

ORDINANCE NO. 85

AN ORDINANCE DETERMINING TO
PROCEED WITH THE IMPROVEMENT
OF EAST MAIN STREET
AND DECLARING AN
EMERGENCY

WHEREAS, this Council did duly adopt Resolution No. R-1-85 on the 12th day of March, 1985 declaring therein the necessity of the proposed improvement hereinafter described; and

WHEREAS, pursuant to said Resolution, estimated assessments with respect to said improvements were duly prepared and placed on file in the office of the Clerk of this Council and notices of same were served in accordance with law; and

WHEREAS, objections to said estimated assessments having been filed, this Council did by Resolution duly appoint an Assessment Equalization Board to hear and determine such objections and to equalize said assessments; and

WHEREAS, said Assessment Equalization Board has heard and determined all such objections, has equalized said assessments and has submitted its report and recommendations to this Council; and

WHEREAS, this Council did duly adopt Resolution No. R-2-85, approving the report of and recommendations of the Assessment Equalization Board;

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

1. That it is hereby determined to proceed with the improvement of East Main Street (S.R. 162) by concrete and asphalt paving and widening, curbing, concrete sidewalks, storm sewer improvement, water line improvement, culvert, and headwalls improvements in accordance with the provisions of said Resolution No. R-1-85 and in accordance with the plans, profiles, specification 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 and as equalized as above referred to, be and the same hereby are adopted.

3. That it is further determined that the portion of the cost of said improvement to be assessed against the 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 Clerk of the Village is 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 Revised Code 727.24 and the availability of funds, the Village shall 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 immediate preservation of the public peace, health and safety of said Village and for the particular reason that

it is necessary to obtain immediate bids in order to construct the improvement during the current building season, and therefore this Ordinance shall be in full force and effect from and after its passage.

PASSED: May 22, 1985

Mayor

ATTEST:

Clerk

CERTIFICATE

The undersigned, Dolores M. Wolf, Spencer Village Clerk hereby certifies the foregoing is a true and exact copy of Ordinance No.

-85 duly passed by Council of the Village of SPencer, Ohio on the 22nd day of May, 1985.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Spencer, Ohio on this 22 day of May, 1985.

Village Clerk