

**Village of Mantua, Ohio  
RESOLUTION 2023-52**

**A RESOLUTION GRANTING CONSENT TO THE OHIO DEPARTMENT OF  
TRANSPORTATION TO COMMENCE PROJECT ID #116080, CRACK SEALING A  
PORTION OF STATE ROUTE 44, WHICH IS EXPECTED TO BEGIN  
CONSTRUCTION IN FISCAL YEAR 2024.**

**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 Sealing a portion of State Route 44 within the Village of Mantua”, further known as Ohio Department of Transportation Project Identification number 116080; 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, that:

**SECTION 1.** The Village of Mantua acknowledges that State of Ohio has identified the need for Crack Sealing of SR-44 within the Village of Mantua.

**SECTION 2.** 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 116080.

**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 17<sup>th</sup> day of October, 2023.

ATTEST:

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

\_\_\_\_\_  
Maryann Fabian, Fiscal Officer

I hereby certify the above Resolution was duly posted as required pursuant to Mantua Village Codified Ordinances Section 123.01 for no less than two consecutive weeks, beginning on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Maryann Fabian, Fiscal Officer

Approved as to legal form by:

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

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CERTIFICATE OF COPY

VILLAGE OF MANTUA, COUNTY OF PORTAGE, STATE OF OHIO

I, Maryann Fabian, Fiscal Officer of the Village of Mantua, Ohio, do hereby certify that the forgoing is a true and correct copy of Resolution 2023-52, adopted by the Council of the Village of Mantua on the \_\_\_\_ day of \_\_\_\_\_, 2023; 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 2023.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Maryann Fabian, Fiscal Officer  
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

\_\_\_\_\_  
Maryann Fabian, Fiscal Officer

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

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

For the State of Ohio:

Attest:

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

\_\_\_\_\_

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