

ORDINANCE NO. 13-85

AN ORDINANCE LEVYING ASSESSMENT FOR THE IMPROVEMENT OF WEST MAIN STREET (STATE ROUTE 162) FROM JACKSON STREET TO 1800 FEET WEST BY CONCRETE PAVING, CONCRETE WIDENING, CONCRETE SIDEWALKS, CURBING, STORM SEWER IMPROVEMENTS AND WATERLINE IMPROVEMENTS AND DECLARING AN EMERGENCY

WHEREAS, this Council did on the 13th day of May, 1982, duly adopt Resolution No. R-3-82 declaring the necessity of the improvement of ~~WEST~~<sup>WEST</sup> Main Street in the Village of Spencer, Ohio; and

WHEREAS, this Council did on the 28th day of July, 1982 duly adopt Ordinance No. 7-82 determining to proceed with said improvements and adopting the estimated assessments heretofore filed with respect to said improvement; and

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

WHEREAS, the estimated assessments for said improvements heretofore adopted by Ordinance No. 7-82 have been adjusted so that said assessments, as adjusted, are in the same proportion to the estimated assessments as the actual cost of said improvement is to the estimated cost of said 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 Spencer, Ohio, three-fourths of its members concurring herein as follows:

1. That the adjusted assessment of the cost of the improvement of West Main Street from Jackson Street to 1800 feet to the west by concrete paving, concrete widening, concrete sidewalks, curbing, storm sewer improvements and waterline improvements in the Village of Spencer, Ohio as heretofore reported to this Council and now on file in the Office of its Clerk, and aggregating in amount \$56,102.57 for the 25% of the total cost to be assessed to the property owners, 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 amount reported in said adjusted assessment as aforesaid which assessments are at the rate of \$16.71 per front foot. Said assessments do not exceed any statutory limitation.

3. That it is hereby determined that the adjusted assessments heretofore 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. The total assessment against each lot and parcel of land shall be payable in cash to the treasurer of said Village within 30 days after the passage of this ordinance, or, at the option of the property owner assessed, in 10 annual installments with interest at the same rate as is borne by the bonds or notes issued in anticipation of the collection of such assessments. All assessments and installments thereof which have not been paid at the expiration of said 30 day period shall be certified by the Clerk of this Council to the County Auditor to be placed by him on the tax duplicate and collected at the same time and

in the same manner as other taxes are collected, as provided by law.

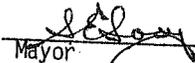
5. That the Clerk of this Council be, and hereby is, authorized and directed to cause notice of the passage of this ordinance to be published once in a newspaper of general circulation in said Village as required by law.

6. That the Clerk of this Council is authorized and directed to keep said adjusted assessments on file in her office for so long as any of them remain unpaid.

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

8. This ordinance is hereby declared to be an emergency measure necessary for the public peace, health, safety and welfare of the Village of Spencer, Ohio and for the particular reason that it is necessary to immediately take action on this legislation in order to place any unpaid assessments on the tax duplicate as soon as possible and that this ordinance shall take effect and be in full force from and after its passage.

PASSED: July 24, 1985

  
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Mayor

ATTEST:

  
\_\_\_\_\_  
Clerk

CLERK'S CERTIFICATE

The undersigned Spencer Village Clerk hereby certifies that the foregoing attached copy of Ordinance No. 13-85 is a true and correct copy of said Ordinance duly passed by the Council of the Village of Spencer, Ohio at its regular session on July 24, 1985.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 24th day of July, 1985 at Spencer, Ohio.

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Dolores M. Wolf  
Spencer Village Clerk