

UNION TOWNSHIP TRUSTEES

BY: Thomas Hayden Yes
PRESIDENT

BY: Jose Alvarez Yes
VICE PRESIDENT

BY: Catherine Stokes Yes
TRUSTEE

RESOLUTION NO. 21 - 96

Patricia Williams
Clerk

BCEO



BUTLER COUNTY
ENGINEER'S OFFICE

DEAN C. FOSTER, P.E., P.S.
BUTLER COUNTY ENGINEER

July 22, 1996

Ms. Judith A. Carter
Director of Planning and Zoning
Union Township
9113 Cincinnati Dayton Road
West Chester, Ohio 45069

RE: COX ROAD BIKEWAY

Dear Judy:

Enclosed please find the fully executed agreement between the Union Township Trustees and the Butler County Commissioners regarding the construction and maintenance of the proposed Cox Road Bikeway. Also enclosed is a copy of County Commissioners Resolution No. 96-7-1167 approving said agreement.

Thank you for your assistance in this project.

Sincerely,

Dean C. Foster, P.E., P.S.
Butler County Engineer

/rcj

Enclosure

AGREEMENT

COX ROAD BIKEWAY CONSTRUCTION BUT-CR117-02.108 PID 16377

This Agreement made and entered into this 9th day of July, 1996 by and between the Board of Butler County Commissioners, acting by and through its duly authorized agent, the Butler County Engineer, hereinafter referred to as "County," and Union Township, acting by and through its duly authorized Township Trustees, hereinafter referred to as "Township."

WITNESSETH THAT:

WHEREAS, Cox Road is a County Road located in Union Township, Butler County; and

WHEREAS, The public interest demands the construction of bike lanes on both sides of Cox Road from Barrett Road to Tylersville Road; and

WHEREAS, The Ohio Revised Code permits said County and Township to enter into an Agreement for the joint improvement of public works, which will be of mutual benefit as in this instance.

NOW THEREFORE BE IT MUTUALLY AGREED THAT:

1. The Township will cooperate in the improvement, and:
 - A. The Township agrees to assume and contribute the entire cost and expense of the improvement, less any amounts made available through Federal or State Aid.
 - B. The Township agrees to cooperate with the County to arrange for the relocation, rearrangement, or alteration of all utilities within the Township and any nature whatsoever (whether privately, publicly or cooperatively owned) that will be affected by or interfere with said improvement, and said rearrangements will be done at such time as requested by the Director of Transportation or the Butler County Engineer.

The cost of the relocation, rearrangement or alteration of such utilities affected and payment therefor shall be in accordance with Ohio Department of Transportation Directive H-P-508.

- C. Authority for establishing and executing major maintenance standards, and schedules shall remain the responsibility of the County Engineer. The Township agrees to assist the County Engineer with routine maintenance. The policing of the facility will be the under the sole direction of the Union Township Police Department.

Examples of Township provided maintenance include street sweeping, crack and edge sealing, debris removal, and sign maintenance.

- D. Although responsibility and authority for the Cox Road right of way remains vested with the County Engineer, the Township will thereafter, upon completion of said improvement, assist the County Engineer in keeping said bikeway open to traffic at all times; and
- (1) The Township will assist the County by performing routing maintenance as delineated in "C" (above) and will not seek reimbursement from the County for such maintenance; and
 - (2) The Township will assist the County Engineer to maintain the right of way and keep it free of obstructions, and hold said right of way inviolate for public highway purposes, and permit no signs, posters, billboards, roadside stands or other private installations within the right of way limits; and
 - (3) The Township will, as a part of the initial project, place and maintain all applicable traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and
 - (4) The Township will enact legislation to regulate parking in the following manner: No motorized vehicle will be permitted to park on the bikeway except for vehicles owned, operated, or authorized by the local agency (State, County or Township) to perform maintenance or safety services.
2. The Township agrees to pay all of the preliminary engineering (PE) and right of way (R/W) acquisition costs, as well as all costs for added construction items generating extra work contracts, under Ohio Laws unless performance is approved and funded by the State and FHWA before work is authorized.

In Witness Whereof the parties hereto have made and executed this Agreement on this 9th day of July, 1996.

BOARD OF BUTLER COUNTY COMMISSIONERS

BY:  _____

BUTLER COUNTY ENGINEER

RESOLUTION NO. 96-7-1167

RESOLUTION NO. 96-7-1167

Resolved By the Board of County Commissioners of Butler County, Ohio, That

WHEREAS, by Resolution No. 96-6-1011 adopted June 24, 1996, the Board agreed to cooperate with the Ohio Director of Transportation for the Cox Road Bikeway; and

WHEREAS, the Ohio Department of Transportation requested Butler County enter into the aforesaid legislation and then enter into an agreement with the Union Township Trustees for the construction of the Cox Road Bikeway; and

WHEREAS, the County Engineer has submitted for approval the agreement with Union Township Trustees for the construction of the Cox Road Bikeway which has been approved by both the Union Township Trustees and the County Engineer.

NOW, THEREFORE BE IT RESOLVED that the July 9, 1996 agreement, attached hereto and made a part hereof, between the Union Township Trustees and the Butler County Commissioners for construction of the Cox Road Bikeway is hereby approved.

Commissioner Southard moved for the adoption of the foregoing resolution. Commissioner Combs seconded the motion and upon call of the roll, the vote resulted as follows:

Commissioner Southard	Yea
Commissioner Combs	Yea
Commissioner Clemmons	Yea

Adopted: July 18, 1996

Attest: *Diana Bradford*, Clerk