

EMERGENCY ORDINANCE NO. 9-98
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER J.V. STONE
ON THE 23rd DAY OF FEBRUARY, 1998

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF YANKEE TRACE DRIVE, WATERS EDGE DRIVE, LANTERN WAY, GREENSKEEPER WAY AND COURTYARD PLACE BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, CURBING, AND PAVING, CONSTRUCTING STORM AND SANITARY SEWERS, SIDEWALKS, AND WATER MAINS, INSTALLING GAS STREET LIGHTS, AND PROVIDING ALL RELATED WORK AND NECESSARY APPURTENANCES WITH RESPECT TO THOSE IMPROVEMENTS, AND ALSO SOCIAL ROW ROAD, YANKEE TRACE DRIVE, AND YANKEE STREET PIKE TO THE EXTENT OF AVAILABLE FUNDS, AND DECLARING AN EMERGENCY.

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

SECTION 1. That this Council hereby declares that an emergency exists affecting the public welfare, in that the assessments authorized by this emergency ordinance must be levied at the earliest possible date in order to enable the City to certify them to the Montgomery County Auditor in 1998 for a first collection in 1999 in accordance with the terms of the special assessment petition for the improvement previously submitted to this Council and signed by owners of 100% of the lots and lands to be assessed for the improvement (the special assessment petition).

SECTION 2. The special assessments for the cost and expense of improving Yankee Trace Drive, Waters Edge Drive, Lantern Way, Greenskeeper Way and Courtyard Place between certain termini by grading, draining, curbing, and paving, constructing storm and sanitary sewers, sidewalks, and water mains, installing gas street lights, and providing all related

work and necessary appurtenances with respect to those improvements, and also Social Row Road, Yankee Trace Drive, and Yankee Street Pike as provided in Resolution No. 83-97, adopted December 15, 1997, to the extent of available funds, which 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 Resolution No. 83-97 in the respective amounts set forth in the schedule of special assessments on file, which special assessments are in accordance with the terms and limitations of the special assessment petition.

SECTION 3. This Council finds and determines that the special assessments are in the amounts provided for in the special assessment petition.

SECTION 4. The special assessment against each lot or parcel of land shall be payable by the owners in thirty annual installments of principal and interest with interest on all of those installments at the same rate as borne by the bonds to be issued in anticipation of the collection of the special assessments. All special assessments shall be certified by the Clerk of Council to the County Auditor to be placed on the tax duplicate and collected as taxes are collected. The Council confirms that the cash payment period has been waived by the special assessment petition.

SECTION 5. The Clerk of Council shall keep on file in the office of the Clerk of Council the special assessments.

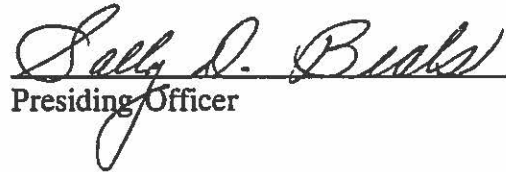
SECTION 6. The Clerk of Council shall deliver a certified copy of this ordinance to the County Auditor within 20 days after its passage.

SECTION 7. The Clerk of Council is hereby authorized and directed to cause publication of this ordinance to be made in a summary manner as provided by the City Charter.

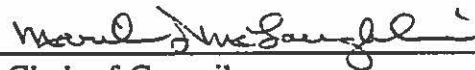
SECTION 8. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 9. 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 23rd day of February, 1998.



Presiding Officer

Attest: 

Clerk of Council