayor of the City of Centerville, Ohio

ATTEST: 
Clerk of Council for the
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 28-01, passed by the Council of the City of Centerville, Ohio, on the 5th day of November, 2001.

Marie J. McLaughlin
Clerk of Council

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

Department of Law
Robert N. Farquhar
Municipal Attorney