

RESOLUTION NO. 55-15
CITY OF CENTERVILLE

SPONSORED BY COUNCILMEMBER John Beals ON THE
21st DAY OF December 2015.

A RESOLUTION ENACTED BY THE CITY OF CENTERVILLE, MONTGOMERY COUNTY, OHIO, HEREINAFTER REFERRED TO AS THE CITY, IN THE MATTER OF THE STATED DESCRIBED PROJECT, MOT SR 48 4.48, PID NO. 100868, FOR THE ODOT OVERLAY STATE ROUTE 48 IN STRAIGHT LINE MILE 4.48 TO 6.49 MORE OR LESS, CONTAINING A PORTION WITHIN THE CITY OF CENTERVILLE, MONTGOMERY COUNTY, OHIO.

SECTION 1. Project Description

WHEREAS, the STATE has identified the need for the described project:

Overlay State Route 48 in Straight Line Mile 4.48 to 6.49 more or less, containing a portion within the City of Centerville, Montgomery County, Ohio. Said project is further identified at MOT SR 48 4.48.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

SECTION II. Consent Statement

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

SECTION III. Cooperation Statement

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

The City has no obligation for costs for the project as described in Section I. ODOT will provide all federal-aid and State funds as 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.

In addition, the City also agrees to pay One-Hundred Percent (100%) of those features requested by the City which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

If curb ramps are constructed by ODOT in compliance with the Americans with Disabilities Act, future maintenance of installed sidewalk curb ramps shall

be the responsibility of the City. The City shall adjust any existing castings, as required, with City forces.

SECTION IV. Utilities and Right-of-Way Statement

The City agrees that all right-of-way (if applicable) required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The City also understands that right-of-way costs include eligible utility costs. The City agrees to be responsible to all utility accommodation, relocation, and reimbursement and will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V. Maintenance

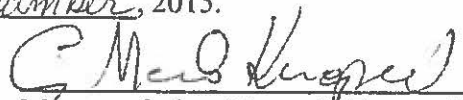
Upon completion of the Project, and unless otherwise agreed, the City Shall: (1) provide adequate routine maintenance for the Project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C. Section 116; the ODOT will provide major maintenance for the Project in accordance with all applicable state and federal law, including, but not limited to, ORC Section 5501.49 Item D Line 2 (2) provide ample financial provisions, as necessary, for such 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. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED this 21st day of December, 2015.


Mayor of the City of Centerville,
Ohio

ATTEST:

Clerk of Council
City of Centerville, Ohio

Approved as to form, consistency
with existing ordinances, the Charter
and Constitutional Provisions
Department of Law
Scott A. Liberman
Municipal Attorney

CERTIFICATE OF COPY
STATE OF OHIO

City of Centerville of Montgomery County, Ohio

I, Debra A. James, as Clerk of the City of Centerville, Montgomery County, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance/Resolution adopted by the legislative Authority of the said City of Centerville on the 21st day of December, 2015, that the publication of such Ordinance/Resolution has been made and certified of record according to law; that no proceedings looking to a referendum upon such Ordinance/Resolution have been taken; and that such Ordinance/Resolution and certificate of publication thereof are of record in _____, Page _____.
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 22nd day of December, 2015.

Debra A. James
Clerk
City of Centerville, Ohio.

SEAL
(REQUIRED) or Letter stating No Seal)

The foregoing is accepted as a basis for proceeding with the project herein described for the City of Centerville, Ohio.

Attest: Debra A. James

[Signature], Date _____
City MGR.
Contractual Officer

For the State of Ohio

Attest: _____

_____, Date _____
Director, Ohio Department of Transportation