

CITY OF CLAYTON, OHIO

RESOLUTION NO. R - 10 -17 - 57

A RESOLUTION PROVIDING CONSENT TO THE OHIO DEPARTMENT OF TRANSPORTATION TO COMPLETE THE PROJECT DESCRIBED AS “PERFORM PATCHING CONCRETE SURFACES ON VARIOUS STRUCTURES WITHIN THE DISTRICT” INCLUDING STRUCTURE FILE NUMBER 5705312-MOT TR19-12.78 WITHIN THE CORPORATION LIMITS OF THE CITY OF CLAYTON, MONTGOMERY COUNTY, OHIO AND BEARING PROJECT NUMBER PID 105262 D07 BH FY19 (E)

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

Perform patching concrete surfaces on various structures within the district. This will include Structure File Number 5705312 MOT TR19-12.78 within the Corporation Limits of the City of Clayton, Montgomery County. The project is known as: PID 105262 D07 BH FY19 (E).

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

1. Being in the public interest, the City of Clayton, Ohio (“LPA”) gives consent to the Director of Transportation to complete the above described project.
2. The LPA shall cooperate with the Director of Transportation in the above described project as follows:

The State shall assume and bear 100% of all of the costs of improvement.

The LPA 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.

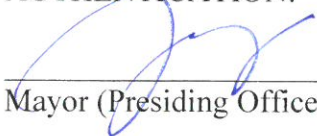
3. The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.
4. The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.
5. That, 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 highway purposes.

6. This Resolution shall take effect and be in force from and after the date of its passage.

ADOPTED BY COUNCIL ON OCTOBER 19, 2017.

AUTHENTICATION:

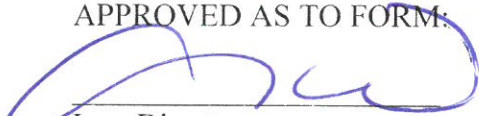


Mayor (Presiding Officer of Council)



Clerk of Council

APPROVED AS TO FORM:



Law Director

AUTHORITY TO SIGN

The City Manager of said City of Clayton is hereby empowered on behalf of the City of Clayton to enter into contracts with the Director of Transportation necessary to complete the above described project.

Passed October 19, 2017

Attested: 


Clerk



City Manager

Attested: 

Clerk

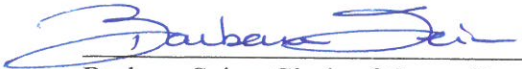


Mayor of Council

CERTIFICATE OF THE CLERK

I, Barbara Seim, Clerk of the City of Clayton, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. R-10-17-57 passed by the Clayton City Council on the 19th day of October, 2017.

IN TESTIMONY WHEREOF, witness my hand and official seal this 19th day of October, 2017.


Barbara Seim, Clerk of Council

CERTIFICATION OF PUBLICATION

This shall certify that that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper	Date of publication
<u>Englewood Independent</u>	<u>October 19, 2017</u>


CLERK

**CERTIFICATE OF COPY
STATE OF OHIO**

City of Clayton of Montgomery County, Ohio

I, Barbara Jain, as Clerk of the City of Clayton of Montgomery

County, Ohio do hereby certify that the foregoing is a true and correct copy of _____
Resolution R-10-17-57 adopted by the legislative Authority of the said
(Ordinance/Resolution)

City of Clayton on the 19th day of October, 2017.

That the publication of such Resolution has been made and certified of
(Ordinance/Resolution)

record according to Law; that no proceedings looking to a referendum upon such R-10-17-57 have
been taken; and that such Resolution and certificate of publication thereof are of record in _____
2017 Resolution, Page R-10-17-57

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official
seal, if application, this 19th day of October, 2017.

Barbara Jain
(Clerk)

(SEAL)

City of Clayton of Montgomery County, Ohio

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

The City of Clayton of Montgomery County, Ohio

(LPA)

Attested: Richard C. Rose

CITY MANAGER
(Contractual Agent)

Date 10-19-2017

Attested: _____

For the State of Ohio

Date _____

(Director, Ohio Department of Transportation)