

# FINAL RESOLUTION

# 1 - 61

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. Kuierer 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 1 day of May,  
1961, 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 State Highway Director of  
Ohio, enacted on the 3rd day of April, 1961, being as  
follows:

**Widening Main Street (SR 48) from a 20 ft. width to 24 ft.  
width and resurfacing it with asphaltic concrete from the  
south corporation line of Centerville northerly approxi-  
mately 1.04 miles**

; and

WHEREAS, In said legislation proposing cooperation, said legislative authority proposed to cooper-  
ate with the State Highway Director of Ohio in the improvement of the above described highway by  
**assuming and contributing the lump sum of One Hundred Fifty-----00/100 Dollars (\$150.00),  
inclusive of the cost of engineering, contingencies and incidental expenses.**

; 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 is to be borne by **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: \$ 150.00 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. 48, as described hereinbefore,

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 \_\_\_\_\_, at ~~page~~ ORD \*8-61

IN WITNESS WHEREOF, I have hereunto set my hand and official seal as said fiscal officer, this 1 day of May, 19 61.

Herbert E. P. A.

[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 above described highway should be constructed, and that we should co-operate on the basis set forth in our proposal.

III. That the **lump sum of One Hundred Fifty** \_\_\_\_\_ **00/100 Dollars (\$ 150.00)**, 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 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.

SECTION IV That traffic control lights will not be installed on the project without prior approval by the State.

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 lump sum of One Hundred Fifty 00 /100 Dollars (\$ 150.00), the agreed proportion of the cost and expense to be borne by Centerville, Ohio, for improving the hereinbefore described highway.

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. Dr. Helso 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 5 yeas. Nays no.  
Vote on emergency clause: Yeas 5 yeas. Nays 0  
Passed May 1 19 61 Yeas \_\_\_\_\_ Nays \_\_\_\_\_  
As an Emergency measure.

Passed: May 1, 19 61.

Attest: Kenneth E. Poff  
CLERK

Wm O' Gumbel  
MAYOR

Attest: \_\_\_\_\_

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 said Centerville \_\_\_\_\_, Ohio, and which resolution was duly passed by the legislative authority of said Centerville \_\_\_\_\_, Ohio, on the 1 day of May, 1961, 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 \_\_\_\_\_, at page Ord #8, and under date of 1 May, 1961.

IN WITNESS WHEREOF, we have hereunto set our hands and seal, this 1 day of May, 1961.

\*SEAL

\_\_\_\_\_  
Presiding Officer  
Kenneth E. Boff  
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.