

RESOLUTION NO. 2022 - 10

VILLAGE OF LEWISBURG, OHIO, RESOLUTUION APPROVING THE RESURFACING OF PORTIONS OF STATE ROUTE 122, STATE ROUTE 503 AND STATE ROUTE 725 IN PREBLE COUNTY – PID 102834, AS IT RELATES TO STATE ROUTE 503 WITHIN SAID VILLAGE, AND TO AUTHORIZE THE VILLAGE’S MUNICIPAL MANAGER TO SIGN ALL DOCUMENTS NECESSARY FOR THE PROJECT TO BE COMPLETED WITHIN SAID VILLAGE

That Whereas, the State of Ohio has determined the need for resurfacing certain State Routes within Preble County in general including State Route 503 within the Village of Lewisburg;

And Whereas, the resurfacing of State Route 503 within the Village of Lewisburg is in the best interests of the citizens of said Village;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF LEWISBURG, PREBLE COUNTY, OHIO, AS FOLLOWS:

SECTION I – Project Description

The State of Ohio (State) has determined the need for the following described project:

Resurfacing portions of SR 122, SR 503 and SR 725 in Preble County-PID 102834.

SECTION II – Consent Statement

Being in the public interest, the Village of Lewisburg, Preble County, Ohio (LPA) gives consent to the Ohio Director of Transportation as head of the Ohio Department of Transportation (ODOT) to complete the above described project as detailed in the LPA-ODOT-Let Agreement entered into between the parties, if applicable.

SECTION III – Cooperation Statement

The LPA shall cooperate with the Ohio Director of Transportation in the development and construction of the above described project and shall enter into a LPA Federal ODOT Let Project Agreement, if applicable, as well as any other agreements necessary to develop and construct the Project.

The State shall assume and bear 100% of all of the costs of the improvement.

The LPA 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 – Authority to Sign

The LPA hereby authorizes its Municipal Manager to enter into and execute contracts with the Ohio Director of Transportation which are necessary to develop plans for and to complete the above-described project; and to execute contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project.

Upon request of ODOT, the Municipal Manager is also empowered to execute any appropriate documents to affect the assignment of all rights, title, and interests of the LPA to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

SECTION V – 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 will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION VI – 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 VII – Effective Date

This Resolution shall be effective from and after the earliest period allowed by law.

Dated: 07-07-2022

Marsha Jones
Mayor

Attest: Elizabeth A. Wagner
Clerk of Council

Jeff Saut
Municipal Manager