

RESOLUTION NO. 47-13
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 LOCAL PUBLIC
AGENCY, (LPA), IN THE MATTER OF THE STATED
DESCRIBED PROJECT (PID NO. 95662, MOT Wilmington
Pike 0.00)

SECTION I. Project Description

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

This project will provide upgraded communication between eleven (11) traffic signals and will also rebuild or upgrade equipment at the individual intersections as needed to improve safety and operations at County Road 85 Wilmington Pike Straight Line Mileage 0.00 to 1.55, County Road 21 Feedwire Road Straight Line Mileage 0.00 to 0.20. Said project is further identified as **PID #95662, MOT Wilmington Pike**, within the City of Centerville, Ohio;

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY
RESOLVES:

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:

The LPA 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 LPA 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.

In addition, the LPA also agrees to assume and bear 100% of the cost of any construction items requested by the LPA 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 LPA 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 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 645 and the ODOT Utilities Manual.

SECTION V. Maintenance

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, 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.

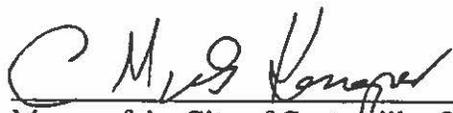
SECTION VI. Authority to Sign

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. Effective Date

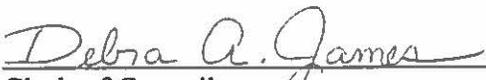
This Resolution becomes effective at the earliest date allowed by law.

PASSED this 16th day of September, 2013.



Mayor of the City of Centerville, Ohio

ATTEST:



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

The City of Centerville, Montgomery County, Ohio

I, Debra A. James, as Clerk of the City of Centerville, 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 certified of publication thereof are of record in Ordinance/Resolution Record No. Book No. 30, Page 247

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 _____, Date 9-19-2013
Contractual Officer

For the State of Ohio

Attest: _____, Date _____
Director, Ohio Department of Transportation