



OHIO DEPARTMENT OF TRANSPORTATION
Mike DeWine, Governor

Jack Marchbanks, Ph.D., Director

District 5

9600 Jacksontown Rd., Jacksontown, OH 43030

740-323-4400

transportation.ohio.gov

~~October 29, 2023~~~~November 10, 2022~~

Village Administrator
Village of Kirkersville
135 North Fourth Street - PO Box 267
Kirkersville, Ohio 43033

Re: Consent Legislation for LIC MR 297 00.03 (Loop Rd.), PID 93290

Dear Village Administrator:

The Ohio Department of Transportation has determined that Consent Legislation is required for the following proposed actions:

Relocation of Loop Road (MR 279) to intersect with SR 158 and removal of LIC SR 158 1.64 (SFN 4505379). The project will include a relocation of Loop Road for a distance of approximately 600 feet. A cul-de-sac will be constructed on Loop Road east of the existing bridge as shown in Attachment A.

Since the proposed action will be associated with the Village of Kirkersville, attached is one (1) Consent Legislation document. Please review this document, and if it meets your approval, please submit to the Village of Kirkersville for execution.

After the Consent Legislation has been executed, please return one original signed document to this office by **12/19/2022** for completion. If further information is required, please contact Joe Broschart at (740) 323-5187 or by email at Joseph.Broschart@dot.ohio.gov.

Respectfully,

A handwritten signature in blue ink that reads "Tyrell D. Thompson".

Tyrell D. Thompson, P.E.
District 5 Planning Engineer

Attachment (1)

A RESOLUTION AUTHORIZING CONSENT TO THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO RELOCATE LOOP ROAD (MR 279) TO INTERSECT WITH SR 158 AND REMOVE LIC SR 158 1.64 (SFN 4505379) AND DECLARING AN EMERGENCY

Rev. 6/26/00

Resolution#: 02-2023

County/Route/Section: LIC MR 297 00.03 (Loop Rd.)

The following is a/an Resolution enacted by the Village of Kirkersville of Licking County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I – Project Description

WHEREAS, pursuant to Ohio Revised Code (ORC) 5501.11(A)(4) the Ohio Department of Transportation (ODOT) is may cooperate with political subdivisions in reconstruction and improvement of public roads and bridges; and

WHEREAS, pursuant to ORC 5521.01 ODOT is required to seek consent of political subdivisions prior to making changing or improvements on the state highway system; and

WHEREAS, ODOT has determined the need for the described project:

Relocation of Loop Road (MR 279) to intersect with SR 158 and removal of LIC SR 158 1.64 (SFN 4505379). The project will include a relocation of Loop Road for a distance of approximately 600 feet. A cul-de-sac will be constructed on Loop Road east of the existing bridge as shown in Attachment A.

NOW THEREFORE, be it ordained by the Village of Kirkersville of Licking County, Ohio.

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 II – Cooperation Statement

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

1. The LPA gives consent for the above improvement, and
2. The LPA further agrees to pay 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 IV – Utilities and Right-of-Way Statement

If village owned utilities, within a corporation limit or in a private easement outside corporation limits, need to be relocated due to this ODOT project, the village will be reimbursed for any relocation work; ODOT will perform the coordination, relocation, and reimbursement which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

If other public and private utilities need to be relocated due to this ODOT project they will not be reimbursed for

relocation; with exceptions due to an easement, etc.

Upon completion of the project, the Village agrees to vacate portion(s) of the existing Loop Road (MR 279) that will no longer be used for a public roadway. The vacation will be performed after acceptance of the relocated Loop Road (MR 279) as shown in Attachment A.

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 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 VI Authority to Sign

The LPA hereby authorizes and empowers, the Mayor of the Village of Kirkersville to enter into agreements on behalf of the Village of Kirkersville with the Director of ODOT which are necessary to complete the above described project.

SECTION VII-Emergency measure

This (Motion/Ordinance/Resolution) is hereby declared to be an emergency measure to expedite the highway project and to promote highway safety. Following appropriate legislative action, **as an emergency measure**, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 20____.
(Date)

Attested: _____
(Clerk)

(Contractual Agent of LPA – title)

**CERTIFICATE OF COPY
STATE OF OHIO**

Village of Kirkersville of Licking County, Ohio

I, _____, as Clerk of the Village of Kirkersville of Licking County, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution _____ adopted by the legislative Authority of the said Village of Kirkersville on the _____ day of _____, _____.

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 thereof are of record in _____, Page _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this _____ day of _____ 2_____.

(Clerk)

(SEAL) Village of Kirkersville of Licking County, Ohio

The foregoing is accepted as a basis for proceeding with the project herein described.
For the Village of Kirkersville of Licking County, Ohio.

Attested: _____ Date _____



For the State of Ohio

Attested: _____ Date _____
(Director, Ohio Department of Transportation)