

RESOLUTION NO. 23-20
CITY OF CENTERVILLE

SPONSORED BY COUNCILMEMBER John Palcher ON THE
6th DAY OF April, 2020.

A RESOLUTION ENACTED BY THE CITY OF CENTERVILLE, MONTGOMERY COUNTY, OHIO, HEREINAFTER REFERRED TO AS THE LEGISLATIVE AUTHORITY/LOCAL PUBLIC AUTHORITY (LPA) IN THE MATTER OF THE STATED DESCRIBED PROJECT, PID NO. 111482 REPLACEMENT OF ANCHOR ASSEMBLY GUARDRAIL ON NHS LOCAL ROUTES INCLUDING CR 95 IN GREEN COUNTY WITHIN THE CITY OF CENTERVILLE.

WHEREAS, the State of Ohio, Department of Transportation (the "STATE") and the City of Centerville, Greene County, Ohio (the "LPA") identified the need for the described project:

District wide replacement of type A anchor assembly guardrail on NHS local routes, to include a portion of CR 95 in the City of Centerville (the "Project"); and

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

The State agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement and the LPA agrees to pay one hundred percent (100%) of the cost of those features requested by the LPA, which the State and Federal Highway Administration deem to be unnecessary for the Project; and

WHEREAS, the project being in the public interest, the LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

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

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

The State shall assume and bear 100% of all the costs of the improvement.

The LPA agrees to pay 100% of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

Section III. The LPA 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 LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

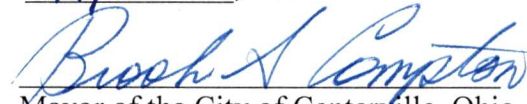
Section IV. Upon Completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, USC., Section 116; (2) provide ample financial provides, as necessary, 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 V. That the City Manager is hereby authorized to take all steps necessary to enter into contracts with the Director of Transportation which is necessary to complete the above described Project.

Section VI. That the LPA shall transmit to the Director of Transportation a fully executed copy of this Resolution.

Section VII. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED this 6th day of April, 2020.


Mayor of the City of Centerville, Ohio

ATTEST:


Clerk of Council
City of Centerville, Ohio

Approved as to form, consistency with
Ordinances, the Charter and Constitutional Provisions.
Department of Law
Scott A. Liberman

CERTIFICATE OF COPY
STATE OF OHIO

City of Centerville of Montgomery County, Ohio

I, Teri Davis, Clerk of the City of Centerville of Montgomery County, Ohio, have compared the foregoing copy of the Resolution with the original record thereof, found in the record of the proceedings of the LPA, and which Resolution was duly passed by the LPA on the 6th day of April, 2020, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

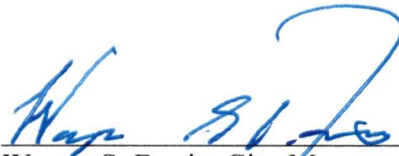
I further certify that said Resolution and the action of said LPA thereon are recorded in the journal of said LPA in Volume 36, under the date of April 6, 2020, 2020.

IN WITNESS WHEREOF, I have hereunto subscribed by name and affixed my official seal this 6th day of April, 2020.



Teri Davis, Clerk of Council
City of Centerville, Ohio

(Seal Required)



Wayne S. Davis, City Manager of LPA
City of Centerville, Ohio