

Evans/Cellett

PRELIMINARY LEGISLATION

Consent

Rev 6/26/00

Ordinance/Resolution#: 62-09

PID No.: 85602

County/Route/Section: JAC / CR 9 / 0.12

The following is a/an ORDINANCE enacted by the City of Jackson of Jackson County,
(Ordinance/Resolution) (Local Public Agency)

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:

Within the limits of the City of Jackson it is proposed to do the following: the new proposed alignment, as described in the JAC-CR9-0.12 grade separation project partially funded under the County's HSIP program is currently planned just north of CR9/McCarty Lane and will connect Acey Lane and Clary Road with a proposed bridge over US 35. As a result, the existing left turn lanes on US 35 will be removed and CR 9 and McCarty Lane will be restricted to right-in/right-out access only.

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, WILLIAM SHEPARD, SERVICE DIR. of said City of Jackson is hereby empowered on behalf of the City of Jackson to enter into contracts with the Director of Transportation which is necessary to complete the above described project.

Passed: July 13, 2009
(Date)

Attested: [Signature]
(Clerk)

[Signature]
(Contractual Agent)

Attested: [Signature]
(Clerk)

[Signature]
(President of Council)

This 108-09 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

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

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

of 62-09 adopted by the legislative Authority of the said
(Ordinance/Resolution)
City of Jackson on the 13th day of July, 2009,
(LPA)
that the publication of such 62-09 has been made and certified of
(Ordinance/Resolution)
record according to law; that no proceedings looking to a referendum upon such
62-09 have been taken; and that such 62-09
(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 13th day of July, 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 Date 7-13-09
Contractual Agent

For the State of Ohio

Attest: _____ Date _____
Director, Ohio Department of Transportation