

RESOLUTION NO. 46-12  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER John Beale ON THE  
15<sup>th</sup> DAY OF October, 2012.

A RESOLUTION IN THE MATTER OF THE STATED DESCRIBED PROJECT, **D07 SYSTEMATIC GR FY 13**, PID NO. 93389, PROVIDING SYSTEMATIC GUARDRAIL END TERMINAL UPGRADES ON STATE ROUTE 48 WITHIN THE CORPORATE LIMITS OF THE CITY OF CENTERVILLE.

**SECTION I. Project Description**

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

Upgrade of non-crashworthy guardrail end terminals on State Route 48 Straight Line Mileage 1.70 to 4.43 and Straight Line Mileage 4.71 to 5.38, and on State Route 725 Straight Line Mileage 18.18 to 18.68 and Straight Line Mileage 19.75 to 22.02, plus or minus, within the City of Centerville, Montgomery County, Ohio. Said project is further identified as **D07 Systematic GR FY 13**.

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.

**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.

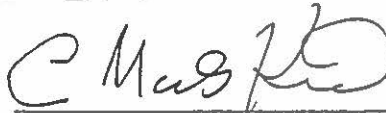
**SECTION VI. Authority to Sign**

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 15<sup>th</sup> day of October, 2012.



\_\_\_\_\_  
Mayor of the City of Centerville, Ohio

ATTEST:

*Debra A. James*

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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 15<sup>th</sup> day of October, 2012, 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 Record of Resolutions\*, Page 380.  
\* Book #29 - Res 46-12 (Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 16<sup>th</sup> day of October, 2012.

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 10-19-2012  
Contractual Officer

\*\*\*\*\*  
For the State of Ohio

Attest: \_\_\_\_\_, Date \_\_\_\_\_  
Director, Ohio Department of Transportation