

A RESOLUTION ENACTED BY THE VILLAGE OF RICHFIELD, SUMMIT COUNTY, OHIO, HEREINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY ("LPA") IN THE MATTER OF THE STATE-DESCRIBED PROJECT (PID - 25277; COUNTY/ROUTE/SECTION - SUM-IR77-31.88) AND DECLARING AN EMERGENCY

WHEREAS, the State of Ohio ("State") has identified the need for the described project: deck overlay and replacement of bridges (left and right) over Brush Road (the "Project").

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Richfield, Summit County State of Ohio, that:

SECTION 1. Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION 2. The LPA shall cooperate with the Director of Transportation in the above described project as follows:

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 not be necessary for the project.

The LPA agrees to pay one hundred percent (100%) of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disabilities Act.

SECTION 3. 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.

SECTION 4. The LPA agrees that all utility accommodations, relocation and reimbursement 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 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 6. The Mayor and the Finance Director of said Village be, and they hereby are, empowered on behalf of the Village to enter into contracts with the Director of Transportation necessary to complete the above described project.

SECTION 7. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that it is immediately necessary in order to expedite the highway project and to promote highway safety; wherefore, provided this Resolution receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: October 7, 2003

Michael Dygas
President of Council

Donald W. Fassen
Mayor

Dated: 10/15/2003

ATTEST:
Carole Gibson
Clerk of Council

CERTIFICATE OF COPY
STATE OF OHIO

I, Carole Gibson, as Clerk of the Village of Richfield in Summit County, Ohio, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted by the Council of said Village on the 7th day of October, 2003; 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 and certificate of publication thereof are of record in _____, Page _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 16th day of October, 2003.

Carole Gibson
Carole Gibson, Clerk of Council
Village of Richfield, Ohio

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

ATTEST: _____, Date _____

For the State of Ohio

Attest: Cheryl D. Hogg

Gordon Proctor Date 10-27-03
Director of Transportation