

**RESOLUTION NO. 1636**

The following is a Resolution enacted by the City of Uhrichsville, Tuscarawas County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

**WHEREAS**, the United States Congress has set aside monies for Transportation Enhancement Projects through the State of Ohio, Department of Transportation; and

**WHEREAS**, LPAs can apply for these monies and be selected for funding by the State of Ohio, Department of Transportation; and

**WHEREAS**, the Panhandle Passage Trail is a transportation activity eligible to receive federal funding; and

**WHEREAS**, if requested funds are granted, the City shall be responsible for at least twenty (20%) percent of the construction costs, and for 100% of all other costs associated with the architecture/engineering plans, environmental studies and documentation, right-of-way plans, and right-of-way acquisition, if necessary.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Uhrichsville, State of Ohio, that:

**SECTION ONE:** The Honorable Rick Rieger, Mayor of said LPA is hereby empowered on behalf of the LPA to prepare and execute an application for Transportation Enhancement funds for the stated described project and to submit same to the State of Ohio, Department of Transportation.

**SECTION TWO:** The total construction cost of the project is estimated to be \$705,000.00, of which the LPA, if awarded the funds, commits to pay at least twenty (20%) percent (hereinafter known as the local portion) of the actual construction cost, estimated to be \$141,000.00. The local portion shall be funded by the LPA using Capital Improvement Fund money. The LPA further agrees to pay One Hundred Percent (100%) of the construction cost over and above the maximum amount provided by the State of Ohio, Department of Transportation and for all costs associated with design, environmental and right-of-way activities.

**SECTION THREE:** Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal laws, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) if necessary, maintain the right-of-way, keeping it free of obstructions; and (4) if necessary, hold said right-of-way inviolate for public highway purposes.

**SECTION FOUR:** If the application is approved for the funding the Honorable Rick Rieger, Mayor of said LPA is hereby empowered on behalf of the LPA to enter into a contract with the Director of the Ohio Department of Transportation necessary to complete the above described project.

**SECTION FIVE:** This Resolution is hereby declared to be an emergency measure to take effect and be in force immediately upon its passage to meet the Transportation Enhancement application deadline

Passed: \_\_\_\_\_, 2010

Attested: \_\_\_\_\_  
Brian Watkins  
Clerk of Council

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Rick Rieger  
Mayor

\_\_\_\_\_  
Terry Culbertson  
President Pro-Tem