

WORK AGREEMENT

by and between

YORK TOWNSHIP

and

STATE OF OHIO, DEPARTMENT OF TRANSPORTATION

YORK TOWNSHIP, the owner(s) of the property located at The York Township Cemetery situated in Union County, Ohio ["Owner"] in consideration of there being no costs, assessments, or other expenses to Owner for the work hereinafter described, hereby authorizes the State of Ohio, Department of Transportation ["ODOT"], and its duly authorized employees, agents, and contractors to enter upon said property for the purposes of performing the work described in Exhibit 1 attached hereto and by this reference incorporated herein.

This authority to enter granted to ODOT shall commence on April 3, 2023 and will terminate on November 1, 2023.

The work described in Exhibit 1 shall be performed in accordance with the plans and specifications prepared by ODOT for the construction and/or improvement of UNI-739-6.06, PID 112878.

Owner hereby releases ODOT and its employees from any and all damages or claims for damages resulting by reason of the above described work and operations, excepting those arising from said plans and specifications. It is understood that any contractor engaged for the purposes described above is an *Independent Contractor* and is solely responsible for any and all damages or claims for damages arising from any conduct not within the control of ODOT.

It is further understood that ODOT assumes no obligation for the maintenance of any area outside the limits of the permanent right of way.

Any and all of the terms, conditions and provisions of this Agreement shall be binding upon and shall inure to the benefit of Owner and ODOT and their respective heirs, executors, administrators, successors and assigns.

This Agreement may be executed in two or more counterparts, each of which will be deemed an original, but all of which together shall constitute but one and the same instrument.

No amendment or modification of this Agreement shall be valid or binding upon the parties unless it is made in writing, cites this Agreement, and is signed by Owner and ODOT.

IN WITNESS WHEREOF, the parties hereto, namely the State of Ohio, Department of Transportation and York Township have executed this Agreement on the date(s) indicated immediately below their respective signatures.

Judy Christian
BY: JUDY CHRISTIAN,
YORK TOWNSHIP TRUSTEE

Date: _____

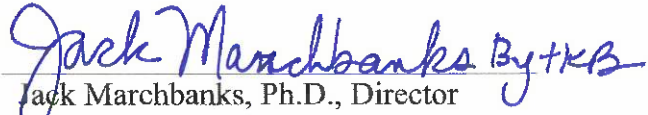
Bruce Davis
BY: BRUCE DAVIS,
YORK TOWNSHIP TRUSTEE

Date: 8/1/2022

BY: LOGAN RIFE,
YORK TOWNSHIP TRUSTEE

Date: _____

STATE OF OHIO
DEPARTMENT OF TRANSPORTATION


Jack Marchbanks, Ph.D., Director

Date 8-10-2022
By: Tammy Boring
Real Estate Administrator

EXHIBIT 1

1WA

THE OHIO DEPARTMENT OF TRANSPORTATION PLANS TO INSTALL GUARDRAIL ALONG SOUTHBOUND SR-739 NEAR THE YORK TOWNSHIP CEMETERY WITH THE ROADWAY IMPROVEMENT PROJECT UNI-739-6.07 (PID 112878). THE PROPOSED GUARDRAIL WILL PROTECT MOTORISTS FROM THE EXISTING DROP-OFF HAZARD AT THE CULVERT CROSSING SR-739 JUST SOUTH OF THE EXISTING (SOUTHERN) DRIVEWAY TO THE YORK TOWNSHIP CEMETERY. THE EXISTING SOUTHERN DRIVEWAY WILL BE REMOVED ALONG WITH THE EXISTING SHRUBS TO ALLOW FOR INSTALLATION OF THE PROPOSED GUARDRAIL RUN. ADDITIONALLY, A PORTION OF THE EXISTING NORTHERN DRIVEWAY TO THE YORK TOWNSHIP CEMETERY WILL BE REMOVED AND REALIGNED TO ALLOW FOR PROPER INSTALLATION OF THE PROPOSED GUARDRAIL RUN.

