

EMERGENCY ORDINANCE NO. 14-01  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER C. Mark Kingseed ON THE 19th DAY OF MARCH, 2001.

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF YANKEE TRACE DRIVE AND VANTAGE GREEN DRIVE, BETWEEN CERTAIN TERMINI, BY CLEARING, GRADING, DRAINING, CURBING, PAVING, AND CONSTRUCTING AND INSTALLING SANITARY SEWERS, STORM SEWERS, WATER MAINS, AND SIDEWALKS, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY.

WHEREAS, this Council has adopted Resolution No. 25-01 on March 19, 2001, declaring the necessity of making the improvement described in Section 1 (the Resolution of Necessity); now, therefore

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

SECTION 1. That this Council hereby declares that an emergency exists affecting the public welfare, in that the improvement authorized by this emergency ordinance must be commenced during the 2001 construction season and thereby enable the improvement to be completed at the earliest possible date in order to provide public streets, drainage facilities, sanitary sewers, and water mains, all for the public welfare and safety.

SECTION 2. That it is determined to proceed with the following improvement:

- a. The improvement of a public right of way, Yankee Trace Drive, starting from roadway station 66+98.40 at the boundary of Yankee Trace Section 23, and extending approximately 2050 feet south to the existing terminus of Yankee Drive located at the northern boundary of Yankee Trace Section 13, by clearing, grading,

draining, curbing, paving, and constructing and installing of sanitary sewers, storm sewers, water mains, sidewalk, together with all necessary appurtenances thereto.

- b. The improvement of a public right of way, Vintage Green Way (Paragon Road Connector), starting at the intersection of Yankee Trace Drive at approximately road station 75+48, and extending to the east approximately 960 feet to an intersection with Paragon Road, by clearing, grading, draining, curbing, paving and constructing and installing sanitary sewers, storm sewers, water mains, sidewalk, together with all necessary appurtenances thereto.

SECTION 3. That the improvement shall be made in accordance with the provisions of the Resolution of Necessity, and with the plans, specifications, profiles and estimate of cost previously approved and now on file in the office of the Clerk of Council, provided that, as authorized by the petition for the improvement, additions to, deductions from, or modifications of the improvement identified in Section 2 may be provided for at the time of letting contracts for the improvement or during the course of construction which are required in the reasonable judgment of the City Manager so that the annual principal amount of the special assessment and interest thereon will be as close as possible to and not exceed \$660.

SECTION 4. That all claims for damages resulting from the improvement shall be inquired into after completion of the improvement, and the Municipal Attorney is authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into those claims.

SECTION 5. That the cost of the improvement to be assessed in accordance with the Resolution of Necessity shall be assessed in the manner and the number of installments provided, and on the lots and lands described, in that resolution.

SECTION 6. The estimated special assessments now on file in the office of the Clerk of Council are adopted.


SECTION 7. The Clerk of Council shall deliver a certified copy of this ordinance to the County Auditor within 15 days after its passage.

SECTION 8. That the City Manager is authorized and directed, as soon as the funds are available, to make and sign a contract for the improvement with the lowest and best bidder after advertising according to law, and the improvement shall be financed as provided in Resolution of Necessity.

SECTION 9. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 10. That this ordinance shall become effective upon its adoption, in accordance with Section 5.05 of the Charter of the City, and by reason of Sections 5.05 and 8.11 of the Charter of the City shall not stand repealed as of the 75th day after adoption.

ADOPTED this 19<sup>th</sup> day of March, 2001.

  
\_\_\_\_\_  
Presiding Officer

Attest:   
Clerk of Council