

**ORDINANCE NO. 8-92**

AN ORDINANCE LEVYING ASSESSMENTS FOR THE IMPROVEMENT OF EAST MAIN STREET (S.R. 162) BY CONCRETE AND ASPHALT PAVING AND WIDENING, CURBING, CONCRETE SIDEWALKS, STORM SEWER, WATERLINE, CULVERT AND HEAD WALLS IN THE VILLAGE OF SPENCER, OHIO AND TO DECLARE AN EMERGENCY

**WHEREAS**, the Spencer Village Council did on the 3rd of March, 1985 duly adopt Resolution No. R-1-85, declaring the necessity of the improvement therein and herein after described; and

**WHEREAS**, this Council did on the 22nd day of May, 1985 duly adopt Ordinance No. 8-85 determining to proceed with said improvements and adopting the estimated assessments theretofore filed with respect to said improvements; and

**WHEREAS**, this Council did on the 8th day of May, 1990 duly adopt Ordinance No. 6-90 determining that said improvement should be made and awarding the contract to the lowest and best bidder; and

**WHEREAS**, the estimated assessments for said improvement heretofore adopted by Ordinance No. 8-85 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 said improvement; and

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

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF SPENCER, MEDINA COUNTY, OHIO, three fourths (3/4) of its members concurring herein, as follows:

1. That the adjusted assessment of the cost of the improvement of East Main Street (S.R. 162) by concrete and asphalt paving and widening, curbing, concrete sidewalks, storm sewer, water line, culvert and head walls in the Village of Spencer, Ohio, as heretofore reported to this Council and now on file in the office of the Spencer Village Clerk, and aggregating in the amount of Forty-two Thousand Six Hundred Thirty-two and 10/100 Dollars (\$42,632.10), be and the same hereby is adopted and conformed.

2. That there be and hereby are levied and assessed upon the lots and lands bounded and abutting upon said improvement the several amounts reported in said adjusted assessment as aforesaid, which assessments are in proportion to benefits of the improvements. Said assessments do not exceed any statutory limitation.

3. That it is hereby determined that the adjusted assessments herein before 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 are based.

4. That the total assessment against each lot and parcel of land shall be payable in cash to the Clerk-Treasurer of the

Village of Spencer, Ohio within thirty (30) days after the passage of this Ordinance, or, at the option of the property owner assessed, in ten (10) annual installments, payable semi-annually, with a collection fee charged by the Medina County Treasurer. All assessments and installments thereof which have not been paid at the expiration of said thirty (30) day period shall be certified by the Clerk of this Council to the Medina County Treasurer to be placed by her 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 she 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, Ohio 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 she hereby is, authorized and directed to cause notice of the levy of the assessments herein provided for to be filed with the County Auditor within twenty (20) days after the 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 of the Village of Spencer,

Ohio and for the particular reason that it is necessary to certify any unpaid assessments to the Medina County Auditor for collection as soon as possible so as to commence collection of same at the earliest period allowed by law, and that this Ordinance shall be in full force and effect from and after its passage.

Passed: May 27, 1992

Gene Clifford  
Mayor

Attest:

Robin M Coleman  
Village Clerk

#### CERTIFICATE OF VILLAGE CLERK

The undersigned Robin Coleman, Spencer Village Clerk, hereby certifies the foregoing is a true and correct copy of Ordinance No. 8-92 duly passed by the Council of the Village of Spencer, Ohio on the 27th day of May, 1992.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Spencer, Ohio on this 27th day of May, 1992.

Robin M Coleman  
Village Clerk