

**Preliminary Consent Legislation**Ordinance # 2013-015County/Route/Section: **HAN/WYA-330/568-0.20/0.15**

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:

This project proposes to pave 1 3/4" of asphalt concrete on the following routes:

- SR 330: from top of the EB Ramps at SR 15 interchange to NCL of Vanlue
- SR 568: from Main Street in Findlay to the ECL of Findlay

For roadway sections that are curbed, it is proposed to grind 1 1/2" and pave 1 1/2" of asphalt concrete. Handicap curb ramps will be installed where necessary to meet ADA requirements. Longitudinal (centerlines and edgelines) and auxiliary (stop bars, railroad markings, cross walks, parking stall painting etc.) pavement markings will also be included with this project. Any necessary manhole adjustments will not be included in this project and will be the responsibility of the village after ODOT's project is complete.

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 100% of the necessary costs of the State's highway improvement project except for the areas inside city corporation limits, where ODOT will be responsible for 80% of the costs associated with the paving of asphalt, maintenance of traffic, mobilization, painting of longitudinal pavement markings (centerline and edge lines) and construction engineering costs. The City will be responsible for the matching 20% of the costs for these construction items, as well as, 100% of the construction costs for the following items, if

they are deemed necessary: auxiliary pavement markings (stop bars, railroad markings, cross walks, parking stall marking, etc.), handicap curb ramps, curbs, sidewalks, partial and/or full depth pavement repairs or other appurtenances that are located inside the city corporation limits. In the event that the LPA requests certain features or appurtenances to be included within the State highway improvement project's design and/or 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 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**

Maintain the right-of-way and keep it free of obstructions, and 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: March 19, 20 13.

(Date)

Attested: Denise DeVore  
Denise DeVore  
(Clerk)

Attested: [Signature]

[Signature]  
(Mayor)  
[Signature]  
(President of Council)

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 19<sup>th</sup> day of March, 2013, 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 2013-015.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 19<sup>th</sup> day of March, 2013.



Denise DeVore  
Clerk

City of Findlay of Hancock County, Ohio.

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  
Ludina Michalek, Date 3/19/13  
Contractual Officer (Mayor)

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**For the State of Ohio**

\_\_\_\_\_, Date \_\_\_\_\_  
Director, Ohio Department of Transportation  
Attest: \_\_\_\_\_