

Village of Mantua, Ohio  
**RESOLUTION 2015-36**

**A RESOLUTION GRANTING CONSENT TO THE OHIO DEPARTMENT OF  
TRANSPORTATION TO COMMENCE A PROJECT THAT IS EXPECTED TO BEGIN  
CONSTRUCTION IN FISCAL YEAR 2016.**

**WHEREAS**, per Section 5521.01 of the Ohio Revised Code, the Director of Transportation is required to request and receive legislation from municipalities prior to making any necessary repairs to State Highways within the corporate limits; and

**WHEREAS**, the State has identified the need for the project described as Crack Seal of POR – SR 44 – 21.30 to 22.72, further known as Ohio Department of Transportation Project Identification number 99433; and

**WHEREAS**, it is necessary that an agreement be entered into between the Village of Mantua and the Ohio Department of Transportation in the matter of the described project which is located in Portage County Ohio and falls within the Village limits.

**NOW THEREFORE BE IT RESOLVED** by the Council of the Village of Mantua, Portage County, Ohio, a majority or more of all members elected thereto concurring:

**SECTION 1:** That the Village of Mantua acknowledges that State of Ohio has identified the need for crack sealing on State Route 44 between miles 21.30 and 22.72 within the Village limits.

**SECTION 2:** That in the best interest of the public, the Village of Mantua gives consent to the Director of Transportation to complete the project identified as Project 99433.

**SECTION 3:** The State shall assume and bear 100% of all of the costs of the improvement. The Village of Mantua shall cooperate with the Director of Transportation and further acknowledges that the Village of Mantua shall assume and bear 100% of the cost of those features requested by the Village of Mantua which are determined by the State and Federal Highway Administration to be unnecessary for the project.

**SECTION 4:** The Village of Mantua, Ohio agrees that all rights-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The Village of Mantua also understands that right-of-way costs include eligible utility costs.

**SECTION 5:** Upon completion of the described Project, and unless otherwise agreed, the Village of Mantua shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and general law, including 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 of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

**SECTION 6:** The Mayor of the Village of Mantua is hereby empowered on behalf of the Village of Mantua to enter into contracts with the Director of Transportation which are necessary

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to complete the above-described project.

**SECTION 7:** It is hereby found and determined that all formal actions of this Council concerning a relating to the passage of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its Committees that resulted in such formal action were in meetings open to the public in compliance with legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION 8:** This Resolution shall be in full force and effect after passage by at least a majority of the members of the Mantua Village Council at the earliest period allowed by law.

**PASSED** in Council this 20th day of October, 2015.

ATTEST:

\_\_\_\_\_  
Linda Clark, Mayor

\_\_\_\_\_  
Jenny August, Clerk of Council

I, Jenny August, Clerk of the Village of Mantua, Ohio, hereby certify that this Resolution was duly published by public posting at pre-designated posting places on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Jenny August, Clerk of Council

Approved as to legal form by:

\_\_\_\_\_  
Michele Stuck, Village Solicitor

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CERTIFICATE OF COPY

VILLAGE OF MANTUA, COUNTY OF PORTAGE, STATE OF OHIO

I, Jenny August, as duly elected Clerk-Treasurer of the Village of Mantua, Ohio, do hereby certify that the forgoing is a true and correct copy of Resolution 2015-27, adopted by the Council of the Village of Mantua on the \_\_\_\_ day of \_\_\_\_\_, 2015; that the publication of such Resolution has been made and certified of record according to law; that no proceedings looking to a referendum upon such Resolution have been taken, and that such Resolution and certificate of publication are of record in the Village of Mantua Record of Legislation for the year 2015.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Jenny August, Clerk-Treasurer  
Village of Mantua, Ohio

[seal]

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

For the Village of Mantua, Ohio:

\_\_\_\_\_  
Linda Clark, Mayor

\_\_\_\_\_  
Jenny August, Clerk-Treasurer

Date: \_\_\_\_\_

Date: \_\_\_\_\_

For the State of Ohio:

Attest:

\_\_\_\_\_  
Director, Ohio Department of Transportation

Date: \_\_\_\_\_