

EXHIBIT II

AGREEMENT

US 42 / Butler-Warren Road Intersection Improvements

This Agreement made and entered into this 1st day of November, 2001, by and between the Board of Warren County Commissioners, hereinafter referred to as "Warren County," and the Board of Butler County Commissioners, hereinafter referred to as "Butler County," and the City of Mason, Ohio, a municipal corporation, acting by and through its duly authorized City referred to as "Mason," and the Board of Deerfield Township Trustees, hereinafter referred to as "Deerfield Township," and the Board of West Chester Township Trustees, hereinafter referred to as "West Chester Township."

WITNESSETH THAT:

WHEREAS, The intersection of US 42 and Butler Warren Road is partially within the corporate city limits of said City of Mason, the unincorporated area of said Warren County, the unincorporated area of said Butler County, the township of Deerfield Township and the township of West Chester Township and as such is partially under the jurisdiction of Warren County, Butler County, City of Mason, Deerfield Township and West Chester Township for maintenance; and

WHEREAS, Public interest and safety demand the improvement of intersection of US 42 (Reading Road) and Butler-Warren Road. The purpose is to provide detailed plans for a safer intersection by adding left turn lanes on all four legs of the intersection to minimize points of conflict between opposing vehicles and a traffic signal for appropriate traffic management in accordance with ODOT Design Standards. ODOT will use these detailed plans to construct the improvements; and

WHEREAS, Section 153.61 of the Ohio Revised Code permits said Warren County, said Butler County, said City of Mason, said Deerfield Township, and said West Chester Township to enter into an agreement for the joint improvement of public works, which will be of mutual benefit as in this instance; and

WHEREAS, Warren County is the lead agency for the design of the improvement; and

WHEREAS, Warren County in conjunction with Butler County, the City of Mason, Deerfield Township and West Chester Township, has selected CDS Associates as the consultant to perform engineering services, for a total fee of \$46,800.00.

NOW THEREFORE BE IT MUTUALLY AGREED THAT:

- 1) **WARREN COUNTY WILL COOPERATE IN THE IMPROVEMENT, AND:**
 - a) Agrees to assume and contribute 100% of the cost of engineering plans for the improvement, which is \$ 46,800, and act as lead agency for this design; and
 - b) Agrees to enter in consent legislation with ODOT (see attached copy, labeled Exhibit "A") on behalf of Butler County, City of Mason, West Chester Township and Deerfield Township for the purpose of programming the project for the necessary federal and state funds needed for construction.
 - c) Agrees to cooperate with ODOT regarding removal, relocation, rearrangement, and/or alteration of all utilities (privately, publicly, or cooperatively owned) within Warren County that will be affected by or interfere with said improvement. The cost of the removal, relocation, rearrangement and/or alteration of such utilities affected and payment therefore shall be borne by ODOT; and
 - d) Agrees that all existing public rights of way within Warren County limits will be made available at no cost to the project.

- 2) **BUTLER COUNTY WILL COOPERATE IN THE IMPROVEMENT, AND:**
 - a) Agrees to cooperate with ODOT regarding removal, relocation, rearrangement, and/or alteration of all utilities (privately, publicly, or cooperatively owned) within Butler County that will be affected by or interfere with said improvement. The cost of the removal, relocation, rearrangement and/or alteration of such utilities affected and payment therefore shall be borne by ODOT; and
 - b) Agrees that all existing public rights of way within Butler County limits will be made available at no cost to the project.

- 3) **THE CITY OF MASON WILL COOPERATE IN THE IMPROVEMENT, AND:**
 - a) Agrees to cooperate with ODOT regarding removal, relocation, rearrangement, and/or alteration of all utilities (privately, publicly, or cooperatively owned) within The City of Mason that will be affected by or interfere with said improvement. The cost of the removal, relocation, rearrangement and/or alteration of such utilities affected and payment therefore shall be borne by ODOT; and
 - b) Agrees that all existing public rights of way within the City of Mason limits will be made available at no cost to the project.

- 4) **DEERFIELD TOWNSHIP WILL COOPERATE IN THE IMPROVEMENT, AND:**
 - a) **Agrees to cooperate with ODOT regarding removal, relocation, rearrangement, and/or alteration of all utilities (privately, publicly, or cooperatively owned) within Deerfield Township that will be affected by or interfere with said improvement. The cost of the removal, relocation, rearrangement and/or alteration of such utilities affected and payment therefore shall be borne by ODOT; and**
 - b) **Agrees that all existing public rights of way within Deerfield Township limits will be made available at no cost to the project.**

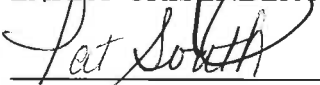
- 5) **WEST CHESTER TOWNSHIP WILL COOPERATE IN THE IMPROVEMENT, AND:**
 - a) **Agrees to cooperate with ODOT regarding removal, relocation, rearrangement, and/or alteration of all utilities (privately, publicly, or cooperatively owned) within West Chester Township that will be affected by or interfere with said improvement. The cost of the removal, relocation, rearrangement and/or alteration of such utilities affected and payment therefore shall be borne by ODOT; and**
 - b) **Agrees that all existing public rights of way within West Chester Township limits will be made available at no cost to the project.**

IN WITNESS WHEREOF the parties hereto have made and executed this Agreement on this 1st day of November, 2001.

WARREN COUNTY
BOARD OF WARREN COUNTY COMMISSIONERS:

BY 
C. MICHAEL KILBURN

BY 
LARRY CRISEMBURY

BY 
PAT ARNOLD SOUTH

RESOLUTION NO. 01-1853

APPROVED AS TO FORM:


WARREN COUNTY ASSISTANT
PROSECUTING ATTORNEY

BUTLER COUNTY
BOARD OF BUTLER COUNTY COMMISSIONERS:

BY 
MICHAEL FOX

BY 
COURTNEY COMBS

BY 
CHARLES FURMON

RESOLUTION NO. 01-8-1486

APPROVED AS TO FORM:


BUTLER COUNTY ASSISTANT
PROSECUTING ATTORNEY

CITY OF MASON

BY *Just J. Lahn*
CITY MANAGER

ORDINANCE NO. 2001-172

Kevin Schmidt
CITY OF MASON
LAW DIRECTOR

DEERFIELD TOWNSHIP

DEERFIELD TOWNSHIP
BOARD OF TRUSTEES

BY *Larry Backus*
LARRY BACKUS

BY *Barbara Wilkens-Reed*
BARBARA WILKENS-REED

BY *William B. Morand*
WILLIAM MORAND

RESOLUTION NO. 2001-78

WEST CHESTER TOWNSHIP

WEST CHESTER TOWNSHIP
BOARD OF TRUSTEES

BY *Dave Tacosik*
DAVE TACOSIK

BY *Jose Alvarez*
JOSE ALVAREZ

BY *Catherine Stoker*
CATHERINE STOKER

RESOLUTION NO. _____