

A Resolution authorizing participation and ratifying prior participation of the Franklin County Board of Commissioners, Franklin County, Ohio, with the Department of the Army, Corps of Engineers, for the design and construction of the Timberlake Water and Wastewater Improvements Project, and authorizing the President, another other appropriate Board Officials, to act for and on behalf of the Franklin County Commissioners, in executing, accepting or otherwise approving all documents, agreements, instruments, or other necessary papers required by the Department of the Army to implement said participation in the projects

(Sanitary Engineering)

WHEREAS, The Franklin County Board of Commissioners authorizes its officers and officials to participate with the Department of the Army, Corps of Engineers, in the construction of the Timberlake Water and Wastewater Improvements Project, Ohio Environmental Restoration Infrastructure and Resource Protection and Development Program authorized by Section 594 of the Water Resources Development Act of 1999, which project is located in Franklin County, Ohio; and

WHEREAS, The Board's President, and other appropriate Franklin County Board of Commissioners officials, including the Franklin County Board of Commissioner's Attorney, are authorized to execute on behalf of the Franklin County Board of Commissioners, Franklin County, Ohio, all documents necessary to implement participation by the Franklin County Board of Commissioners, Franklin County, Ohio, in the construction of an Environmental Restoration Infrastructure and Resource Protection Project, being a water and waste water improvements project, in Franklin County, Ohio, in conjunction with the Department of the Army, Corps of Engineers, including but not limited to the Project Partnership Agreement between the Department of the Army and the Franklin County Board of Commissioners, Franklin County, Ohio, for the implementation of the Timberlake Water and Wastewater Improvements Project, that provides, among other things, that the Franklin County Board of Commissioners shall:

a. Provide without cost to the United States Government all lands, easements, and rights-of-way including suitable borrow and dredge material disposal areas, all modifications, relocations and alterations of structures including but not limited to buildings, utilities, including relocations of on-site underground utilities, roads, bridges, sewers and water supply facilities and repair or replacement of all intakes, drains, and

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appurtenant facilities necessary for the construction, operation and maintenance of the Project;

b. Hold and save the United States Government free from damages due to the construction, operation and maintenance of the Project, exclusive of damages due to the fault or negligence of the United States Government or its contractors;

c. Operate, maintain, replace and rehabilitate the Project upon completion, and as constructed, in accordance with the regulations or directions by the Secretary of the Army and all without cost to the United States Government;

d. Pay its percentage share of total project costs as required by The Water Resources Development Act of 1986, (Public Law 99-662), and by the Project Partnership Agreement;

e. Prevent obstruction of or encroachment on the Project that would reduce the level of protection it affords or that would hinder operation and maintenance thereof; AND

f. Comply with the provisions of the Uniform Relocations Assistance and Real Property Acquisitions Policies Act of 1970, Public Law 91-646, approved 2 January 1971; and Section 221, Public Law 91-611, approved 31 December 1970, as amended; and

WHEREAS, The Franklin County Board of Commissioners hereby approves and ratifies all prior participation and acts of the Franklin County Board of Commissioners, by and through its officials, with the Department of the Army, Corps of Engineers, in relationship to said Project; and

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WHEREAS, The President of the Franklin County Board of Commissioners and other appropriate County officials are hereby authorized to purchase, or otherwise acquire from private property owners, in the name of the Franklin County Board of Commissioners, and in accordance with said Agreement, any and all interests in real property necessary for the construction, operation and maintenance of the property; now, therefore

BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

1. That this Resolution regarding the Project Partnership Agreement with Department of the Army, Corps of Engineers, in the construction of the Timberlake Water and Wastewater Improvements Project is hereby approved.

Prepared by: Stephen A. Renner