

Preliminary Consent Legislation

Ordinance # 2014-008

County/Route/Section: HAN-224-14.39, PID 87005

The following is an ordinance enacted by the City of Findlay, Hancock 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 has identified the need for the described project:

- Reconstruct and widen IR75 for a distance of approximately 5.1 miles, from 0.8 miles south of the US68/SR15 interchange to the CR99 interchange.
- Reconstruct US68/SR15 for a distance of approximately 1.0 mile, east from its interchange with IR75, including the reconstruction and reconfiguration of its interchange with IR75.
- Reconstruct and reconfigure Lima Avenue for a distance of approximately 0.5 miles from Lake Cascades Parkway to Byal Avenue, including a new interchange with US68/SR15.
- Reconstruct the Harrison Street bridge over IR75.

WHEREAS, a portion of described project is within the City corporation limits.

NOW THEREFORE, be it ordained by the City of Findlay of Hancock County, Ohio.

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:

ODOT and FHWA shall assume and bear one hundred percent (100%) of the necessary costs of the State's highway improvement project. In the event that the LPA requests certain features or appurtenances be included within the State's highway improvement project's design and construction, and which features and appurtenances are determined by the State and FHWA to be not necessary for the State's project, the LPA shall contribute 100% of the cost of those items.

SECTION IV - Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required (if applicable) 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 grants the Director permission to purchase or appropriate in the name of the LPA any property necessary to complete the project.

The LPA agrees that all utility accommodations, relocations and reimbursements will comply with the current provisions of 23 CFR 65 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

The Mayor of said City of Findlay is hereby empowered on behalf of the City of Findlay to enter into agreements with the Director of Transportation necessary to complete the above described project.

Passed: February 4, 2014.
(Date)

Attested: Denise DeVore
(Clerk)

Attested: [Signature]

[Signature]
(Mayor) Acting
Ronald Monday
(President of Council) Pro-TEM

This ordinance 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 Findlay of Hancock County, Ohio

I, Denise DeVore, as Clerk of the City of Findlay of Hancock County, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the legislative Authority of the said City of Findlay on the 4th day of February, 2014, that the publication of such ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance certified of publication thereof are of record in ord vol. VV, Page 2014-008

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 4th day of February, 2014.



Denise DeVore
Clerk

City of Findlay of Hancock County, Ohio.

Denise M. DeVore
Notary Public, State of Ohio
Commission Expires 11/09/2014

The foregoing is accepted as a basis for proceeding with the project herein described.
For the City of Findlay of Hancock County, Ohio

Attest: Denise DeVore

James P. Slough, Date 2-4-14
(Contractual Officer (Mayor) Acting

For the State of Ohio

_____, Date _____
Director, Ohio Department of Transportation

Attest: _____