

RESOLUTION NO. 5-06
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Robert Corbin ON THE 20th DAY
OF February, 2006.

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, MOT-SR48-4.33, STATE ROUTE
48 FROM INTERSTATE ROUTE 675 TO THE SOUTH CORPORATION
LIMIT OF KETTERING.

SECTION I. Project Description

WHEREAS, the STATE has identified the need for the described project:
This project proposes pavement planning and resurfacing of the existing roadway, along
with other roadway related items, on State Route 48 from Interstate Route 675 (straight
line mileage 4.33, plus or minus) to the South Corporation Limit of Kettering, plus or
minus, in Montgomery County, and further described as PID #80890, 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 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 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.

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 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 accommodation, relocation, and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

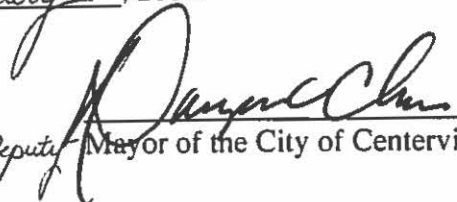
SECTION V. Maintenance

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 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.

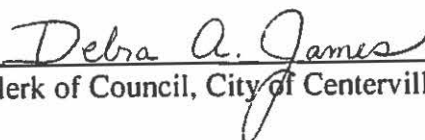
SECTION VI. Authority to Sign

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.

PASSED this 20th day of February, 2006.


Deputy Mayor of the City of Centerville, Ohio

ATTEST:


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 5-06, passed by the Council of the City of Centerville, Ohio, on the 20th day of February, 2006.

Debra A. James
Clerk of Council

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

Department of Law
Scott Liberman
Municipal Attorney