



**Certification of Right of Way Control Letter 2**

November 20, 2020

Tom Pannett  
 Acting Administrator, Office of Estimating  
 Ohio Department of Transportation  
 1980 West Broad Street  
 Columbus, Ohio 43223

Re: **GEA SR 087 02.73 Signals**  
 PID: **110882**  
 Federal Project Number: **Non-Federal**

Dear Ms. Leffler:

I certify that:

**1. STATUS OF THE REQUIRED RIGHT OF WAY:**

Although all necessary rights of way have not been fully acquired, the right to occupy and to use all rights of way required for the proper execution of the project has been acquired. Trial or appeal of some parcels may be pending in court and on other parcels full legal possession has not been obtained but right of entry has been obtained, the occupants of all lands and improvements have vacated and the Agency has physical possession and right to remove, salvage, or demolish these improvements and may enter on all land as follows:

**PARCEL COUNT OF ALL PARCELS NEEDED FOR THE PROJECT**

Acquisition Parcels

Fee Owners	2	
Tenant Owners (BS parcels)	0	
<b>Total</b>		<b>2</b>

Relocation Parcels

Residential Owners (O parcels)	0	
Residential Tenants	0	
Business Owners (OB parcels)	0	
Business Tenants (B parcels)	0	
Personal Property Only, Owner (OP parcels)	0	
Personal Property Only, Tenants (P parcels)	0	
<b>Total</b>		<b>0</b>

**Total Number of Parcels** **2**

**STATUS OF ALL PARCELS NEEDED FOR THE PROJECT**

**Parcels Appropriated:**

Quick Take Parcels:

Parcel No.	Case No.	Filing Date	Comments
N/A			

Structure Parcels/Order of Possession Issued:

Parcel No.	Case No.	Filing Date	Date Agency Obtains Right of Possession
N/A			

**Relocation Parcels:**

Parcel No.	Post Move Inspection Date	Comments
N/A		

**Right of Entry Parcels**

Parcel No.	Date ROE Contract Signed	Comments
2 SH	11/09/2020	SH Easement to be recorded

**Acquisition Parcels That Are Acquired:**

Parcel No.	Date Rec.	Vol. / Pg.	Comments
3SH	11/18/2020	202000973205	

**2. COMPLIANCE WITH RELOCATION ASSISTANCE PROGRAM REQUIREMENTS**

For this project, there were no displacements of individuals, personal property, residences, businesses, farms or not for profit organizations.

**3. STATUS OF REQUIRED UTILITY RELOCATIONS**

There are utilities within the construction limits of the project. The status of these arrangements for the completion of the work prior to or in coordination with the physical construction is shown on the Utility Note below.

**UTILITY NOTE**

GEA 87-2.37

PID 110882

October 15, 2020

- Bidders are advised that the following utility facilities may not be cleared from the construction area at the time of award of the contract. These utility facilities shall remain in place **or** be relocated within the construction limits of the project as set out below.
- All station locations listed below are approximate unless otherwise stated.
- Relocations are based on the *Construction Centerline*.

- All changes to relocation work as described in the Utility Note must be approved by the ODOT Project Engineer and District Utilities Coordinator. ODOT shall not be held responsible for delay claims resulting from agreements made between the utility companies and the State's Highway Contractor without ODOT's prior consent to the agreement.
- The State's Highway Contractor shall notify ODOT's Project Engineer, **in writing**, within **24 hours** of any project related contact with a utility company.
- Company work time frames **DO NOT** include Ohio Revised Code 48 hour One Call requirements.
- Utility relocation work is based on the sequence of construction in the highway plan. Any changes made to the sequence of construction, after the project is sold, may impact the utility relocation completion dates.
- It **should not** be assumed a Company's work, in all locations, can be performed concurrently, unless otherwise noted. The number of working days for a Company to perform their relocation work may not be consecutive.
- Non-compliance in meeting established target dates could cause ODOT to incur project delays and/or additional costs. In this regard, 5515.02 ORC gives the Department the authority to ensure project clearance and recover costs.
- For further responsibilities of the State's Highway Contractor and Utility Companies, see the ***Department of Transportation Construction and Material Specifications***, sections 105.07 & 107.16.
- The Companies shall comply with the following requirements, in regards to restoration of areas within the project limits, where their facilities have been relocated due to proposed project work:
  - All excavations shall be backfilled with suitable material and compacted to ODOT specifications.
  - Mounding of dirt over trenches will not be permitted. Preliminary cleanup will be required while working and unsuitable material hauled away.
  - Trenches are not to remain open overnight, other than what is needed to start the next day's work. Those trenches shall be covered with a steel plate and designated with safety cones or barrels.
  - All disturbed right of way shall be restored to its original condition or better, and seeded and mulched as per Item 659, ODOT specifications.
  - All trenched driveway approaches shall be backfilled with granular material and compacted to ODOT specifications. Driveway surfaces shall be replaced in kind.
  - The State's Highway Contractor may need to coordinate his underground work with a/all Utility Companies within the project limits.

***The Illuminating Co. – John Zassick – (440) 546-8706***

The Company has aerial distribution power lines within the project limits as shown in the plans.

There are no anticipated conflicts with proposed work. If a conflict does arise, the State's Highway Contractor will immediately contact the Company and ODOT Project Engineer so the proper actions can be taken to prevent delay of construction.

***Windstream – John Hobby – (440) 285-5474***

The Company has aerial communication lines within the project limits as shown in the plans.

There are no anticipated conflicts with proposed work. If a conflict does arise, the State's Highway Contractor will immediately contact the Company and ODOT Project Engineer so the proper actions can be taken to prevent delay of construction.

***Dominion Energy – Kevin Birt – (330) 664-2541***

The Company has distribution gas lines within the project limits as shown in the plans.

There are no anticipated conflicts with proposed work. If a conflict does arise, the State's Highway Contractor will immediately contact the Company and ODOT Project Engineer so the proper actions can be taken to prevent delay of construction.

***Zayo – John Bruce – (769) 216-8095***

The Company has aerial communication lines within the project limits as shown in the plans.

There are no anticipated conflicts with proposed work. If a conflict does arise, the State's Highway Contractor will immediately contact the Company and ODOT Project Engineer so the proper actions can be taken to prevent delay of construction.

***Geauga County Department of Water Resources – Gerard Morgan – (440) 279-1970***

The Company has water facilities within the project limits as shown in the plans.

There are no anticipated conflicts with proposed work. If a conflict does arise, the State's Highway Contractor will immediately contact the Company and ODOT Project Engineer so the proper actions can be taken to prevent delay of construction.

Utility Note prepared by Steven Sasala, PE

**4. STATUS OF RAILROAD OPERATING FACILITIES**

None affected.

**5. ENCROACHMENTS**

There are no improvements or obstructions located within the limits of this project.

## 6. COMPLIANCE STATEMENT

All right of way acquisitions and all relocation activities, if any, have been done in compliance with 23 CFR 635.309(c)(2) and are also compliant to:

- 42 United States Code, Chapter 61 – The Uniform Act.
- All pertinent federal directives and regulations – to include 49 CFR Part 24.
- The current Real Estate Manual of the Ohio Department of Transportation which has been approved by FHWA.

Respectfully,



Michael J. Kubek, P.E.  
Capital Programs Administrator, District 12