

By: Ms. Jones

Ordinance 16-07

Rev. 6/26/00

Ordinance Number 16-07

PID Number 82513

FRA-CR1-3.41

(Main Street over Alum Creek)

The following is an Ordinance enacted by the City of Bexley, Franklin 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 COUNTY has identified the need for the described project:

This project proposes to replace the structure on CR1 (Main Street) over Alum Creek.

NOW THEREFORE, be it ordained by the City of Bexley, 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 described project as follows:

The City hereby agrees to cooperate with the Director of Transportation of the State of Ohio in the planning, design and construction of the identified highway improvement project and grants consent to the Ohio Department of Transportation for its development and construction of the project in accordance with plans, specifications and estimates as approved by the Director;

Franklin County shall assume and bear one hundred percent (100%) of the costs of preliminary engineering; right-of-way and utility relocation (if applicable). Further, Franklin County shall assume and bear one hundred percent (100%) of the total cost of Construction less the amount of federal funds set aside by the Director of Transportation and the Federal Highway Administration.

The City agrees to assume and bear one hundred percent (100%) of the total cost of those features requested by the City which are not necessary for the improvement as determined by the State and Federal Highway Administration;

The City agrees that Franklin County will act as the lead agency 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 shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V - Maintenance

Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described 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 Mayor and Auditor of said City is hereby empowered on behalf of the City of Bexley to enter into contracts with the Director of Transportation necessary to complete the above described project

Passed: 3-27, 2007.
(Date)

Attested: [Signature]
(Clerk)

[Signature]
(Officer of LPA - title)

Attested: Auditor/Clerk of Council
(Title)

Helen Mae Murray
(President of Council)

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

2-27-07 First Reading
3-13-07 Second Reading
3-27-07 Third Reading Passed.

CERTIFICATE OF COPY
STATE OF OHIO

City of Bexley, Franklin County, Ohio

I, Larry A. Heiser, as Clerk of the City of Bexley, Ohio, do hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the legislative Authority of the said City on the 5th day of APRIL, 2007, 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 and certificate of publication thereof are of record in Ordinance Record Number, Page 3/Ord 16-07.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 13 day of April, 2007.

[Signature]
Clerk

(SEAL)
(If Applicable)

City of Bexley, Ohio.

The foregoing is accepted as a basis for proceeding with the project herein described.
For the City of Bexley, Ohio

Attest: [Signature]

[Signature], Date 4/13/07
Contractual Officer

For the State of Ohio

Attest: _____

_____, Date _____
Director, Ohio Department of Transportation