

ORDINANCE NO. / -77

AN ORDINANCE LEVYING ASSESSMENT ON LANDS
ABUTTING THE SPENCER VILLAGE SOUTH MAIN
STREET IMPROVEMENT AND TO DECLARE AN
EMERGENCY

WHEREAS, the Council of the Village of Spencer,
Ohio has proceeded in due legal manner to complete the South
main Street Improvement; and

WHEREAS, the actual cost of said improvement has
now been ascertained and has been placed on file in the
office of the Village Clerk and has been reported to Council;
and

WHEREAS, the estimated assessments for said improve-
ment heretofore adopted by Ordinance No. 3 - 76 have been
adjusted so that said assessments, as adjusted, are in the
same proportion to said estimated assessments as the actual
cost of said improvement is to the estimated cost of the
improvement; and

WHEREAS, said adjusted assessments are now on
file in the office of said Clerk;

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 the adjusted assessment of the cost of
the improvement of South Main Street in the Village of
Spencer, Ohio from Forest Avenue to Lorain Street by concrete
and asphalt street widening with concrete curbing, concrete
sidewalk replacement, site grading and storm sewer improvement
as heretofore reported to this Council and now on file in the
office of the Village Clerk, and aggregating in amount
\$21,554.52, be and the same hereby is adopted and confirmed.

2. That there be and hereby are levied and assessed upon the lots and lands bounding and abutting upon said improvement the several amounts reported in said adjusted assessment as aforesaid, which assessments are in proportion to benefits at the rate of \$6.74 per front foot. Said assessments do not exceed any statutory limitation.

3. That it is hereby determined that the adjusted assessments hereinbefore referred to are in the same proportion to the estimated assessments as the actual cost of said improvement bears to the estimated cost of said improvement upon which such estimated assessments were based.

4. That the total assessment against each lot and parcel of land shall be payable in cash to the Village Clerk - treasurer of the Village of Spencer within thirty (30) days after the passage of this Ordinance, or at the option of the property owner assessed in Ten (10) annual installments with interest at the same rate as is borne by the notes or bonds issued in anticipation of the collection of such assessments. All assessments and installments thereof which have not been paid at the expiration of said thirty (30) day period shall be certified by the Village Clerk to the Medina County Auditor to be placed by the Auditor on the tax duplicate and collected at the same time and in the same manner as other taxes are collected, as provided by law.

5. That the Village Clerk be, and hereby is, authorized and directed to cause notice of the passage of this ordinance to be published once in a newspaper of general circulation in the Village of Spencer as required by law.

6. That the Village Clerk is authorized and directed to keep said adjusted assessments on file in his

office for so long as any of them remain unpaid.

7. That the Village Clerk be, and hereby is, authorized and directed to cause notice of the levy of the assessments herein provided for to be filed with the Medina County Auditor within twenty (20) days after passage of this ordinance.

8. That this Ordinance is hereby declared to be an emergency measure, necessary for the preservation of the public peace, health, safety and welfare and for the particular reason that it is necessary to the Village financial position to promptly levy the property assessments, and that this Ordinance shall be in full force and effect from and after its passage.

PASSED: January 26, 1977.

Sidney E. Looy
Mayor

ATTEST:

Wesford L. Taylor
Clerk

CERTIFICATE OF CLERK

January 26, 1977

The undersigned Village Clerk of Spencer, Ohio hereby certifies that the foregoing is a true and correct copy of Ordinance No. / - 77 passed in regular session of the Spencer Village Council as an emergency measure on January 26, 1977.

Wesford L. Taylor
Village Clerk