

Preliminary LegislationOrdinance# 2016-26County/Route/Section: **ALL Beaverdam Main Street**

The following is an Ordinance enacted by the Village of Beaverdam, 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 the following:

- Resurfacing with asphalt on Main Street in the Village of Beaverdam from the west corporation limit of the Village of Beaverdam to the Norfolk Southern R.R. Work includes joint repair.

WHEREAS, the project is located within the Village corporation limits.

NOW THEREFORE, be it ordained by the Village of Beaverdam of Allen 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 III - Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above described project as follows: The LPA hereby agrees to pay for the entire cost of the improvement, less the capped amount of federal Surface Transportation Program (STP) funds from the budget of the Lima-Allen County Regional Planning Commission. In the event that the LPA requests certain features or appurtenances to be included within the project's design and/or construction, and which features and appurtenances are determined by the State to be not necessary for the project, the LPA shall contribute 100% of the cost of those items

SECTION IV - Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required (if applicable) 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 65 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. Code, 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 Mayor of said Village of Beaverdam is hereby empowered on behalf of the Village of Beaverdam to enter into agreements with the Director of Transportation necessary to complete the above described project.

Passed: 9/30, 20 16.
(Date)

Attested: Annice Mae Pate
(Clerk)

Danielle J. Lepore
(Mayor) Potom.

Attested: Mark A. VanDyke
ANY

[Redacted Signature]
(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.

CERTIFICATE OF COPY
STATE OF OHIO

Village of Beaverdam of Allen County, Ohio

I, Ronnie Mae Pauls as Clerk of the Village of Beaverdam of Allen County, 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 Beaverdam on the 20 day of September, 20 16, 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 2016-26, Page N/A.
(Ordinance/Ordinance Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 20 day of September, 20 16.

Ronnie Mae Pauls
Clerk

(SEAL)
Ohio.

Village of Beaverdam of Allen County,

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

Attest: Meritt A Van Emmerik

Renee S. L. D. Proten, Date 9/20/16
Contractual Officer (Mayor)

For the State of Ohio

Jay Long, Date 9/26/16
Director, Ohio Department of Transportation

Attest: Chantel Scher