

PRELIMINARY LEGISLATION
RC 5521.01

Ordinance Number _____

PID Number 90389
FRA-Big Walnut Trail

The following is a Ordinance enacted by the City of Gahanna, Franklin 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 has identified the need for the described project:

This project proposes to construct a shared use path from Pizzuro Park Drive to Galloway Preserve near Rocky Fork Drive South.

NOW THEREFORE, be it ordained by the City of Gahanna of Franklin 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 shall cooperate with the Director of Transportation in the above described project as follows:

The City hereby agrees to cooperate with the Director of Transportation of the State of Ohio in the planning, design and construction of the identified highway improvement project and grants consent to the Ohio Department of Transportation for its development and construction of the project in accordance with plans, specifications and estimates as approved by the Director;

The City agrees to assume and bear one hundred percent (100%) of the cost of Preliminary Engineering and Right-of-Way.

The City agrees to assume and bear one hundred percent (100%) of the cost of construction less the amount of federal funds set aside by the Director of Transportation and the Federal Highway Administration.

The City agrees to assume and bear one hundred percent (100%) of the total cost of those features requested by the City which are not necessary for the improvement as determined by the State and Federal Highway Administration.

EXHIBIT A

SECTION IV - Utilities and Right-of-Way Statement

The LPA agrees to acquire and/or make available to ODOT, in accordance with current State and Federal regulations, all necessary right-of-way required for the described Project. The LPA also understands that right-of-way costs include eligible utility costs. The LPA agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V - Maintenance

Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described 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 - Consultants and Authority to Sign

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

Passed: _____, 2_____.
(Date)

Attested: _____
(Clerk) (President of Council)

This Ordinance is hereby declared to be an emergency measure to expedite the transportation project and to promote transportation 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

City of Gahanna
Franklin County, Ohio

I, _____, as Clerk of the City of Gahanna, Ohio, do hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the legislative Authority of the said City on the _____ day of _____, 2_____, that the publication of such Ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such Ordinance have been taken; and that such Ordinance 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 _____ day of _____, 2_____.

Clerk

(SEAL)
(If Applicable)

City of Gahanna, Ohio

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

For the City of Gahanna

Attest: _____

_____, Date _____
Contractual Officer

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For the State of Ohio

Attest: _____

_____, Date _____
Director, Ohio Department of Transportation