

RESOLUTION NO. 30-07
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Paul M. Guesham ON THE
16th DAY OF July, 2007.

A RESOLUTION RESCINDING RESOLUTION NO. 53-05, PASSED OCTOBER 17, 2005, DUE TO A CHANGE IN SCOPE OF THE SR 48/ALEX-BELL INTERSECTION IMPROVEMENTS PROJECT, PID NO. 80102 MOT SR 48 4.33; AND A NEW 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.

SECTION I - Project Description

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

This project proposes to construct a dedicated westbound right-turn lane, remove existing channelizing island for eastbound right-turn movement & allow movement to be controlled by intersection, restripe State Route 48 south of intersection for northbound right-turn lane to State Route 725 & thru lane to northbound Interstate Route 675 entrance ramp, restripe southbound approach to match south leg changes and utilize existing southbound right-turn lane as thru lane. Construct additional pavement on southbound approach for dedicated right-turn lane at intersection, modify signal timing for westbound left-turn phase, and reconstruct northbound Interstate Route 675 entrance ramp from northbound State Route 48, shifting ramp termini north 150 feet, plus or minus. Said project is further identified as PID #80102, MOT-SR48-4.33, 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.

PASSED this 16th day of July, 2007.

C. Mark Keene
Mayor of the City of Centerville, Ohio

ATTEST:

Debra A. James
Clerk of Council, City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a true and correct copy of Resolution Number 30-07 passed by the Council of the City of Centerville, Ohio on the 16th day of July, 2007.

Debra A. James
Clerk of Council

Approved as to form, consistency
with the Charter and Constitutional Provisions.

Department of Law
Scott A. Liberman
Municipal Attorney