

CITY OF VANDALIA
MONTGOMERY COUNTY, OHIO
RESOLUTION 13-R-32

**A RESOLUTION TO SUPPORT THE STATE OF OHIO'S PROJECT WITHIN
THE CITY OF VANDALIA, MONTGOMERY COUNTY, OH, IDENTIFIED AS PID
#93953, MOT IR 75 21.96**

WHEREAS, the City and State have identified the need for a project described as PID #93953, MOT IR 75 21.96, within the City of Vandalia, Montgomery Ohio; and

WHEREAS, the State of Ohio has identified the project as follows: To construct a new noise wall along the west side of Interstate Route 75, just south of the US 40 interchange within the City of Vandalia, Montgomery County, Ohio (the "Project").

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
VANDALIA, MONTGOMERY COUNTY, OHIO THAT:**

Section 1. Being in the public interest, the City gives consent to the Director of Transportation to complete the above-described project.

Section 2. The CITY shall cooperate with the Director of Transportation in the above-described project as follows: (a) The CITY has no obligation for costs for the Project; ODOT will provide all Federal-aid and State funds as set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation; (b) In addition, the CITY also agrees to pay One-Hundred Percent (100%) of those features requested by the CITY which are determined by the State and Federal Highway Administration to be unnecessary for the Project; and (c) If curb ramps are constructed by ODOT in compliance with the Americans with Disabilities Act, future maintenance of installed sidewalk curb ramps shall be the responsibility of the City. The City shall adjust any existing castings, as required, with City forces.

Section 3. The CITY agrees that all right-of-way (if applicable) required for the described project will be acquired and/or made available in accordance with current State and Federal regulations.

Section 4. The CITY understands that right-of-way costs include eligible utility costs. The CITY agrees to be responsible for any required utility accommodation, relocation, and reimbursement and will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 5. Upon completion of the Project, and unless otherwise agreed, the City 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 6. The City Manager of said City of Vandalia is hereby empowered on behalf of the City of Vandalia to enter into contracts with the Director of Transportation necessary to complete the above described project.

Section 7. This Resolution shall become effective upon passage.

Passed this 15th day of July, 2013.

APPROVED:

Arlene Setzer, Mayor

ATTEST:

Robert Anderson, City Manager

CERTIFICATE OF COPY
STATE OF OHIO

The City of Vandalia, Montgomery County, Ohio

I, Robert Anderson, as Clerk of the City of Vandalia, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution adopted by the legislative Authority of the said City of Vandalia on the 15 day of July, 2013, 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 Resolution have been taken; and that such Resolution certified of publication thereof are of record in Resolution Record No. 13-R-32, Page N/A

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 16 day of July, 2013.

Clerk
SEAL
City of Vandalia, Ohio.

(REQUIRED, or letter stating No Seal)

The foregoing is accepted as a basis for proceeding with the project herein described.
For the City of Vandalia, Ohio

Attest: _____, Date 7/16/2013
Contractual Officer

For the State of Ohio

Attest: _____, Date _____
Director, Ohio Department of Transportation