

**ORDINANCE NO. 4-94**

**AN ORDINANCE AUTHORIZING AN AGREEMENT WITH  
ANTHONY M. PILLA, BISHOP, REGARDING  
RESTRICTIONS AS TO FUTURE TAP INS ON THE  
EXISTING EXTENDED WATER MAIN AND  
TO DECLARE AN EMERGENCY**

WHEREAS, Anthony M. Pilla, Bishop, owner of Village Lot 140, being 6.9 acres of land, extended the Village water main from its terminus at or about the former north corporation line of the Village to the north line of said Village Lot 140 in accordance with approved plans and specifications of the Village of Spencer, Ohio; and

WHEREAS, Anthony M. Pilla, Bishop, requested that the Village of Spencer restrict future connections to the extended water main by other property owners until said other property owners have paid their proportionate share of the original cost of said extended water main to Anthony M. Pilla, Bishop; and

WHEREAS, the Village of Spencer is willing to enter into an agreement with Anthony M. Pilla, Bishop, for such restriction on future connections to the extended water main in consideration of the easement given to the Village of Spencer that exists along the south border of Village Lot 140;

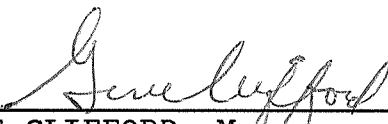
NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Spencer, Ohio, three-fourths (3/4) of its members concurring therein, as follows:

1. That the Board of Trustees of Public Affairs of the Village of Spencer, Ohio, is authorized to enter into a written agreement with Anthony M. Pilla, Bishop, providing that for a


period of ten (10) years from the date, May 9, 1994, no other adjoining property owner, other than Anthony M. Pilla, Bishop, will be permitted to tap in to said water main without first presenting evidence to said Board of Trustees that said property owner wishing to tap in has compensated Anthony M. Pilla, Bishop, a proportionate amount of the original cost of said water main as specifically set forth in the agreement. Said agreement will have no affect upon the regular tap in fees or other charges required by the Board of Trustees of Public Affairs of Anthony M. Pilla, Bishop, or any other person wishing to tap in to said line in the future.

2. 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 the original agreement regarding restrictions as to future tap ins on the extended water main will terminate by May 9, 1994.

PASSED: February 23, 1994

  
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GENE CLIFFORD, Mayor

ATTEST:

  
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ROBIN M. COLEMAN, Clerk