

CONSENT LEGISLATION

RC 5521.01

Ordinance/Resolution# 20

PID No. 103282

County/Route/Section POR SR 88/303 0.00/VAR

The following is a Resolution enacted by the Village of Windham of Portage County, Ohio, hereinafter
(An Ordinance/a Resolution) (Local Public Agency)
referred to as the Local Public Agency (LPA).

SECTION I – Project Description

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

Resurfacing of SR 303 within the Village of Windham from 17.77 to 20.63

NOW THEREFORE, be it ordained by the Village of Windham of Portage 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 to complete the above described project as follows:

The State shall assume and bear 100% of all the costs of the improvement.

The LPA further agrees to pay One Hundred Percent (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.

SECTION V – Maintenance

Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 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 and the Fiscal Officer of the Village of Windham are hereby authorized to enter into contracts with the Director of Transportation which is necessary to complete the above described project.

SECTION VII

The Resolution is declared to be an emergency measure, effective immediately upon passage by Council and approval by the Mayor, necessary to preserve the public health, safety, morals and general welfare of the citizens of the Village of Windham, and for the further reason to expedite the highway project and to promote highway safety.

SECTION VIII

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council, and of any of its committees that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

PASSED: November 28, 2017

ATTEST:

APPROVED:

Fiscal Officer, Cheree M. Taylor

Deborah Blewitt, Mayor

APPROVED AS TO FORM:

Village Solicitor, Thomas Reitz