

FINAL RESOLUTION

Adopting plans;
Proposing to co-operate;
Requesting Director to proceed;

(Chapter 5521 and Section 5705.41 Ohio Rev. Code)

NOTE: Before the adoption of this final resolution the fiscal officer must make and seal and file with the legislative authority his certificate of funds in strict compliance with Chapter 5521 and Section 5705.41 O. R. C. The fiscal officer should record his certificate of funds in the legislative authority's journal.

Mr. McIntire 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 4th day of March, 1968, a quorum being present, the improvement of State Route No. 725,

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 State Highway Director of Ohio, enacted on the 22nd day of May, 1967, being as follows:

Beginning at a point approximately 416 lineal feet east of the west corporation line of Centerville to the intersection of State Route No. 725 and State Route No. 48 and there terminate, a distance of approximately 0.423 mile

WHEREAS, In said legislation proposing cooperation, said legislative authority proposed to cooperate with the State Highway Director of Ohio in the improvement of the above described highway 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. One hundred percent (100%) of the cost of adjusting, relocating and/or replacing all municipally owned utilities and appurtenances involved in this improvement; and
2. The lump sum of Four Thousand - - 00/100 Dollars (\$4,000.00).

Said lump sum and said percentage shall include their respective costs of engineering, contingencies and incidental expenses. The Director of Highways notwithstanding the percentage and lump sum 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. Said amount is now estimated to be Four Thousand - - - 00/100 Dollars (\$4,000.00), but said amount is to be adjusted in order that the Village's ultimate share of the cost of said improvement shall correspond with said lump sum plus said percentage of actual cost, when said actual costs are determined

; and

WHEREAS, The State Highway Director has approved said legislation proposing cooperation 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, Funds for the payment of the estimated cost of said highway improvement, other than the proportion and share of said cost that it to be borne by the State of Ohio, *have been paid to the State of Ohio.*

have become available, as to which funds the fiscal officer has made a certificate, now on file with this legislative authority and here recorded as follows:

I hereby certify that the money, to-wit: \$ 4,000.00 required for the payment of the cost other than that part thereof assumed by the State of Ohio, for the improvement of that portion of State Route No. 725, as described hereinbefore, *has been paid to the State of Ohio.*

~~is in the treasury to the credit of, or has been levied, placed on the duplicate and in process of collection for the appropriate fund and not appropriated for any other purpose, or is being obtained by sale of bonds issued on account of said improvement, which bonds are sold and in process of delivery.~~

I further certify that this certificate was made, sealed and filed with the legislative authority of Centerville, Ohio, before said legislative authority passed the final resolution in connection with the within described project; and that this certificate was forthwith recorded in the record of proceedings of said legislative authority, namely: legislative authority's journal, volume 53, at page 101.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal as said fiscal officer, this 4th day of March, 19 68.

Ronald D Budzik

(Fiscal Officer's seal)

Fiscal Officer of Centerville, Ohio.

WHEREAS, This legislative authority desires the State Highway Director to proceed with the aforesaid highway improvement.

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 State Highway Director and that said plans, specifications and estimates for this highway improvement as approved by the State Highway Director, 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 co-operate on the basis set forth in our proposal.

III. That the sum of Four thousand -----

-----00 /100 Dollars (\$ 4,000.00), *having been* 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 State Highway Director, 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 to be paid by the State of Ohio.*

IV. 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 project in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code.

V. 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.

VI. That this legislative authority hereby requests the State Highway Director to proceed with the aforesaid highway improvement.

VII. That this legislative authority of Centerville, Ohio, enter into a contract with the State Highway Director of Ohio providing for the payment by said legislative authority of the sum of Four Thousand - - - - -
- - - - - 100 Dollars (\$ 4,000.00),

the agreed proportion of the cost and expense to be borne by Centerville, Ohio, for improving the hereinbefore described highway which has been paid.

VIII. That the Clerk of this legislative authority be, and he is hereby, directed to transmit to the State Highway Director a certified copy of these resolutions.

IX. 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. Wells 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 yeas vote by three-fourths of all elected members)

Yeas 6 Nays none

Vote on emergency clause: Yeas 6 Nays none

Passed March 4, 1968 Yeas 6 Nays none

As an Emergency measure.

Passed: March 4, 19 68.

Attest: Ronald J. Budzinski
CLERK

Attest: _____

Paul G. Key

MAYOR

Presiding Officer of Legislative Authority

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

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 4th day of March, 19 68, 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 53, at page 101, and under date of March 4, 19 68.

IN WITNESS WHEREOF, we have hereunto set our hands and seal, this 4th day of March, 19 68.

* SEAL

Presiding Officer
Donald S. Budzitt

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.