

ORDINANCE NO. 9-07

**AN ORDINANCE LEVYING ASSESSMENTS FOR PAVEMENT
WIDENING, RESURFACING, AND INSTALLATION
OF STORM SEWER AND WATER MAINS,
TOGETHER WITH NECESSARY APPURTENANCES,
ON LORAIN AND JEFFERSON STREETS
IN THE VILLAGE OF SPENCER, OHIO
AND DECLARING AN EMERGENCY**

WHEREAS, Spencer Village Council did, on the 21st day of December, 2005, duly adopt Resolution No. R-8-05 declaring the necessity of improvements therein and hereinafter described; and

WHEREAS, this Council did, on the 22nd day of February, 2006, adopt Ordinance No. 3-06 determining to proceed with said improvements and adopting the estimated assessments that are theretofore filed with respect to said improvements; and

WHEREAS, this Council did, on the 12th day of April, 2006, adopt Ordinance No. 4-06 determining that said improvements should be made and awarding the contract to the lowest and best bidder; and

WHEREAS, said assessments are now on file in the office of the Spencer Village Fiscal Officer;

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

1. That the total amount of construction cost for the Lorain and Jefferson Streets improvement project amounts to a sum of One Hundred Ten Thousand Nine Hundred Forty-eight and 50/100 Dollars (\$110,948.50); that the assessed property owners' cost of

assessment amounts to a sum of Forty-six and 39/100 Dollars (\$46.39) per foot for a total of 115.5 feet; that the total amount of the assessment assessed as against Permanent Parcel No. 037-27A-03-108 amounts to a total sum of Five Thousand Three Hundred Fifty-eight and 05/100 Dollars (\$5,358.05) and that the same be and hereby is adopted and conformed.

2. That there be and hereby are levied and assessed upon the lot bounded and abutting upon said improvement the amount reported herein as aforesaid, which assessment is in proportion to the benefit of the improvement. Said assessment does not exceed any statutory limitation.

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

4. That a total assessment against the lot hereinbefore referred to shall be payable in cash to the Village Fiscal Officer 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 Village Fiscal Officer to the Medina County Treasurer 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 Village Fiscal Officer 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.

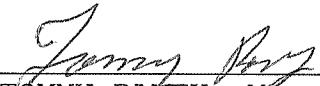
6. That the Village Fiscal Officer is authorized and directed to keep said adjusted assessments on file in her office for so long as any of them remain unpaid.

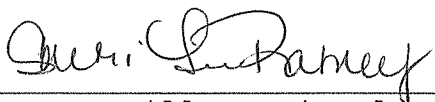
7. That the Village Fiscal Officer be, and she hereby is, authorized and directed to cause notice of the levy of assessments herein provided for to be filed with the County Auditor within twenty (20) days after the passage of this Ordinance.

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 16, 2007

ATTEST:

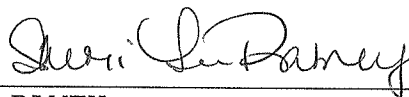

TOMMY RAMEY, Mayor


SHERI RAMEY, Village Fiscal Officer

CERTIFICATE

The undersigned, Sheri Ramey, Village Fiscal Officer, hereby certifies that the foregoing is a true and exact copy of Ordinance No. 9-07 duly passed by Council for the Village of Spencer, Ohio, on the 16th day of May, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Spencer, Ohio, on this 16th day of May, 2007.



SHERI RAMEY
Village Fiscal Officer