

RESOLUTION NO. 46-13
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Doug Cline ON THE
16th DAY OF September, 2013.

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 (PID NO.
94556, MOT SR 48 3.26)

SECTION I. Project Description

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

Pavement planing and resurfacing of the existing roadway, along with other roadway related items on State Route 48 from the State Route 48 Miamisburg Centerville Road (Straight Line Mileage 3.26) to the North Corporation Limit of Centerville (Straight Line Mileage 4.43), plus or minus, in the City of Centerville, Montgomery County, Ohio. Said project is further identified as MOT SR 48 3.26.

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:

ODOT will provide funding from its allocated Urban Paving Program funds on an eighty percent/twenty percent (80%/20%) basis with the State providing the eighty percent (80%) of the funding for the project and the CITY providing the twenty percent (20%) of the funding for the project.

The CITY agrees to pay one hundred percent (100%) of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the American with Disabilities Act.

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 for 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 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 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. Consultants and 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. Effective Date

This Resolution becomes effective at the earliest date allowed by law.

PASSED this 16th day of September, 2013.



Mayor of the City of Centerville, Ohio

ATTEST:

Debra A. James
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 16th day of September, 2013, 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

Resolution Book No. 30, Page 235
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 17th day of September, 2013.

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 James

[Signature], Date 9-19-2013
[Signature]
Contractual Officer

For the State of Ohio

Attest: _____, Date _____

Director, Ohio Department of Transportation