

RESOLUTION NO. R-5-05

**A RESOLUTION APPROVING THE ODOT RESURFACING
OF STATE ROUTE 301 WITHIN THE VILLAGE OF SPENCER
LIMITS AND DECLARING AN EMERGENCY**

The following Resolution enacted by the Village of Spencer, Medina County, Ohio, hereinafter referred to as the "LPA," in the matter of the stated, described project.

SECTION I - Project Description

WHEREAS, the LPA/STATE has identified the need for the following described project:

The project is to resurface State Route 301, in Lorain County, from the Medina County Line to U.S. Route 20 and in Medina County, from the Wayne County Line to the Lorain County Line. The project will include bridge maintenance, pavement repair, pavement markings and miscellaneous construction items.

The length of the improvement with the Village of Spencer is approximately 1.39 miles.

NOW, THEREFORE, be it ordained by the Village of Spencer, Ohio, three-fourths (3/4) of its members concurring herein.

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:

- 1) The Village of Spencer gives consent for the above improvement.
- 2) No funds are required from the Village of Spencer, except that the LPA agrees to assume and bear one

hundred percent (100%) of the total cost for added construction items required by the Village of Spencer and not necessary for the improvement as determined by the State and the Federal Highway Administration.

SECTION IV - Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be 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

The Village agrees to maintain the right-of-way and keep it free of obstructions, and hold said right-of-way inviolate for public highway purposes.

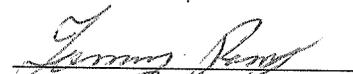
SECTION VI - Authority to Sign

The Mayor of said Village of Spencer is hereby empowered on behalf of the Village of Spencer to enter into contracts with the Director of Transportation necessary to complete the above-described project.

SECTION VII - Emergency Provisions

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.

PASSED: September 28, 2005



TOMMY RAMEY, Mayor

ATTEST:



RHONDA R. RIFFLE
Village Fiscal Officer

**CERTIFICATE OF COPY
STATE OF OHIO**

The undersigned, Rhonda R. Riffle, Village Fiscal Officer, hereby certifies that the foregoing is a true and exact copy of Resolution No. R-5-05 duly passed by Council for the Village of Spencer, Ohio, on the 28th day of September, 2005.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Spencer, Ohio, on this 28th day of September, 2005.

(SEAL)

Rhonda R. Riffle
RHONDA R. RIFFLE
Village Fiscal Officer

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

For the Village of Spencer of Medina County, Ohio:

Attest: Rhonda R. Riffle
RHONDA R. RIFFLE
Village Fiscal Officer

Tommy Ramey
TOMMY RAMEY, Mayor

Date: 9/29/05

For the State of Ohio:

Attest: _____

Director, Ohio Department
Transportation

Date: _____