

**PRELIMINARY CONSENT LEGISLATION**

**Ordinance/Resolution #2012- 2**  
**PID No. 87209**  
**County/Route/Section : WAR US 42 – 3.47**

The following is Ordinance 2012-02 enacted by the City of Mason, Warren County,  
(Ordinance/Resolution)  
Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated  
(Local Public Agency)  
described project.

**SECTION I - Project Description**

WHEREAS, the STATE has identified the need for the described project:

**Replace the bridge over a tributary of Muddy Creek in the City of Mason located on  
US42 0.9 of a mile south of the SR 741 intersection. The existing bridge is a four  
sided CIP box with a span of 15'. A thirty day detour is anticipated during  
construction.**

NOW THEREFORE, be it ordained by the City of Mason, Ohio.  
(LPA)

**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:

ODOT shall assume and bear 100% of the necessary cost of the State's highway  
improvement project. In the event that the City of Mason requests certain features or  
appurtenances to be included within the project, and which features and appurtenances are  
determined by the State and FHWA to be not necessary for the State's project, the City  
shall contribute 100% of the cost of those items.

**SECTION IV - Utilities and Right-of-Way Statement**

The State/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 will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

**SECTION V - Maintenance**

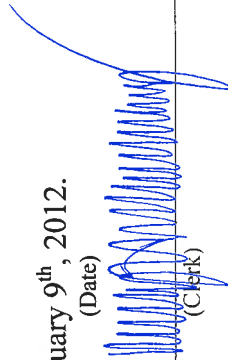
Upon completion of the Project, and unless otherwise agreed, the City shall: (1) provide routine maintenance for the Project in accordance with all applicable state and federal laws, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the routine 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**

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

necessary to complete the above described project.

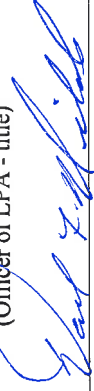
Passed: January 9<sup>th</sup>, 2012.  
(Date)



Attested: \_\_\_\_\_  
(Clerk)



\_\_\_\_\_  
(Officer of LPA - title)



Attested: \_\_\_\_\_  
(President of Council)

PID No. 87209

CERTIFICATE OF COPY  
STATE OF OHIO

City of Mason of Warren County, Ohio

I, Nancy Hickey, as Clerk of the City of Mason, Warren County,  
(LPA)

Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance 2012-02  
(Ordinance/Resolution)

adopted by the legislative Authority of the said City of Mason on the \_\_\_\_ day  
(LPA)

of \_\_\_\_\_, 2012, that the publication of such Ordinance has  
(Ordinance/Resolution)

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

(Ordinance/Resolution)

and certificate of publication thereof are of record in \_\_\_\_\_.  
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my  
official seal, if applicable, this \_\_\_\_ day of \_\_\_\_\_, 2012.

(SEAL)  
(If Applicable)

Clerk  
City of Mason, Ohio.  
(LPA)

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

Attest: \_\_\_\_\_, Date \_\_\_\_\_  
Contractual Officer

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For the State of Ohio

Attest: \_\_\_\_\_, Date \_\_\_\_\_  
Director, Ohio Department of Transportation