

RESOLUTION NO. R-18-45

**ADOPTING FINAL LEGISLATION FOR ODOT URBAN PAVING PROJECT ON STATE ROUTE 134, ODOT PID 101421, IN THE CITY OF WILMINGTON**

WHEREAS, the following Final Resolution is enacted by the City of Wilmington, hereinafter referred to as the Legislative Authority of Local Public Agency (LPA), in the matter of the stated described project.

WHEREAS, on the 5<sup>th</sup> day of April 2018, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

**The project consists of resurfacing portions of SR 134 from the south corporation limit to U.S. Route 68, lying within the City of Wilmington; and**

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above-described project as follows:

**The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-Aid and State funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the State Highway Administration, U.S. Department of Transportation, and further, the City agrees to assume and bear 100% of the Preliminary Engineering and Right-of-Way, excluding preliminary engineering and right-of-way charges incurred by the state.**

The share of the cost to the LPA is now estimated in the amount of One Hundred Twenty-Four Thousand Two Hundred Sixteen and ---00/100 Dollars, (\$124,216.00), but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, the Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above-described highway and has transmitted copies of same to this legislative authority; and

WHEREAS, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, STATE OF OHIO:

Section 1. That the estimated sum, of One Hundred Twenty-Four Thousand Two Hundred Sixteen and ---00/100 Dollars, (\$124,216.00), is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from **Federal** funds.

Section 2. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

Section 3. That the LPA enter into a contract with the State, and that the Service Director be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.

Section 3. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

Section 4. That this resolution shall be in full force and effect at the earliest period allowed by law.

Passed this 3rd day of January, 2019.

Mark McCoy  
President of Council

ATTEST:

Marian Shiller  
Clerk of Council

Approved by me this 3rd day of January, 2019.

John M. Stanforth  
Mayor

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the LPA, and which Resolution was duly passed by the LPA on the \_\_\_\_\_ day of \_\_\_\_\_ 2019.

We further certify that said Resolution and the action of said LPA thereon is recorded in the journal of said LPA in Volume \_\_\_\_\_, at Page \_\_\_\_\_, and under date of \_\_\_\_\_, 2019.

Legislative Authority of the  
City of Wilmington, Ohio

\_\_\_\_\_  
Service Director

SEAL  
(If Applicable)

\_\_\_\_\_  
Clerk (Secretary Ex-Officio)