

RECORD OF RESOLUTIONS

Resolution No. 35-2023

Passed: September 24, 2023

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO REPLACE BRIDGE EXPANSION JOINTS ON IR-75, MILE MARKER 6.356 R SFN 5706661, OVER THE RAILROAD ON EAST DIXIE DRIVE.

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

This project will replace bridge expansion joints on IR-75-mile marker 6.356 R SFN 5706661 (over railroad on E. Dixie) in the City of West Carrollton.

NOW THEREFORE, be it resolved by the City of West Carrollton of Montgomery County, Ohio. (LPA)

SECTION I - Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above-described project.

SECTION II - 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 III - 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 IV - 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

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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 V Authority to Sign

The City Manager of said City of West Carrollton is hereby empowered on behalf of the City of West Carrollton to enter into contracts with the Director of Transportation which is necessary to complete the above-described project.

Passed: September 26, 2023



Mayor

Attest: Gray Moore
Clerk of Council

Effective Date: September 24, 2023

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PID No.: 114941

CERTIFICATE OF COPY STATE OF OHIO

City of West Carrollton of Montgomery County, Ohio
(LPA)

I, _____, as Clerk of the City of West Carrollton
(LPA)
of Montgomery County, Ohio, do hereby certify that the foregoing is a true and correct copy of
_____ adopted by the legislative Authority of the said

(Ordinance/Resolution)
City of West Carrollton on the _____ day of _____, 2____.

(LPA)
That the publication of such _____ has been made and certified of record according to
(Ordinance/Resolution)
Law; that no proceedings looking to a referendum upon such _____ have been taken;
(Ordinance/Resolution)
and that such _____ and certificate of publication thereof are of record in

_____,
(Ordinance/Resolution) (Record No.)
Page _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if
applicable,
this _____ day of _____ 2____.

(Clerk)

(CITY SEAL)

City of West Carrollton 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 West Carrollton of Montgomery County, Ohio.
(LPA)

Attested: _____ Date

(Contractual Agent)