

ORDINANCE NO. 3- 76

AN ORDINANCE DETERMINING TO PROCEED WITH THE PUBLIC IMPROVEMENT OF SOUTH MAIN STREET BY WINDENING, CURBING, SIDEWALK REPLACEMENT AND STORM SEWER IMPROVEMENT, AND DECLARING AN EMERGENCY

WHEREAS, Spencer Village Council did duly adopt Resolution No. R - 7 - 75 on the 28th day of January, 1976 declaring therein the necessity of the proposed improvement to South Main Street hereinafter described; and

WHEREAS, pursuant to said resolution, estimated assessments with respect to said improvement were duly prepared and placed on file in the Office of the Clerk of this Council; and

WHEREAS, no objections to said estimated assessments or claims for damages have been filed with the Clerk of Council within the statutory time allowed by law for such filing after the completion of notice to all effected property owners,

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Spencer, Ohio, three - fourths of its members concurring herein, as follows:

1. That it is hereby determined to proceed with the improvement of South Main Street in the Village of Spencer from Forest Avenue to Lorain Street by concrete and asphalt street widening with concrete curbing, concrete sidewalk replacement, site grading and storm sewer improvement in accordance with the provisions of said Resolution R-7-75, and in accordance with the plans, profiles, specifications and the estimate of cost for said improvement heretofore approved

and filed in the office of the Clerk of this Council.

2. That the estimated assessments of the cost of said improvement heretofore prepared and filed in the office of said clerk be and the same are hereby adopted.

3. That it is further determined that the portion of the cost of said improvement to be assessed against benefited property shall be assessed in the amount, manner and number of installments as provided for in said resolution declaring the necessity of said improvement.

4. That the Mayor and Village Clerk are hereby authorized and directed to advertise for bids for the construction of said improvement in the manner provided by law and, subject to the provisions of Ohio Revised Code 727.24 and the availability of funds, to enter into a contract for said improvement with the lowest and best bidder.

5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the Village of Spencer and for the particular reason that it is immediately necessary to advertise for bids in order to obtain the lowest and best bids for this project, and therefore this ordinance shall be in full force and effect from and after its passage.

PASSED: March 24, 1976

Gene Clifford
Mayor - PRO-TECTOR

ATTEST:

Melford L. Taylor
Clerk