

PRELIMINARY LEGISLATION

Consent

Rev. 6/26/00

Resolution #: 23-02

PID No.: 105365

County/Route/Section: MOT IR 70 0.00

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

SECTION I – Project Description

WHEREAS, the State of Ohio has determined the need for the described project:

This project will resurface Interstate Route 70 from mile marker 0.00 to 6.71 with a portion of roadway in 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 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 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 - This Resolution shall therefore take effect and be in force thirty (30) days after passage as provided by the Charter of the City of Brookville, Ohio.

SECTION VII - Authority to Sign

I, Sonja M. Keaton of said City of Brookville is hereby empowered on behalf of the City of
(Contractual Agent) (LPA) (LPA)
Brookville to enter into contracts with the Director of Transportation which is necessary to complete the above-described project.

Passed: FEBRUARY 21 2023

(Date)

Attested:

(Clerk)

Attested:

(Clerk)

(City Manager)

(Mayor)

Resolution #: 23-02

PID No.: 105365

**CERTIFICATE OF COPY
STATE OF OHIO**

City of Brookville of Montgomery County, Ohio
(LPA)

I, Kim Duncan as Clerk of the City of Brookville of Montgomery County, Ohio, do
(LPA)
hereby certify that the foregoing is a true and correct copy of Resolution No. 23-02 adopted
(Ordinance/Resolution)
by the legislative Authority of the said City of Brookville on the 21ST day of
(LPA)
FEBRUARY 20 23.

That the publication of such Resolution No. 23-02 has been made and certified of record
(Ordinance/Resolution)
according to Law; that no proceedings looking to a referendum upon such Resolution No. 23-02
(Ordinance/Resolution)
have been taken; and that such Resolution No. 23-02 and certificate of publication thereof are
(Ordinance/Resolution)
of record in Resolution Book and the Council Proceedings Book.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal,
if applicable, this 21ST day of FEBRUARY 2 023.


(Clerk)

(CITY SEAL)

City of Brookville of Montgomery 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 Brookville of Montgomery County, Ohio.

Attested:  (LPA)  Date 2/24/2023
(Contractual Agent)

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CERTIFICATE

The undersigned, Clerk of the City of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Resolution No. 23-02, passed by the Council of the City of Brookville, Ohio, on the 21ST day of FEBRUARY 2023.



Kimberly Duncan, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Resolution No. 23-02, was posted at the City Building, U.S. Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 24TH day of FEBRUARY 2023 to the 25TH day of MARCH 2023, both days inclusive.



Kimberly Duncan, Clerk