

CONSENT LEGISLATION

Rev. 6/26/00

Ordinance/Resolution# 11-02-2
PID No. 19947
MUS-22-0.00

The following is RESOLUTION enacted by the Village of
(Ordinance/Resolution) (Local Public Agency)
New Concord, Muskingum 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 of US 22 with related work in the Village of New Concord.

NOW THEREFORE, be it ordained by the VILLAGE of NEW CONCORD,
(LPA)
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 shall cooperate with the Director of Transportation in the above described project as
follows:

ODOT shall assume and bear 100% of the necessary costs of the State's highway improvement
project. In the event that the Village requests certain features or appurtenances be included within
the State's highway improvement project's design and construction, and which features and
appurtenances are determined by the State and FHWA to be not necessary for the State's project, the
Village shall contribute 100% of the cost of those items.

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

The ADMINISTRATOR of said VILLAGE is hereby empowered on behalf of the VILLAGE OF NEW CONCORD to enter into contracts with the Director of Transportation necessary to complete the above described project.

Passed: NOVEMBER 18, 2002.

Attested: [Signature]
(Clerk)

Attested: [Signature]
(Title) ADMIN. ASSISTANT

[Signature]
(Officer of LPA - title) VILLAGE ADMINISTRATOR
[Signature]
(President of Council)

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.

CERTIFICATE OF COPY
STATE OF OHIO

VILLAGE OF NEW CONCORD of MUSKINGUM County, Ohio
(LPA)

I, SUE WILSON, as Clerk of the VILLAGE
(LPA)

of NEW CONCORD, Ohio, do hereby certify that the foregoing is a true and
correct copy of RESOLUTION adopted by the legislative Authority of the said
(Ordinance/Resolution)

VILLAGE OF NEW CONCORD on the 18TH day of NOVEMBER, 2002,
(LPA)

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

record according to law; that no proceedings looking to a referendum upon such
RESOLUTION have been taken; and that such RESOLUTION
(Ordinance/Resolution) (Ordinance/Resolution)

and certificate of publication thereof are of record in RESOLUTION BOOK, Page 11-02-2.
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official
seal, if applicable, this 18TH day of NOVEMBER, 2002.

Sue Wilson
Clerk

(SEAL) VILLAGE of NEW CONCORD, Ohio.
(If Applicable) (LPA)

The foregoing is accepted as a basis for proceeding with the project herein described.
For the VILLAGE of NEW CONCORD, Ohio
(LPA)

Attest: *Julie Oaden*

J. W. H. Date 11/18/02
Contractual Officer

For the State of Ohio

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

SECTION V

This ordinance is hereby declared to be an emergency measure by reason of the need to promote highway safety, and provided it receives the affirmative vote of two-thirds of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Vote on suspension of the rule requiring an ordinance to be fully and distinctly read on three different days:

(Requires a yeas vote by three-fourths of all elected members)

Yeas 6 Nays 0

Vote on emergency clause: Yeas 6 Nays 0

Passed: NOVEMBER 18TH, 2002 Yeas 6 Nays 0

Attest: [Signature] [Signature]

Attest: [Signature] [Signature]
MAYOR
PRESIDENT OF COUNCIL

**CERTIFICATE OF COPY
STATE OF OHIO**

VILLAGE OF NEW CONCORD of MUSKINGUM County, Ohio
(LPA)

I, SUE WILSON, as Clerk of the VILLAGE
(LPA)

of NEW CONCORD, Ohio, do hereby certify that the foregoing is a true and correct copy of RESOLUTION adopted by the legislative Authority of the said
(Ordinance/Resolution)

VILLAGE on the 18TH day of NOVEMBER, 2002,
(LPA)

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

record according to law; that no proceedings looking to a referendum upon such RESOLUTION have been taken; and that such RESOLUTION
(Ordinance/Resolution) (Ordinance/Resolution)

and certificate of publication thereof are of record in RESOLUTION BOOK, Page 11-02-1.
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 18TH day of NOVEMBER, 2002.

[Signature]
Clerk

VILLAGE of NEW CONCORD, Ohio.
(LPA)

Interstate Highway 70

Ordinance# 11-02-1

The following is RESOLUTION enacted by the Village of New Concord, Muskingum County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described maintenance responsibility.

SECTION I - Description

WHEREAS, the LPA/STATE has identified the need for the described maintenance responsibility:

WHEREAS, the public interest requires that the Ohio Department of Transportation maintain and keep in repair, Interstate Highways withing the Village of New Concord, Ohio,

NOW THEREFORE, be it ordained by the Village of New Concord, Ohio.

SECTION I

That it be declared to be in the public interest that the consent of said Village be and such consent is hereby given to the Director of Transportation to maintain and repair said Interstate Highway (s) and to bear the costs thereof, inclusive of the furnishing of electric poser for sign lighting and highway lighting.

SECTION II

That the Village, hereby proposed to cooperate with the State of Ohio and will bear the cost, and

- (a) Maintain and repair all grade separated municipal streets, exclusive of bridge structures within the right of way limits of the interstate highway.
- (b) Maintain and repair the wearing surface on bridges carrying municipal streets over the interstate highway when such wearing surface is separate from the bridge floor slab. Changes in type or depth of wearing surface will not be permitted without prior approval by the State.
- (c) Remove snow and place abrasives and chemicals for ice control on all grade separated municipal streets, inclusive of bridges carrying such streets over the interstate highway.
- (d) Maintain and repair all service roads, drainage structures, and other roadway items located outside the fenced portion of the interstate highway.
- (e) Furnish, install, maintain and repair all signs, pavement markings and other traffic control devices on the intersecting local streets at interchanges or on overpass or underpass roadways in accordance with the Ohio Manual of Uniform Traffic Control Devices.
- (f) Maintain and repair (including furnishing electric power) highway lighting units on intersected local streets at interchanges and on overpass or underpass roadways.

SECTION III

That the Director of Transportation shall be the issuing authority for permits to use or occupy