

PRELIMINARY LEGISLATION

Consent

Rev. 6/26/00

Ordinance#: 213

County/Route/Section: PER SR 37 00.00

The following is a/an Ordinance enacted by the Village of New Lexington of Perry County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I – Project Description

WHEREAS, the Ohio Department of Transportation (ODOT) has determined the need for the described project:

Resurfacing and related roadway work. Surface treatment to include 5% repairs, 1 1/4" milling, and placing 1 1/4" Surface.

NOW THEREFORE, be it ordained by the Village of New Lexington of Perry County, 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 II – Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the development and construction of the above described project as follows:

1. The LPA gives consent for the above improvement, and
2. The LPA further 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

If village owned utilities, within a corporation limit or in a private easement outside corporation limits, need to be relocated due to this ODOT project, the village will be reimbursed for any relocation work; ODOT will perform the coordination, relocation, and reimbursement which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

If other public and private utilities need to be relocated due to this ODOT project they will not be reimbursed for relocation; with exceptions due to an easement, etc.

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 LPA hereby authorizes, *Bob Paulk* of the Village of New Lexington is hereby empowered on behalf of the Village of New Lexington to enter into agreements with the Director of Transportation which are necessary to complete the above described project.

SECTION VII-Emergency measure

If required, Ordinance is hereby declared to be an emergency measure to expedite the highway project and to promote highway safety. Following appropriate legislative action, as an emergency measure, 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.

Passed: 4-5, 2021.
(Date)

Attested: Lisa Spohn
(Clerk)

[Signature]
(Contractual Agent of LPA – title)

[Signature]

[Signature]

Lisa Spohn