

OHIO TURNPIKE COMMISSION

**Resolution Authorizing the Executive Director to Enter into an Agreement with
The Ohio Department of Transportation relating to the Right-of-Way
Acquisitions Necessary For Improvements to State Route 8 and
Ohio Turnpike Interchange 180, Summit County**

WHEREAS, Section 5501.03(C) of the Ohio Revised Code provides that the Director of Transportation may coordinate the activities of the Ohio Department of Transportation (ODOT) with other appropriate public authorities and enter into contracts with such authorities as necessary to carry out its duties, powers and functions;

WHEREAS, Section 5537.04(10) of the Ohio Revised Code provides that the OTC may make or enter into all contracts and agreements necessary to the performance of its duties and the execution of its powers;

WHEREAS, Section 5537.28 of the Ohio Revised Code authorizes the OTC to make infrastructure improvements to the Ohio Turnpike and connecting roadways within one mile of an Ohio Turnpike interchange;

WHEREAS, ODOT and the OTC have mutually determined that it is in the public interest and for the benefit of public safety to make improvements to State Route 8 and Ohio Turnpike Interchange 180, Summit County, Ohio;

WHEREAS, ODOT and the OTC agree that the redesign, rehabilitation and improvement to State Route 8 and Ohio Turnpike Interchange 180 shall better serve the travelling public and shall hereinafter be referred to as the PROJECT; and

WHEREAS, the Commission, through its General Counsel, and ODOT, will negotiate an Agreement providing that ODOT shall acquire all right-of-way necessary for the PROJECT in accordance with current State and Federal regulations, and further providing that the Commission will reimburse ODOT for right-of-way acquisitions required for OTC operations and necessary for the rehabilitation and improvement to Interchange 180 and connecting roadways within an area of one mile from the interchange in an amount not to exceed One Million, One Hundred Forty-Six Thousand Dollars (**\$1,146,000.00**) for Phase I of the project;

WHEREAS, ODOT and OTC agree that this agreement shall be the first of two agreements for the PROJECT. This first agreement shall set forth the duties and responsibilities, including the cost thereof, for right-of-way acquisition necessary for the PROJECT. The second agreement shall set forth the duties and responsibilities including the cost thereof, for the construction of the PROJECT;

WHEREAS, the Commission's Chief Engineer and Executive Director have reviewed the project and both concur that it is in the Commission's best interests and most cost-effective to enter into this agreement with ODOT;

NOW, THEREFORE, BE IT

RESOLVED that the Executive Director and General Counsel are hereby authorized to enter into an agreement with the Ohio Department of Transportation for the purpose of said right-of-way acquisition for ODOT Project No. 24508 SUM 8, herein designated OTC Project No. 74-03-01, at a total cost to the Commission not to exceed **\$1,146,000.00** for Phase I of the project.

(Resolution No. 31-2003 adopted July 21, 2003)

I, Gary C. Suhadolnik, Assistant Secretary of the Ohio Turnpike Commission, do hereby certify that the above is a true copy of the aforesaid resolution which was duly adopted at a meeting of the Commission, duly called for and convened and held on July 21, 2003, at which a quorum was at all times present and voting.

WITNESS my hand and the seal of the Ohio Turnpike Commission on this 21st day of July, 2003.

Gary C. Suhadolnik
Assistant Secretary-Treasurer