

**ORDINANCE NO. O2009-07**

**AN ORDINANCE ENTERING INTO AN AGREEMENT WITH  
THE OHIO DEPARTMENT OF TRANSPORTATION  
FOR THE PAVING OF STATE ROUTE 160  
FROM SECOND AVENUE TO THE NORTHWEST CORPORATION LIMITS**

**WHEREAS**, the Ordinance No. 2009-07 is enacted by the City of Gallipolis, of Gallia County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project, PID No. 77973, County/Route/Section GAL SR 160 0.00; and

**WHEREAS**, the LPA/STATE has identified the need for the paving of said State Route 160 from Second Avenue to the northwest corporation limits.

**NOW, THEREFORE, BE IT ORDAINED** by the City Commission of the City of Gallipolis, State of Ohio:

**SECTION I: PROJECT DESCRIPTION**

Two-lane resurfacing project on State Route 160 in the City of Gallipolis. Work includes an asphalt overlay, pavement marking and berm conditioning. Begin work at State Route 7 (Second Avenue) and end work at the northwest corporation limit. Approximate length of work is 0.53 miles.

**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 to complete the above described project.

- 1) Consent.

**SECTION IV: UTILITIES AND RIGHT OF WAY STATEMENT**

The 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.

The 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 V: MAINTENANCE**

Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for such maintenance of the Project; (3) maintain the right of way, keeping it free of obstruction; and (4) hold said right of way inviolate for public highway purposes.

**SECTION VI: AUTHORITY TO SIGN**

The City of Manager (Contractual Agent) of said City of Gallipolis (LPA) is hereby empowered on behalf of the City of Gallipolis (LPA) to enter into contracts with the Director of Transportation necessary to complete the above described project.


**SECTION VII: ADOPTION**

This Ordinance shall be in full force and effect at the earliest period of time allowed by law.


**PASSED:** January 20, 2009

**ATTEST:**

  
Clerk of the City Commission

  
President of the City Commission

The foregoing Ordinance is hereby approved as to form.

  
Gallipolis City Solicitor

The foregoing Ordinance is hereby approved as to funds according to City Charter.

  
City Auditor

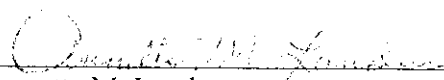
PID No. 77973

CERTIFICATE OF COPY  
STATE OF OHIO

The City of Gallipolis (LPA) of Gallia County, Ohio


I, Annette M. Landers, as Clerk of the Gallipolis City Commission (LPA), of the City of Gallipolis, Gallia County Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. O2009-07, adopted by the Gallipolis City Commission (Legislative Authority) of the said City of Gallipolis (LPA) on the 20<sup>th</sup> day of January, 2009, that the publication of such Ordinance No. O2009-07 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 Ordinance Record No. 38, Page No. 227.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 21st day of January 2009.

  
Annette M. Landers  
Clerk of the Gallipolis City Commission

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

For the City of Gallipolis (LPA of the City of Gallipolis, Gallia County, Ohio).

Attest:   
Contractual Officer  
C. Joseph Woodall, Gallipolis City Manager

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For the State of Ohio

Attest: \_\_\_\_\_ Date \_\_\_\_\_  
Director, Ohio Department of Transportation