

ORDINANCE 2016-28

PRELIMINARY LEGISLATION

Participatory

Ordinance # : 2016 - 28

PID No. : 100617

WAR-US 42 – 5.17

The following is an Ordinance enacted by the Council of the City of Mason, Warren 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 STATE has identified the need for the described project:

Resurfacing a portion of United State Route 42 in Warren County which will include Straight Line Mile 5.17 to Straight Line Mile 5.41 more or less, within the City of Mason, Warren County, Ohio.

NOW, THEREFORE, be it ordained by the Council of the City of Mason of Warren County, Ohio.

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 City will be responsible for:

- **100% of the non-State and/or non-Federal share of the Construction Costs.**
- **The LPA further agrees to pay 100% of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.**

SECTION IV – Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way 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, relocation and reimbursement shall 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 routine maintenance for the Project in accordance with all applicable state and federal laws, 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

Eric Hansen, City Manager of said City of Mason, is hereby empowered on behalf of the City of Mason, Ohio, to enter into contracts with the Director of Transportation which is necessary to complete the above described project.

Passed: February 8, 2016
(Date)

Attested: _____
(Clerk)

Eric Hansen, City Manager

Attested: _____
(Title)

(Mayor)

CERTIFICATE OF COPY
STATE OF OHIO

City of Mason of Warren County, Ohio
(LPA)

I, Nancy Hickey, as Clerk of Council for the City of Mason of Warren County, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 2016 - 28 adopted by the legislative Authority of the said City of Mason on the 8th day of February, 2016, that the publication of such ordinance has been made and certified of record according to Law; that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance and certificate of publication thereof are of record in Ordinance No. 2016-28.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this _____ day of _____ 2016.

(Clerk)
City of Mason of Warren County, Ohio

(CITY SEAL)

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.")

The foregoing is accepted as a basis for proceeding with the project herein described.
For the City of Mason of Warren County, Ohio.
(LPA)

Attested: _____ Date _____
(Contractual Agent)

For the State of Ohio

Attested: _____ Date _____
(Director, Ohio Department of Transportation)