

First Reading: August 18, 2009
Second Reading: Dispensed

RESOLUTION NO. 2009 - 106

**A RESOLUTION AGREEING TO COOPERATE WITH THE OHIO DEPARTMENT
OF TRANSPORTATION, DISPENSING WITH THE SECOND READING AND
DECLARING AN EMERGENCY**

WHEREAS, the public interest demands the construction of a sidewalk within the right of way on part of U.S. Route 22 (Montgomery Road) situated in Sycamore Township, Hamilton County, Ohio, and described as the "PROJECT" as follows: installation of approximately 2,000 linear feet of pedestrian sidewalk within the right of way of USR22 (Montgomery Road) from Galbraith Road north to Sturbridge Drive; and

WHEREAS, it is recognized by the Ohio Department of Transportation that units of government embrace the policy of providing public sidewalks along some thoroughfares in their jurisdiction; and

WHEREAS, it is further recognized that the policy of the Ohio Department of Transportation is to permit the construction of sidewalks in its right of way when the unit of government involved will accept and assume the responsibility for the maintenance, repair and replacement of the sidewalks at such time as it may be required.

NOW THEREFORE, BE IT RESOLVED, by the Board of Township Trustees of Sycamore Township, State of Ohio:

SECTION 1. Under the provisions of the Ohio Revised Code, the Board agrees to cooperate with the Ohio Department of Transportation, hereinafter referred to as ODOT, in the improvement in the following: installation of approximately 2,000 linear feet of pedestrian sidewalk within the right of way of US22 (Montgomery Road) from Galbraith Road north to Sturbridge Drive.

SECTION 2. In return for the permission of the Ohio Department of Transportation to construct the sidewalk, the Board of Township Trustees of Sycamore Township agrees to accept and assume the responsibility for the maintenance, repair and replacement of the sidewalk at such time it is required.

SECTION 3. The Board of Township Trustees of Sycamore Township upon at least a majority vote do hereby dispense with the requirement that this resolution be read on two separate days, and authorizes the adoption of this resolution upon its first reading.

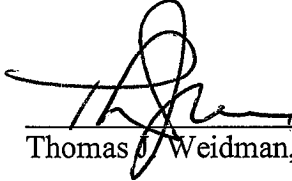
SECTION 4.

Upon the unanimous vote of the Sycamore Township Trustees, this Resolution is hereby declared to be an emergency measure necessary for immediate preservation of the public peace, health, safety and welfare of Sycamore Township. The reason for the emergency is to provide for the immediate and timely construction of the sidewalk.

VOTE RECORD:

Mr. Bishop Aye Mr. Kent Aye Mr. Weidman Aye

Passed at a meeting of the Board of Township Trustees of Sycamore Township this 18th day of August, 2009.

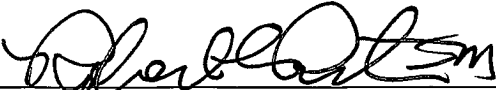

Thomas J. Weidman, President


Cliff W. Bishop, Vice President

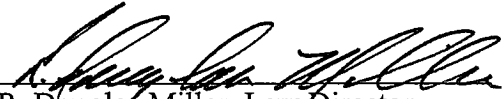

Richard C. Kent, Trustee

AUTHENTICATION

This is to certify that this resolution was duly passed and filed with the Township Fiscal Officer of Sycamore Township this 18th day of August, 2009.


Robert C. Porter III, Fiscal Officer
Sycamore Township, Ohio

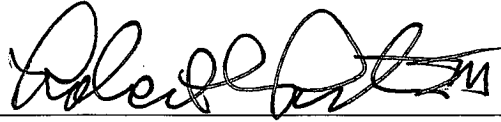
APPROVED AS TO FORM:


R. Douglas Miller, Law Director

Localgovernment/Sycamore/Resolutions/2009/SidewalkODOT

PROOF OF PUBLICATION

I hereby certify that I have published this Resolution on September 2, 2009 by posting in the five most public places as established by the Board of Township Trustees such places being the Township Hall, Bob Meyer Park, Bechtold Park, North Sycamore Recreational Facility, and the North Fire Station, Station 93.



Robert C. Porter, III, Fiscal Officer,
Sycamore Township