

RESOLUTION 2 - 78

A RESOLUTION STATING THE NECESSITY OF  
IMPROVING NORTH MAIN STREET ( S. R. 301 )  
FROM WASHINGTON STREET TO THE NORTH  
CORPORATION LIMIT BY CONCRETE PAVING,  
CONCRETE WIDENING, CONCRETE SIDEWALKS,  
STORM SEWER IMPROVEMENT AND WATERLINE  
IMPROVEMENT AND DECLARING AN EMERGENCY

Be it Resolved by the Council of the Village of  
Spencer, in the County of Medina, State of Ohio, three -  
fourths of the members elected thereto concurring;

1. DETERMINATION TO IMPROVE

That it is hereby determined to be necessary  
to improve North Main Street ( S. R. 301 ) from Washington  
Street to the north corporation limit by concrete paving,  
concrete widening, concrete sidewalks, storm sewer im-  
provement and waterline improvement in accordance with  
the plans and specifications hereinafter referred to.

2. APPROVAL OF PLANS AND SPECIFICATIONS

That the plans, profiles, specifications and the  
estimate of cost for said improvement heretofore prepared  
by the engineer and placed on file in the office of the  
Clerk of this Council be and the same hereby are approved.

3. GRADE AS PER MAPS AND PROFILE

That the grade of said street after said improve-  
ment has been completed shall be as shown on said plans  
and profiles.

4. LEVY OF ASSESSMENT

That 25% of the cost of said improvement shall be  
assessed upon the following described lots and lands, to-wit:  
all lots and lands bounding and abutting upon said improve-  
ment which said lots and lands are hereby determined to be  
specially benefited by said improvement. Said assessments

shall be levied by the following method, to-wit: by the foot front of the property bounding and abutting upon the improvement; and shall be paid, when levied, in Ten (10) annual installments, with interest on unpaid installments at the same rate as is carried by the bonds to be issued in anticipation of the collection thereof provided, however, that the owner of any property assessed may, at his option pay such assessment in cash within thirty days after passage of the ordinance levying such assessments. The remainder of the cost of said improvement, after the application of the assessments herein provided for shall be provided by the issuance of bonds as provided by law or from other funds available and appropriated for such purpose.

#### 5. ISSUANCE OF BONDS AND NOTES

That bonds of the Village of Spencer shall be issued in anticipation of the collection of said assessments by installments and in an amount equal thereto, and notes of said Village shall be issued in anticipation of such bonds and of the levy of such assessments.

#### 6. ESTIMATED ASSESSMENTS

That the Clerk of said Village be and he hereby is, authorized and directed to prepare an estimated assessment of the cost of said improvement based on the estimate of cost heretofore filed in the office of the Clerk of this Council in accordance with the method of assessment set forth in this resolution, and showing thereon the amount of the assessment against each lot and parcel of land to be assessed. Said estimated assessment shall be filed in the office of said clerk and shall be available for public inspection.

7. NOTICE TO PROPERTY OWNER

That, upon the filing of said estimated assessment as hereinbefore provided, the Clerk of this Council is authorized and directed to cause notice of the passage of this resolution and of the filing of said estimated assessment to be served upon the owners of all lots and lands to be assessed, in the manner provided by law.

8. EMERGENCY PROVISIONS

This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, safety and welfare of said Village for the reason that the improvement hereinbefore described is immediately needed for the safe maintenance of highway and pedestrian traffic and the safe maintenance of water service to this area of said Village and therefore, this resolution shall be in full force and effect from and after its passage.

PASSED:

*April 26, 1978*

*Sidney E. Lacey*  
Mayor

ATTEST:

*Theresa L. Taylor*

Clerk