

CITY OF CLAYTON, OHIO

RESOLUTION NO. R - 02 -23- 16

A RESOLUTION PROVIDING CONSENT TO THE OHIO DEPARTMENT OF TRANSPORTATION TO COMPLETE THE PROJECT DESCRIBED AS “BRIDGE REPAIRS ON VARIOUS BRIDGES WITHIN THE DISTRICT INCLUDING SFN 5705479, MOT IR70 10.620 IN THE CITY OF CLAYTON” AND BEARING PID NO. 108092

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

This Project will conducted bridge repairs on various bridges within the District including SFN 5705479, MOT IR70 10.620 in the City of Clayton.

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

1. **Consent Statement:** 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. **Cooperation Statement:** 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 the 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. **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.

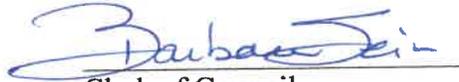
4. **Maintenance:** That, upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23 U.S.C., Section 116; (2) provide ample financial provisions, 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.

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

ADOPTED BY COUNCIL ON FEBRUARY 2, 2023.

AUTHENTICATION:


Mayor (Presiding Officer of Council)


Clerk of Council

APPROVED AS TO FORM:


Law Director

AUTHORITY TO SIGN

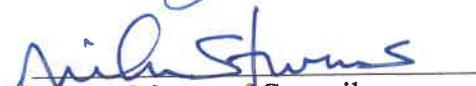
The City Manager of said City of Clayton is hereby empowered on behalf of the City of Clayton to enter into contracts with the Director of Transportation necessary to complete the above-described project.

Passed February 2, 2023.

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-02-23-16 passed by the Clayton City Council on the 2nd day of February, 2023.

IN TESTIMONY WHEREOF, witness my hand and official seal this 2nd day of February, 2023.


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

Brookville Star
Barbara Seitz
CLERK

Date of publication

Feb. 15, 2023

**CERTIFICATE OF COPY
STATE OF OHIO**

City of Clayton of Montgomery County, Ohio

I, Barbara Seim, 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-02-23-16 adopted by the legislative Authority of the said
(Ordinance/Resolution)

City of Clayton on the 2nd day of February, 2023.

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 _____ have
been taken; and that such Resolution and certificate of publication thereof are of record in _____
minute Book, Page R-02-23-16.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official
seal, if application, this 2nd day of February, 2023.

Barbara Seim
(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:

Barbara Seim

Amanda J. ...
(Contractual Agent)

Date 2/7/2023

For the State of Ohio

Attested: _____

Date _____

(Director, Ohio Department of Transportation)

PRELIMINARY LEGISLATION

Consent

Rev. 6/26/00

Ordinance/Resolution #: R-02-2316

PID No.: 108092

County/Route/Section: MOT-BH-FY24

The following is a/an Resolution enacted by the City of Clayton of Montgomery
(Ordinance/Resolution) (Local Public Agency)
County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I – Project Description

WHEREAS, the (LPA/STATE) has determined the need for the described project:

This project will conduct bridge repairs on various bridges within the District including SFN 5705479, MOT IR70 10.620 in the City of Clayton.

NOW THEREFORE, be it ordained by the City of Clayton of Montgomery County, 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 II – Cooperation Statement

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 the 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.

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 highway purposes.

SECTION VI Authority to Sign

I, Amanda Zimmerlin of said City of Clayton is hereby empowered on behalf of the
(Contractual Agent) (LPA)
City of Clayton to enter into contracts with the Director of Transportation which is necessary to
(LPA)
complete the above-described project.

Passed: February 2, 2023
(Date)

Attested: [Signature]
(Clerk)

Attested: Mayor
(Title)

[Signature] City Manager
(Contractual Agent of LPA – title)
[Signature]
(President of Council)

The R.02-23-16 is hereby declared to be an emergency measure to expedite the highway project and
(Ordinance/Resolution)
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.

**CERTIFICATE OF COPY
STATE OF OHIO**

City of Clayton of Montgomery County, Ohio
(LPA)

I Barbara Seim, as Clerk of the City of Clayton
(LPA)

of Montgomery County, Ohio, do hereby certify that the foregoing is a true and correct copy of
Resolution R-02-23-16 adopted by the legislative Authority of the said
(Ordinance/Resolution)

City of Clayton on the 2nd day of February, 2023.
(LPA)

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

Law; that no proceedings looking to a referendum upon such Resolution have been taken;
(Ordinance/Resolution)

and that such Resolution and certificate of publication thereof are of record in Minute Book,
(Ordinance/Resolution) (Record No.)

Page R-02-23-16.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable,
this 2nd day of February 2023.

Barbara Seim
(Clerk)

(CITY SEAL)

City of Clayton of Montgomery County, Ohio
(LPA)

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

Attested: Barbara Seim

Chandra Gammal Date 2/7/2023
(Contractual Agent)

