

ORDINANCE NO. 24 -17  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Jeanne Rau ON THE  
18<sup>th</sup> DAY OF September, 2017.

**AN EMERGENCY ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF PUBLIC STREETS AND EASEMENTS BY CONSTRUCTING AND INSTALLING VARIOUS PUBLIC IMPROVEMENTS ON CERTAIN PROPERTY WITHIN THE CITY, TOGETHER WITH ALL NECESSARY AND RELATED APPURTENANCES.**

**WHEREAS**, the owners of 100% of the lots and lands to be assessed for the Improvement described in Section 1 have heretofore petitioned this Council (that Petition for Special Assessments and Affidavit is referred to herein as the "*Petition*") for the construction of the Improvement, and further, that there be assessed against the real property described in the Petition certain costs of the Improvement; and

**WHEREAS**, this Council has heretofore adopted Resolution No. 53-16 on July 11, 2016 (the "*Resolution of Necessity*") accepting the Petition and declaring the necessity of making the Improvement and passed Ordinance No. 13-16 on July 18, 2016 determining to proceed with the construction of the Improvement; and

**WHEREAS**, the Improvement has been completed and the final cost of that Improvement has been determined;

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

**Section 1.** The special assessments for the cost and expense of improving public streets and easements by constructing and installing various public improvements on the Property as more fully described in the Petition together with all necessary and related appurtenances (the "*Improvement*") pursuant to the Resolution of Necessity, amounting in total to \$473,278.00, which were filed and are on file with the Clerk of Council, are adopted and confirmed. Those special assessments are levied and assessed upon the lots and lands provided for in the Resolution of Necessity and the Petition in the respective amounts set forth in the schedule of special assessments on file, which special assessments are in proportion to the special benefits and are consistent with the Petition.

**Section 2.** This Council finds and determines that the special assessments have been allocated and are in the same proportion to the estimated special assessments as the actual cost of the Improvement is to the estimated cost of the Improvement, all as originally described in the Petition.

**Section 3.** The special assessment against each lot or parcel of land shall be payable in whole or in part by cash or check within 30 days after the passage of this Ordinance, or at the option of the owner in Fifteen (15) annual installments (each annual installment to be payable semi-annually at the time real estate taxes in Greene County, Ohio are payable) with interest at the annual rate of 0.00%. All payments by cash or check shall be made to the Clerk of Council of this City. All special assessments remaining unpaid at the expiration of those 30 days shall be certified by the Clerk of Council to the County Auditor of Greene County, Ohio, as provided by law to be placed on the tax duplicate and collected as taxes are collected.

**Section 4.** The Clerk of Council shall deliver a certified copy of this Ordinance to the County Auditor of Greene County, Ohio within twenty (20) days after its passage.

**Section 5.** This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

**Section 6.** This Ordinance is hereby declared to be an emergency measure and shall become effective immediately upon passage. An emergency affecting the public welfare is declared to exist by virtue of the immediate need to allocate the special assessments to properties and certify this ordinance to the County Auditor.

PASSED THIS 18<sup>th</sup> day of September, 2017.



Mayor  
City of Centerville, Ohio


ATTEST:



Clerk of Council  
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 24 -17 passed by the City Council of the City of Centerville, Ohio on the 18<sup>th</sup> day of September, 2017.



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Clerk of the Council

Approved as to form, consistency with the Charter and Constitutional Provisions.

Department of Law  
Scott A. Liberman  
Municipal Attorney

ASSESSED AMOUNT BY PARCEL

CORNERSTONE

SPECIAL ASSESSMENT ALLOCATION  
MAY 18, 2016

Lot Number	Owner	Acres	Per Acre	Allocated Special Assessment	Paid By/On Behalf of Owner	Assessed Against Property
Lot 1C – Section 1	CHICK-FIL-A, INC.	1.5480	14,492.25	22,434		22,434
Lot 1D – Section 1	CHEDDAR'S	4.0390	14,491.95	58,533	58,533	
Lot 1E – Section 1	FIRST FINANCIAL BANK	0.9900	14,491.92		14,347	
Lot 1F – Section 1	PANDA EXPRESS	0.8870	14,491.54	12,854		12,854
Lot 1 – Section 2	COSTCO	15.2253	14,492.00	220,645	220,645	
Lot 2 – Section 2	COSTCO	1.8020	14,492.23	26,115	26,115	
Lot 1 – Section 3	SHOPPES AT CORNERSTONE II, LTD.	1.3160	14,491.64	19,071		19,071
Lot 2 – Section 3	KROGER	15.0400	14,491.95	217,959		217,959
Lot 3 – Section 3	CABELA'S	8.0920	14,491.97	117,269	117,269	
Lot 1 – Section 4	SHOPPES AT CORNERSTONE I, LTD	1.9840	14,491.94	28,752		28,752
Lot 1 – Section 5	CORNERSTONE DEVELOPERS (FUTURE HOTEL)	2.0000	14,492.00	28,984		28,984
Lot 2 – Section 5	CORNERSTONE DEVELOPERS (FUTURE RESTAURANT)	1.5000	14,492.00	21,738		21,738
Lot 3 – Section 5	CORNERSTONE DEVELOPERS (FUTURE SHOPPES III)	2.0800	14,491.83	30,143		30,143
Lot 1 – Section 6	CORNERSTONE DEVELOPERS (FUTURE VILLAGE)	<u>6.3030</u>	14,491.99	<u>91,343</u>		<u>91,343</u>
	TOTAL	<u>62.8063</u>		<u>910,187</u>	<u>436,909</u>	<u>473,278</u>