

Preliminary Consent Legislation

Ordinance # 21-06-01

County/Route/Section: DEF SR 2/18/49 0.00/0.00/2.01

The following is an ordinance enacted by the Village of Sherwood, Defiance 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 pave asphalt on the following State Routes:

- Resurface SR 2 - From the Indiana State Line to SR 49 in the Village of Hicksville.
- Resurface SR 18 - From Indiana State Line to Meuse Argonne St. in the Village of Hicksville.
- Resurface SR 18 - From SR 2 in the Village of Hicksville to SR 15, a portion of which is in the Village of Sherwood.
- Resurface SR 49 - From the south corporation limit of the Village of Hicksville to SR 2 in the Village of Hicksville

WHEREAS, a portion of the described project is within the village corporation limits.

NOW THEREFORE, be it ordained by the Village of Sherwood of Defiance 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:

ODOT and FHWA 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 to be included within the State's highway improvement project's design and construction, and which features and appurtenances are determined by the State 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 (if applicable) 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 accommodations, relocations and reimbursements will comply with the current provisions of 23 CFR 65 and the ODOT Utilities Manual.

SECTION V - Maintenance

Maintain the right-of-way and keep it free of obstructions, and hold said right-of-way inviolate for public highway purposes.

SECTION VII - Authority to Sign

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

Passed: June 21, 2021.
(Date)

Attested: Dawn Buskirk
(Clerk)

Jack Stantz
(Mayor)

Attested: June 21, 2021

Scott Rohls
(President of Council)

This ordinance 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 Sherwood of Defiance County, Ohio

I, Dawn Buskirk, as Clerk of the Village of Sherwood of Defiance County, Ohio, do hereby certify that the foregoing is a true and correct copy of ordinance adopted by the legislative Authority of the said Village of Sherwood on the 21st day of June, 2021, 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 certified of publication thereof are of record in Ordinance 21-06 Page -01.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 21st day of June, 2021.

Dawn Buskirk
Clerk

(SEAL)
(If Applicable)

Village of Sherwood of Defiance County, Oh.

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

Jack Stant, Date 6/21/21
Contractual Officer (Mayor)

Attest: June 21, 2021

For the State of Ohio

_____, Date _____
Director, Ohio Department of Transportation

Attest: _____