

PRELIMINARY LEGISLATION

Participatory

Rev. 6/26/00

Ordinance/Resolution# : 1185

PID No.: 81915

County/Route/Section BRO / US52 / 12.23 R. Street Scope

The following is a/an Ordinance enacted by the Village of Ripley of Brown
(Ordinance/Resolution) (Local Public Agency)

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/STATE has identified the need for the described project:

It is proposed to construct a Street Scope on Second Street (US52), between Market Street and Main Street, by removing the old sidewalks, installing the utilities underground, replace the sidewalks with brick paver sidewalks, add decorative poles and landscaping.

NOW THEREFORE, be it ordained by the Village of Ripley of Brown 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 in the above described project as follows:

The LPA (Village) agrees to assume and bear the entire cost of the improvement less the amount of Federal and State Funds set aside by the Director of Transportation for financing the improvement from funds allocated by the Federal Highway Administration.

In addition, the LPA also agrees to assume and bear 100% of the cost of any construction items requested by the LPA on the entire improvement, which are not necessary for the improvement, as determined by the State and Federal Highway Administration.

If curb ramps are constructed in compliance with the Americans with Disabilities Act, future maintenance of installed sidewalk curb ramps shall be the responsibility of the LPA.

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.

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 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

I, Charles J. Ashmore of said Village of Ripley, is hereby empowered on
(Contractual Officer) (LPA)
behalf of the Village of Ripley to enter into contracts with the Director of Transportation
(LPA)
which is necessary to complete the above described project.

Passed: November 14, 2006.
(Date)

Attested: [Signature]
(Clerk)

[Signature]
(Contractual Officer)

Attested: [Signature]
(Title)

[Signature], MAYOR
(President of Village Council)

This Ordinance is hereby declared to be an emergency measure to expedite the
(Ordinance/Resolution)
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

Village of Ripley of Brown County, Ohio
(LPA)

I, Lesley Myers, as Clerk of the Village of Ripley of Brown County, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance adopted by the Legislative Authority of the said

(Ordinance/Resolution)

Village of Ripley on the 14th day of November, 2006,
(LPA)

that the publication of such Ordinance has been made and certified of
(Ordinance/Resolution)

record according to law; that no proceedings looking to a referendum upon such Ordinance

(Ordinance/Resolution)

(Ordinance/Resolution)

and certificate of publication thereof are of record in Ordinance Book, Page _____
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 14th day of November, 2006.

Lesley Myers
Clerk

Village of Ripley of Brown County, Ohio.
(LPA)

The afore going is accepted as a basis for proceeding with the project herein described.

For the Village of Ripley of Brown County, Ohio.
(LPA)

Attested: Lesley Myers

[Signature], Date 11/14/06
Contractual Officer

Attest: Katrina L. Betts For the State of Ohio
Gordon Proctor (no), Date 12/1/06
Director, Ohio Department of Transportation