

ORDINANCE NO. 2-86
CITY OF CENTERVILLE, OHIO

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR
PAYING THE COST OF IMPROVING CERTAIN
DRAINAGE FACILITIES IN THE CITY OF
CENTERVILLE, AND DECLARING AN EMERGENCY.

WHEREAS, by proper action heretofore duly taken, this Council declared the necessity of the improvements hereinafter mentioned, and determined to proceed with said improvements; and

WHEREAS, said improvements have been completed and the Director of Finance has certified to this Council that the final cost of the improvements, including the costs specified in Section 727.08 of the Ohio Revised Code, was \$23,429.00, one-half of which final cost, in accordance with Resolution No. 23-84, is to be assessed upon the lots and lands described and in the manner provided in Resolution No. 23-84, duly passed by this Council on April 30, 1984; and

WHEREAS, the estimated assessment for said improvements, in proportion to the benefits resulting from said improvements, equaled \$12,500.00; and

WHEREAS, the actual assessment, based upon the final cost of said improvements, including the costs specified in Section 727.08 of the Ohio Revised Code, should not exceed \$9,369.75;

NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY
ORDAINS:

SECTION 1. That this ordinance is hereby declared to be an emergency ordinance necessary to meet a public emergency affecting health, safety, morals or the public welfare, the specific facts necessitating the emergency charter of this ordinance being that assessments for the improvements described herein must be levied without delay.

SECTION 2. That the revised assessment of the cost of the improvements described in Resolution No. 23-84, as reported to this Council by the Director of Finance of the Municipality in his Final Cost Certificate, which is now on file in the office of the Clerk of Council, be and the same is hereby adopted and confirmed and is hereby levied and specially assessed upon the lots and lands bounding and abutting said improvements.

SECTION 3. That this Council hereby finds and determines that the lowest and best bid for labor and materials for said improvements did not exceed by 15% or more the cost for labor and materials estimated by the engineer and placed on file in accordance with Resolution No. 23-84; and, further, that the revised assessments as now on file in the office of the Clerk of Council do not exceed the assessments which would be computed by reducing the estimated assessments in the same proportion as the actual cost of the above-described improvements bears to the estimated cost of said improvements as originally filed.

SECTION 4. That the assessment against each such lot or parcel of land shall be payable in cash by April 17, 1986, or, at the option of the owner, in ten (10) annual installments. All cash payments shall be made to the Director of Finance of the Municipality. All assessments and installments thereof remaining unpaid after April 17, 1986, shall be certified by the Clerk of Council to the County Auditor, as provided by law, to be placed by him on the tax duplicate and collected as other taxes are collected, provided, that any assessment in the amount of \$25.00 or less, or any unpaid balance of any such assessment which is \$25.00 or less, shall be paid in full and not in installments, at the time the first or next installment would otherwise become due and payable, as provided in Section 727.27 of the Ohio Revised Code.

SECTION 5. That the Clerk of Council shall cause a notice of the adoption of this ordinance to be published once in a newspaper of general circulation in this City within the meaning of Section 7.12, Ohio Revised Code, and to continue on file in her office said revised assessments.

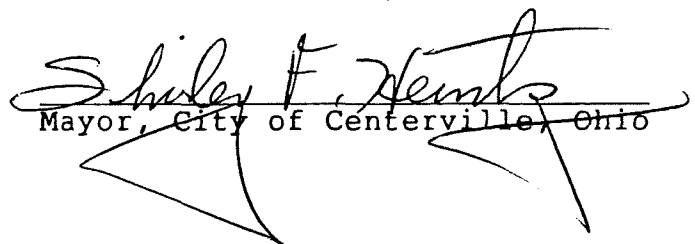
SECTION 6. That this Council hereby finds and determines that all formal actions of this Council concerning and relating to the adoption of this ordinance were taken in an open meeting of this Council; and that all deliberations of this Council and of any of its committees that resulted in such formal action, were taken in meetings open to the public, in

compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

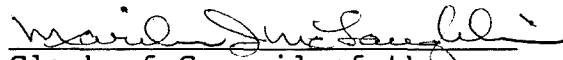
SECTION 7. That this ordinance shall be effective immediately upon its adoption, as provided by Section 5.05 of the Charter of the Municipality.

SECTION 8. That the Clerk of Council is hereby directed to cause this ordinance to be published or posted, as may be required by law or by the Charter of the Municipality.

ADOPTED BY COUNCIL THIS 17th DAY OF FEBRUARY, 1986.


Mayor, City of Centerville, Ohio

Attest:


Clerk of Council of the
City of Centerville, Ohio

CERTIFICATE

I hereby certify that the foregoing is a true copy of Ordinance No. 2-86 duly adopted by the Council of the City of Centerville, Ohio, on February 17, 1986.

Marilyn D. Laughlin
Clerk of Council

CERTIFICATE

The undersigned fiscal officer of the City of Centerville, Ohio, hereby certifies that a copy of the foregoing ordinance was filed with the County Auditor of the County of Montgomery, Ohio, on February 21, 1986.

W. W. ...
Director of Finance

RECEIPT

The undersigned County Auditor of the County of Montgomery, Ohio, hereby acknowledges receipt this 24th day of Feb, 1986, of a certified copy of Ordinance No. 2-86 of the City of Centerville, Ohio.

ROBERT L. RODERER
COUNTY AUDITOR

By Robert L. Taylor
Deputy County Auditor