

Preliminary Legislation

Rev. 6/26/00

Ordinance# 974

PID No. 25099

County/Route/Section MIA-SR41/48-18.78/9.04

The following is an Ordinance enacted by the Village of Pleasant Hill, Miami 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 has identified the need for the described project:

This project proposes to resurface the existing roadway and other roadway related items on State Route 41, from the Covington South Corporation Limit to the junction of United States Route 36; on State Route 48 from 0.2 miles south of the junction of State Route 718 to 0.3 mile south of the Covington North Corporation Limit.

NOW THEREFORE, be it ordained by the Village of Pleasant Hill, 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 LPA has no obligation for construction costs for the project as described in Section I. ODOT will provide all Federal-aid and State funds as set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation, and further, the LPA agrees to assume and bear 100% of the cost of Preliminary Engineering and Right-of-Way, excluding in-house preliminary engineering and Right-of-Way charges incurred by the State.

In addition, the LPA also agrees to assume and bear 100% of the cost of any construction items requested by the LPA on the entire improvement, which are not necessary for the improvement, as determined by the State and 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 accommodations, relocations and reimbursements 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

The Larry Johnston of said Village of Pleasant Hill is hereby empowered on behalf of the Village of Pleasant Hill to enter into contracts with the Director of Transportation necessary to complete the above described project.

Passed: August 4, 2003.
(Date)

Attested: Mary Stamford
(Clerk)

Larry Johnston Mayor
(Officer of LPA - title)

Attested: Clerk/Treasurer
(Title)

Richard Leaver
(President of Council)

This Ordinance is hereby declared to be an emergency measure to expedite the highway project 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.

CERTIFICATE OF COPY
STATE OF OHIO

The Village of Pleasant Hill, Miami County, Ohio

I, MARY STANFORTH, as Clerk of the Village of Pleasant Hill, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance adopted by the legislative Authority of the said Village of Pleasant Hill on the 4th day of August, 2003, that the publication of such Ordinance has 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 certified of publication thereof are of record in Ordinance Record No. _____, Page _____

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 11th day of August, 2003.

Mary Stanforth
Clerk

(SEAL)
(If Applicable)

Village of Pleasant Hill, Ohio.

The foregoing is accepted as a basis for proceeding with the project herein described.
For the Village of Pleasant Hill, Ohio

Attest: Mary J. Dickett

Larry Schuster, Date Aug 11, 03
Contractual Officer

For the State of Ohio

Attest: _____

_____, Date _____
Director, Ohio Department of Transportation