

PRELIMINARY LEGISLATION

Consent

Resolution No: 22-09

PID No.: 116839

County/Route/Section: MOT Market St.
Resurfacing

The following is a Resolution enacted by the City of Brookville of Montgomery County, Ohio, hereinafter
(Ordinance/Resolution) (Local Public Agency)
referred to as the Local Public Agency (LPA).

SECTION I – Project Description

WHEREAS, the (LPA/STATE) has determined the need for the described project:

This project consist of resurfacing to include milling of the existing asphalt and replacement of tack coat and pavement markings on Market Street from Wolf Creek Street to Jefferson Street within the City of Brookville.

NOW THEREFORE, be it ordained by the City of Brookville of Montgomery 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 II – 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 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 – 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, Sonja M. Keaton, of said City of Brookville is hereby empowered on behalf of the City of Brookville
(Contractual Agent)
to enter into contracts with the Director of Transportation which is necessary to complete the above-described project.

Passed: JULY 5, 2022.
(Date)

Attested: [Signature]
(Clerk)

[Signature]
(Mayor)

Attested: Sonja M. Keaton
(Contractual Agent of LPA – title)

The Resolution No. 22-09 is hereby declared to be an emergency measure to expedite the highway
(Ordinance/Resolution)
project 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 Brookville of Montgomery County, Ohio
(LPA)

I, Kimberly Duncan, as Clerk of the City of Brookville of Montgomery County,
(LPA)
Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution No. 22-09 adopted by
the legislative Authority of the said (Ordinance/Resolution)

City of Brookville on the 5th day of July, 2022.
(LPA)


That the publication of such Resolution No. 22-09 has been made and certified of record according to
(Ordinance/Resolution)

Law; that no proceedings looking to a referendum upon such Resolution have been taken; and that
(Ordinance/Resolution)

such Resolution and certificate of publication thereof are of record in 22-09,
(Ordinance/Resolution) (Record No.)

Page _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if
applicable, this 5th day of July 2022.


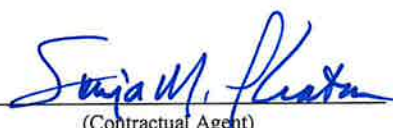

(Clerk)

(CITY SEAL)

City of Brookville of Montgomery County, Ohio

(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.")

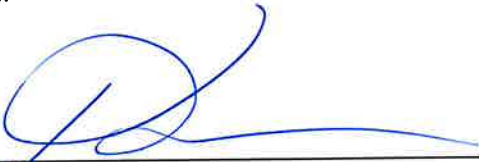
The afore going is accepted as a basis for proceeding with the project herein described.
For the City of Brookville of Montgomery County, Ohio.

Attested:   Date 7/5/2022
(Contractual Agent)

.....

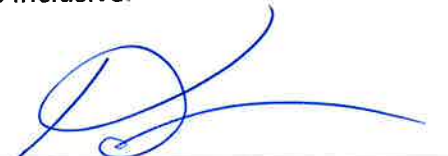
CERTIFICATE

The undersigned, Clerk of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Resolution No. 22-09, passed by the Council of the City of Brookville, Ohio, on the 5th day of July 2022.


KIMBERLY DUNCAN, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Resolution No. 22-09 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 6th day of July 2022, to the 5th day of August 2022, both days inclusive.


KIMBERLY DUNCAN, Clerk