

## PRELIMINARY LEGISLATION

### Consent

Rev. 6/26/00

Resolution#: 22-29

County/Route/Section: PER SR 93 00.00

The following is a/an Resolution 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 work. Full Depth repairs and edge widening. Resurfacing work within village limits will be completed along State Route 93 (South Main Street) from southern corporation limit to State Route 13 (Mill Street) intersection.**

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, Administrator Eric Emmert 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, Resolution** 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: 9-6, 2022.  
(Date)

Attested: Lisa Spohn  
(Clerk)

[Signature] Village Administrator  
(Contractual Agent of LPA – title)

[Signature] Mayor

[Signature]

CERTIFICATE OF COPY  
STATE OF OHIO

Village of New Lexington of Perry County, Ohio

I, Lisa Spohn, as Clerk of the Village of New Lexington of Perry County, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution 22-29 adopted by the legislative Authority of the said Village of New Lexington on the 6<sup>th</sup> day of September, 2022.  
That the publication of such Resolution has been made and certified of record according to Law; that no proceedings looking to a referendum upon such Resolution have been taken; and that such Resolution and certificate of publication thereof are of record in Resolutions 2016, Page 22-29.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 6 day of September 2022.

Lisa Spohn  
(Clerk)

(SEAL)

Village of New Lexington of Perry County, Ohio

The foregoing is accepted as a basis for proceeding with the project herein described.  
For the Village of New Lexington of Perry County, Ohio.

Attested: \_\_\_\_\_ Date \_\_\_\_\_



For the State of Ohio

Attested: \_\_\_\_\_ Date \_\_\_\_\_  
(Director, Ohio Department of Transportation)