

PASSED 1/17/17

ORDINANCE NO. 8 - 2016

**A PRELIMINARY ORDINANCE REGARDING THE RESURFACING
OF STATE ROUTE 105 FROM THE VILLAGE OF OAK HARBOR TO
STATE ROUTE 163 AND STATE ROUTE 163 TO STATE ROUTE 358.**

WHEREAS, the State has identified the need to resurface State Route 105 from the Village of Oak Harbor to State Route 163 and State Route 163 to State Route 358; and

WHEREAS, a portion of State Route 163 which has been identified to resurface lies within the Village of Oak Harbor limits;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE
OF OAK HARBOR, OTTAWA COUNTY, OHIO AS FOLLOWS:**

Section 1.

The Village of Oak Harbor gives consent to the Director of Transportation of the State of Ohio to complete the resurfacing of State Route 105 from the Village of Oak Harbor to State Route 163 and State Route 163 to State Route 358, part of which is in the Village.

Section 2.

The Village shall cooperate with the Director of Transportation of the State of Ohio in the above-described project as follows:

1. The Village will assume and bear 100% of the total cost of any features requested by the Village which are not necessary for the project as determined by the State and/or Federal Highway Administration.
2. The Village consents to having the State acquire all necessary right-of-ways for the subject project in the name of the Village.
3. The Village agrees, upon completion of the project, to own and maintain all those portions of the project under its jurisdiction.
4. The State agrees to be the lead agency and to administer all phases of the project.
5. The Village agrees that all existing street and public right-of-ways within the jurisdiction of the Village which is necessary for the above-described project shall be made available therefor.
6. The Village further agrees that any right-of-way acquired by said Village on behalf of this project will be acquired and/or made available in accordance with the current State and Federal regulations.

7. The Village also agrees that all utility accommodations, relocations and reimbursements will comply with the current provisions of 23 CFR 645 and the ODOT utilities manual.

Section 3.

Upon completion of the project and unless otherwise agreed, the Village shall:

1. Provide adequate maintenance for those portions of the project under the jurisdiction of the Village in accordance with all applicable State and Federal law, including, but not limited to, Title 23 USC §116.
2. Provide ample financial provisions necessary for the maintenance of those portions of the project under its jurisdiction.
3. Maintain the right-of-way, keeping it free from obstructions.
4. Hold the right-of-way in violate for public highway purposes.

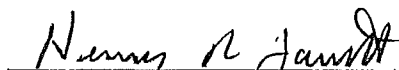
Section 4.


The Village of Oak Harbor hereby empowers the Village Administrator to sign all documents with the Department of Transportation necessary to complete the above-described project.

Section 5.

This Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of Council, and of its committees, which result in formal action, were taken in full compliance with the applicable legal requirements.

Attest:


Henry R. Jarrett, Fiscal Officer


Joseph W. Helle, Mayor

First Reading: December 5, 2016

Second Reading: January 3, 2017

Third Reading: January 17, 2017

Adopted: Jan, 17, 2017