

**RESOLUTION NO. 8 , 2019**

**A RESOLUTION GIVING CONSENT TO THE DIRECTOR OF TRANSPORTATION TO REPLACE BARRIERS AND ADD A SIDEWALK TO BRIDGE HAM-275-3188 (CORNELL RD. OVER I-275), REPLACE DECK OF BRIDGE HAM-275-3270 (WELLER ROAD OVER I-275) AND INCORPORATE A SIDEWALK**

**WHEREAS**, the following Resolution is enacted by the City of Montgomery, Hamilton County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project; and

**WHEREAS**, the State has identified the need for the following described project:

Replace barriers and add a sidewalk to bridge HAM-275-3188 (Cornell Rd. over I-275). Replace deck of bridge HAM-275-3270 (Weller Road over I-275) and incorporate a sidewalk.

**NOW THEREFORE, BE IT RESOLVED**, by the Council of the City of Montgomery, Ohio:

**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 State shall provide 100% of the eligible cost of the project.

**SECTION 3.** The City agrees to pay one hundred percent (100%) of the cost of those features requested by the City which are not necessary for the improvement as determined by the State and Federal Highway Administration.

**SECTION 4.** The State/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 5.** The State/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 6.** Upon completion of the Project, and unless otherwise agreed, the City shall (1) provide adequate maintenance for the Cornell Road and Weller Road portions of the Project in accordance with all applicable state and federal laws, including but not limited to, ORC 5501.49 and Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of said portion of the Projects; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

**SECTION 7.** This Resolution shall be in full force and effect from and after its passage.

PASSED: April 3, 2019

ATTEST: Connie M. Gaylor  
Connie M. Gaylor, Clerk of Council

Christopher P. Dobrozi  
Christopher P. Dobrozi, Mayor

APPROVED AS TO FORM

Terrence M. Donnellon  
Terrence M. Donnellon, Law Director