

FINAL RESOLUTION

- Adopting plans;
 - Proposing to co-operate;
 - Requesting Director to proceed;
- (Chapter 552], Ohio Revised Code)

Mr. Stone moved the adoption of the following Resolution:

WHEREAS, At a meeting of the legislative authority of Centerville, Ohio, held in the office of said legislative authority on this 6th day of May, 19 74, a quorum being present, the improvement of State Route No. 48, under the provisions of Chapter 5521, Ohio Revised Code, came on for further consideration, said portion of highway as described in the legislation proposing cooperation with the Director of Transportation, enacted enacted on the 4th day of January, 1971, being described as follows:

Beginning at its intersection with Franklin Street, thence in a northerly direction to a point approximately 0.10 mile north of its intersection with Whipp Road and there terminate. Total length of work being approximately 2.373 miles, inclusive of side roads

; and

WHEREAS, In said legislation proposing cooperation, said legislative authority proposed to cooperate with the Director of Transportation in the improvement of the above described highway, under the provisions of TOPICS, which provides for the expenditure of Federal Funds for an urban traffic operations program, by assuming the payment of and contributing an amount of money, which is to be applied toward the total cost of said improvement, which amount is determined by and equal to the following:

- (1) To assume and bear five percent (5%) of the cost and expense of construction plans and construction of the Improvement on State Routes.
- (2) To assume and bear the entire cost and expense of construction plans and construction not on State Routes less the amount of the reimbursement received by the State from Federal-Aid Topics Funds.

Construction costs shall include construction engineering, construction, advertising and other legal and contingent expenses. The Director of Transportation notwithstanding the percentage basis of contribution may allocate the money contributed in whatever manner he may deem necessary in financing the cost of construction, rights-of-way, engineering and incidental expenses.

The total estimated share for the City of Centerville is now estimated in the amount of \$9,305.00, less an estimated credit given the City for Consultant fees in the amount of \$14,300.00, leaving an estimated credit balance due the City from the State in the amount of \$4,995.00, but said estimated credit balance is to be adjusted when final actual costs are determined.

The City further agrees to furnish the right-of-way for the project and bear 100% of the costs thereof;

WHEREAS, The Director of Transportation has approved said application and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of same to this legislative authority; and

WHEREAS, This legislative authority desires the Director of Transportation to proceed with the aforesaid work:

Now, Therefore, Be It Resolved:

- I. That the section of highway above described be improved under the provisions of aforesaid law, that said work be done under the charge, care and superintendence of the Director of Transportation, and that said plans, specifications and estimates for this highway improvement as approved by the Director of Transportation are hereby approved and adopted by this legislative authority.
- II. That this legislative authority is still of the opinion the proposed work on the described highway should be constructed, and that we should cooperate on the basis set forth in our proposal.
- III. That the estimated sum of Four Thousand Nine Hundred Ninety Five
-----00/100 Dollars (\$4,995.00), is hereby appropriated for improving the highway described above, and the fiscal officer is hereby authorized and directed to issue his order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume, in the first instance, the share of the cost and expense over and above the amount allocated from Federal Aid TOPICS Funds.
- IV. That the installation of all utility facilities on the right of way shall conform with the requirements of the Federal Highway Administration Policy and Procedure Memorandum 30-4 "Utility Relocations and Adjustments".
- V. That traffic control signals will not be installed on the project without prior approval by the State and the municipality does hereby agree to place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code.
- VI. That the rights-of-way provided for said improvement shall be held inviolate for public highway purposes and no signs, posters, billboards, roadside stands or other private installations shall be permitted within the right-of-way limits.
- VII. That this legislative authority hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
- VIII. That this legislative authority of Centerville, Ohio, enter into a contract with the Director of Transportation providing for the payment by said legislative authority of the estimated sum of Four Thousand Nine Hundred Ninety Five -----00/100 Dollars
(\$4,995.00), said estimated amount being subject to adjustment when final costs and allocations are determined.

- IX. That the Clerk of this legislative authority be, and he is hereby directed to transmit to the Director of Transportation a certified copy of these Resolutions.
- X. This Resolution is hereby declared to be an emergency measure by reason of the need for expediting construction of project(s) to promote highway safety, and provided it receives the affirmative vote of two-thirds of the members elected to the legislative authority, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Thereupon, Mr. Sucetman seconded the said motion, and upon the roll being called, the result of the vote was as follows: .

Vote on suspension of the rule requiring an ordinance to be fully and distinctly read on three different days:
(Requires a yea vote by three-fourths of all elected members)

Yeas _____ Nays _____

Vote on emergency clause: Yeas _____ Nays _____

Passed _____, 19 74. Yeas _____ Nays _____

As An Emergency Measure.

Passed: May 6, 19 74.

Attest: Marilyn M. Saenger Clerk Paul C. King Mayor

Attest: Marilyn M. Saenger Presiding Officer of Legislative Authority Paul C. King

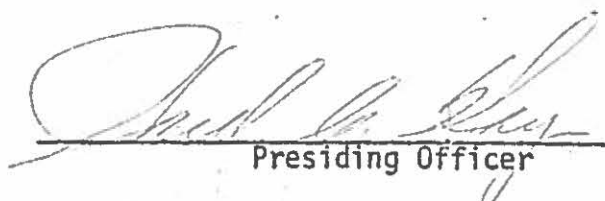
The State of Ohio }
Centerville, Ohio. } Office of the Legislative Authority.

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the legislative authority of Centerville, Ohio, which Resolution was duly passed by said legislative authority, on the 6th day of May, 19 74, and that the same is a true and correct copy of the record of said Resolution and the action of said legislative authority thereon.

We further certify that said Resolution and the action of said legislative authority thereon is recorded in the journal of said legislative authority in volume 2, at page 131, and under date of May 6, 19 74.

IN WITNESS WHEREOF, We have hereunto set our hands and seal, this 6th day of May, 19 74.

*SEAL



Presiding Officer



Clerk (Secretary Ex-officio)

Legislative Authority of Centerville, Ohio.

Note: If the fiscal officer is secretary ex-officio of the legislative authority, the fiscal officer's seal should be affixed. If there is no seal, this fact should be stated by separate letter and attached hereto.