

RESOLUTION NO. R-8-05

A RESOLUTION STATING THE NECESSITY OF IMPROVING LORAIN AND JEFFERSON STREETS BY WIDENING, RESURFACING, AND THE INSTALLATION OF STORM SEWER AND WATER MAINS TOGETHER WITH OTHER NECESSARY APPURTENANCES AND DECLARING AN EMERGENCY

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

1. DETERMINATION TO IMPROVE

It is hereby determined to be necessary to improve Lorain and Jefferson Streets by way of pavement widening, resurfacing, and the installation of storm sewer and water mains, together with necessary appurtenances, all 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 improvements heretofore prepared by the engineer and placed on file in the office of the Village Fiscal Officer be and the same hereby are approved.

3. GRADE AS PER MAPS AND PROFILE

That the grade of said streets after said improvement shall be completed and shall be as shown on said plans and profiles.

4. LEVY OF ASSESSMENT

That twenty-five percent (25%) of that part of improvements which are not paid one hundred percent (100%) by the Village of Spencer shall be assessed upon the following lot and land, to-wit: land owned by Donald and Melvina Harshbarger known as Parcel No. 037-27A-03-108, which said lot is hereby determined to be specifically benefited by said improvement. Said assessment 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 or her option, pay such assessment in cash within thirty (30) days after passage of the ordinance levying such assessment. The remainder of the cost of said improvements, after the application of the assessment, shall be provided by the issuance of bonds as required 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 may 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 Village Fiscal Officer be and hereby is directed to prepare an estimated assessment of the cost of said improvements based on the estimate of costs heretofore filed in the office of the Village Fiscal Officer in accordance with the method of assessments 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 the Village Fiscal Officer and shall be available for public inspection.

7. NOTICE TO PROPERTY OWNER

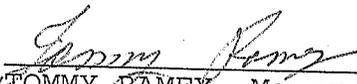
That upon filing of said estimated assessments as hereinbefore provided, the Village Fiscal Officer is authorized and directed to cause notice of the passage of this Resolution and of the filing of said estimated assessments to be served upon the owner of all lots and lands to be assessed, in the manner 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 improvements hereinbefore described are immediately needed for the safe maintenance of highway and pedestrian traffic and the safe maintenance of water service to the benefited areas of

said Village, and, therefore, this Resolution shall be in full force and effect from and after its passage.

PASSED: December 21, 2005



TOMMY RAMEY, Mayor

ATTEST:

RHONDA R. RIFFLE, Village Fiscal Officer