

TEMPORARY RESOLUTION NO. 123-15

PERMANENT RESOLUTION NO. 125-15

PID No. 93009  
FAI-US 33-08.08

**A RESOLUTION OF CONSENT FOR THE RESURFACING AND RELATED WORK TO US 33 WITHIN THE CITY OF LANCASTER**

WHEREAS, this legislation is enacted by the Lancaster City Council (Local Public Agency aka LPA) of Fairfield 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:

**Resurfacing and related work on US 33 within the City of Lancaster. At this time the City of Lancaster is not financially responsible for this work. However, the City of Lancaster will be financially responsible for any additional work requested by the City.**

NOW THEREFORE, be it ordained by the Lancaster City Council of Fairfield 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 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.

The LPA agrees that all utility accommodations, relocations and reimbursements 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** This Resolution 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.

**SECTION VII - Authority to Sign**

The Service-Safety Director of said Lancaster City Council is hereby empowered on Brian Kuhn, Service-Safety Director on behalf of the Lancaster City Council to enter into contracts with the Director of Transportation necessary to complete the above described project.

Passed: 12/7/15  
(Date)

Attested: Jessica Lee Sandy  
(Clerk)

Brian Kuhn  
BRIAN KUHN,  
SERVICE SAFETY DIRECTOR  
(Officer of LPA - title)

Passed: 12/7/15 after 3rd reading. Vote: Yeas 9 Nays 0

Date Approved: 12/7/15

Clerk: Jessica Lee Sandy

Cathy J. Jettles  
President of Council

Offered by: Melody L. Bobbitt

Don Smith  
Mayor

Second by: Pat B. Hedges

Requested by Public Works Committee

CERTIFICATE OF COPY  
STATE OF OHIO

Lancaster City Council of Fairfield County, Ohio  
(LPA)

I, Teresa Lee Sandy, as Clerk of the Lancaster City Council of Fairfield County, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution adopted by the legislative Authority of the said Lancaster City Council on the 7<sup>th</sup> day of December, 2015, that the publication of such Resolution has been made and certified of record according to law; that no proceedings looking to a referendum upon such have been taken; and that such Resolution and certificate of publication thereof are of record in original legislation books located in the safe of the City of Lancaster.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 7<sup>th</sup> day of December, 2015.

Teresa Lee Sandy  
Teresa Lee Sandy, Clerk

(SEAL)  
(If Applicable)

Lancaster City Council of Fairfield County, Ohio.  
(LPA)

The foregoing is accepted as a basis for proceeding with the project herein described.  
For the Lancaster City Council of Fairfield County, Ohio  
(LPA)

Attest: Teresa Lee Sandy

Brian Kuhn, Date 11/9/15  
Brian Kuhn  
Service-Safety Director  
Contractual Officer

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For the State of Ohio

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

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