

**AN ORDINANCE AUTHORIZING THE OHIO DIRECTOR OF TRANSPORTATION TO
COMPLETE THE RESURFACING OF STATE ROUTE 93 – 4.72 TO 6.38 WITHIN
THE VILLAGE CORPORATION TO INCLUDE MINOR BRIDGE WORK OVER
SUGAR CREEK AND UNDER W & LE RAILROAD**

PID No. 96671

COUNTY/ROUTE/SECTION STA-SR93/212.0-0.00/0.00

The following is an ordinance enacted by the Village of Brewster of Stark County, Ohio hereinafter, referred to as the Local Public Agency (LPA)

WHEREAS, Brewster Village Council desires to have the State of Ohio crack seal State Route 93 within the Village corporation limits.

SECTION 1: Project Description

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

Resurfacing of SR 93 from 4.25 to 6.38 in the Village of Brewster. Includes minor bridge repair work to SFN 7604831 STA-93-4.34 over Sugar Creek and SFN 7604866 STA-93-5.25 under W & LE Railroad

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BREWSTER OF STARK COUNTY, OHIO THAT:

SECTION 2: Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

Section 3: Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

The State shall assume and bear 100% of all costs of the costs of the improvement.

The LPA further agrees to pay One Hundred Per Cent (100%) of the cost of those features requested by the LPA which are determined by the State and Federal Highway administration to be unnecessary for the Project.

SECTION 4: 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 understands that right-of-way costs include eligible utility costs.

SECTION 5: Maintenance

Upon completion of the described Project, and unless otherwise agreed to, the LPA shall:

- (1) Provide adequate maintenance for the described Project in accordance with all applicable State and Federal law, but not limited to, 23 USC 116;
- (2) Provide ample financial provisions as necessary for the maintenance of the Project;
- (3) Maintain the right-of-way, keeping it free from obstructions; and
- (4) Hold said right-of-way inviolate for public highway purposes

SECTION 6: Authority to Sign

The Village Administrator of said Village of Brewster is hereby empowered on behalf of the Village of Brewster to enter into contracts with the Director of Transportation which is necessary to complete the above described Project.

SECTION 7: This Ordinance shall be in full force and effect at the earliest date provide by law.

Passed on March 21, 2016

Mayor Michael E. Schwab

ATTEST:

Village Clerk Treasurer K. Kris King

CERTIFICATE

I, K. Kris King, hereby certify that the above is a true copy of a resolution passed at a regular meeting of the Brewster Village Council held on March 21, 2016

Clerk K. Kris King

I, K. Kris King, Clerk of the Council of the Village of Brewster, State of Ohio, do hereby certify that there is no newspaper printed in said municipality and that publication of the foregoing ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by Council as follows: Office of Brewster Utilities, Belloni's IGA, Brewster Federal Credit Union, Post Office and Brewster Laundromat.

Clerk K. Kris King