

RESOLUTION NO. 53-05
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Brooks Compton ON THE
17th DAY OF October, 2005.

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.

SECTION I. Project Description

WHEREAS, the LPA has identified the need for the described project:
This project proposes to widen the four intersection approaches, add dual left-turn lanes to three approaches, re-signalize the intersection, replace the signal controller, and vehicular and pedestrian signal heads, and add back-up power on State Route 48 at the intersection of State Route 725 (Alex Bell Road), and further described 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. The maximum federal amount available for this project is capped at \$507,619.00.

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.

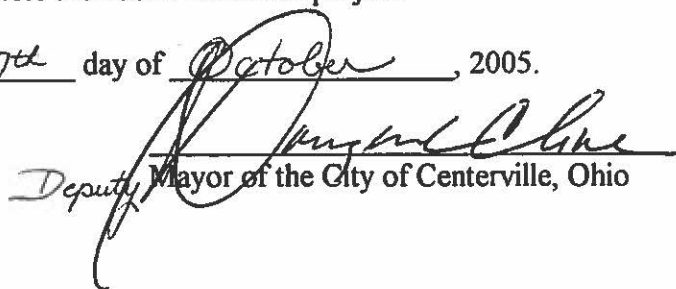
SECTION V. Maintenance

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.

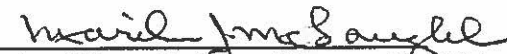
SECTION VI. Authority to Sign

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 17th day of October, 2005.


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} Ordinance Number 53-05 passed by the Council of the City of Centerville, Ohio on the 17th day of October, 2005.

Marie J. McLaughlin
Clerk of Council

Approved as to form, consistency
with the Charter and Constitutional Provisions.
Department of Law
Scott A. Liberman
Municipal Attorney