

**Preliminary Consent Legislation**

**Ordinance #** 2019-111

**County/Route/Section:** D01 GR FY2020

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 upgrade and/or replace guardrail at various locations in the ODOT District 1 area including the following location which is located in the City of Findlay.

- Guardrail at the Trenton Avenue (US 224) intersection with Broad Street as it wraps around Broad Street to where it ends on Broad Street.

WHEREAS, a portion of the 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. In the event that the City requests certain features or appurtenances to be included within the State's highway improvement project's design and construction, and which features and appurtenances are determined by the State to be not necessary for the State's project, the City 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 City Administrator 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: December 17, 2019.  
(Date)

Attested: Denise DeVore  
(Clerk)

Christina M. Murray  
(City Administrator)

Attested: [Signature]

Grant Russell  
(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 17<sup>th</sup> day of December, 2019, 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 ordo Vol. xx1, Page 2019-111.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 17<sup>th</sup> day of December, 2019.

Denise Devore  
Clerk

(SEAL)  
(If Applicable)

City of Findlay of Hancock County, Oh.

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 Christina M. Murray Date 12/17/19  
Contractual Officer (Mayor)

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For the State of Ohio

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

Attest: \_\_\_\_\_