

PRELIMINARY LEGISLATION

Rev. 6/26/00

Ordinance # 2004-123
PID #78084
WAR-IR71-3.60

The following Ordinance is enacted by the City of Mason,
(Ordinance/Resolution) (Local Public Agency) (City Name)
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 LPA/STATE has identified the need for the described project:

**Improve the right turn lanes and signal at the intersection of IR 71 ramps with
Western Row Road and Kings Island Drive.**

NOW THEREFORE, be it ordained by the City of Mason,
(LPA) (City Name)
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:

- 10% of the Preliminary Engineering Phase**
- 10% of the Right-of-Way Costs**
- 10% of the Construction Costs**
- All costs for added construction items requested by the City which are not
necessary for the improvement as determined by the State and the Federal Highway
Administration**

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 accommodation, relocation, and reimbursement will 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 adequate maintenance for the Project in accordance with all applicable State and Federal law, 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 purposes.

SECTION VI – Authority to Sign

The City Manager of said City of Mason is hereby empowered on behalf of the City of Mason to enter into contracts with the Director of Transportation necessary to complete the above described project.
(Contractual Agent) (LPA) (LPA)

Passed: September 27, 2004
(Date)

Attested: [Signature]
(Clerk)

Attested: [Signature]
(Title)

[Signature] City Manager
(Officer of LPA – title)
[Signature]
(President of Council)
Mayor

This Ordinance 2004-123 is hereby declared to be an emergency measure to expedite the highway project(s) and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.
(Ordinance/Resolution)

CERTIFICATE OF COPY
STATE OF OHIO

City of Mason of Warren County, Ohio
(LPA)

I, Terry Schulte, as Clerk of the City
(LPA)
of Mason, Ohio, do hereby certify that the foregoing is a true and
(City Name)
correct copy of Ordinance 2004-123 adopted by the legislative Authority of
(an Ordinance/a Resolution)
the said City of Mason on the 27th day of September, 2004,
(LPA)
that the publication of such Ordinance has been made and certified of record
(Ordinance/Resolution)
according to law; that no proceedings looking to a referendum upon such Ordinance
(Ordinance/Resolution)
have been taken; and that such Ordinance and certificate of publication thereof
(Ordinance/Resolution)
are of record in Ordinance Number 2004-123.
(Ordinance/Resolution) (Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official
seal, if applicable, this 28th day of September, 2004.

Terry Schulte
(Clerk)

(SEAL) City of Mason, Ohio.
(If Applicable) (LPA) (City Name)

The foregoing is accepted as a basis for proceeding with the project herein described.

For the City of Mason, Ohio
(LPA) (City Name)
Attest: [Signature] [Signature], Date 9/28/04
(Contractual Officer)

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For the State of Ohio
Attest: Steven L. DeHart [Signature], Date 11/25/04
Director, Ohio Department of Transportation