

PRELIMINARY LEGISLATION

Consent

Rev. 6/26/00

Ordinance/Resolution#: 40-09PID No.: 75461County/Route/Section: JAC / SR32 / 2.97

The following is a/an 40-09 enacted by the City of Jackson of
 (Ordinance/Resolution) (Local Public Agency)

Jackson 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 LPA/STATE has identified the need for the described project:

It is proposed to resurface a portion of SR32 (SLM 10.01 – 10.10) that is within the corporation limits of the City.

NOW THEREFORE, be it ordained by the City of Jackson, of Jackson County, Ohio,
 (LPA)

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

Except for all costs of added construction items generating extra work contracts under Ohio Laws, unless performance is approved by the State of Ohio and the Federal Highway Administration before work is authorized.

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 will comply with the current provisions of 23 CFR 645 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. 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

I, Bill Sheward, Service Director, of said City of Jackson is hereby empowered on
(Contractual Agent) (LPA)
behalf of the City of Jackson to enter into contracts with the Director of
(LPA)
Transportation which is necessary to complete the above described project.

Passed: 5-11, 2009
(Date)

Attested: [Signature]
(Clerk)

[Signature]
Bill Sheward, Safety Service Director

Attested: [Signature]
(Clerk)

[Signature]
(President of Council)

This 40-09 is hereby declared to be an emergency measure to expedite the
(Ordinance/Resolution)
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

City of Jackson, of Jackson County Ohio
(LPA)

I, Tera Brown, as Clerk of the City of Jackson
(LPA)
of Jackson County, Ohio, do hereby certify that the foregoing is a true and

correct copy of 40-09 adopted by the legislative Authority of the said
(Ordinance/Resolution)
City of Jackson on the 11th day of May, 2009
(LPA)
that the publication of such 40-09 has been made and certified of
(Ordinance/Resolution)
record according to law; that no proceedings looking to a referendum upon such

40-09 have been taken; and that such 40-09
(Ordinance/Resolution) (Ordinance/Resolution)
and certificate of publication thereof are of record in _____, Page _____
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official
seal, if applicable, this 11th day of May, 2009.
Tera Brown
Clerk

(CITY SEAL)

City of Jackson, of Jackson County, Ohio.
(LPA)

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "no seal" is required to accompany the executed legislation.)

The afore going is accepted as a basis for proceeding with the project herein described.

For the City of Jackson, of Jackson County, Ohio.
(LPA)
Attested: Tera Brown Bill Sheward Date 5-13-09
(LPA) Bill Sheward, Safety Service Director

For the State of Ohio
Attested: Kathleen L. Betts Jolene M. Molitoris Date 05-18-09
Director, Ohio Department of Transportation

