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EMERGENCY ORDINANCE NO. 36-84
CITY OF CENTERVILLE, OHIO

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CLYO ROAD FROM BIGGER ROAD, WESTWARDLY APPROXIMATELY 543 FEET IN THE CITY OF CENTERVILLE BY GRADING, DRAINING, CURBING, PAVING, AND CONSTRUCTING STORM WATER CATCH BASINS, SEWERS, WATER MAINS AND FACILITIES AND APPURTENANCES NECESSARY AND PROPER THEREFOR, PROVIDING FOR THE TAKING OF BIDS FOR SUCH IMPROVEMENT, AND DECLARING AN EMERGENCY.

THE MUNICIPALITY OF CENTERVILLE, STATE OF OHIO, 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 character of this ordinance being that the improvement provided for herein must be commenced without delay because of the inclement weather conditions anticipated to prevail at or about the date this ordinance would otherwise take effect.

Section 2. That it is hereby determined to proceed with the improvement of Clyo Road from Bigger Road westwardly approximately 543 feet in the City of Centerville, Ohio, as shown on and in the plans, specifications and profiles now on file in the office of the Clerk of Council, by grading, draining, curbing, paving, and constructing storm water catch basins, sewers, water mains and facilities and appurtenances necessary and proper therefor.

Section 3. That such improvement shall be made in accordance with the provisions of Resolution No. 34-84, duly passed by this Council on October 8, 1984, and with the plans, specifications, estimates and profiles heretofore approved and now on file in the office of the Clerk of Council.

Section 4. That all claims for damages resulting from such improvement which shall have been legally filed shall be inquired into after completion of such improvement, and the Municipal Attorney is hereby authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into any claims which shall have been so filed.

Section 5. That a portion of the cost of such improvement, as provided in Resolution No. 34-84 to be assessed, shall be

assessed in the manner and in the number of installments provided in said resolution and on the lots and lands described therein.

Section 6. That the estimated assessments heretofore prepared and filed in the office of the Clerk of Council be and the same are hereby adopted.

Section 7. That the Clerk of Council is hereby directed to deliver a certified copy of this ordinance to the County Auditor of the County of Montgomery, Ohio, within fifteen days after its passage.

Section 8. That the Manager is hereby authorized to advertise for bids for such improvement in the manner prescribed by law, and to award one or more contracts therefor (subject to the provisions of Section 727.24 of the Ohio Revised Code) after passage by this Council of an ordinance authorizing the issuance of bond anticipation notes to finance the cost of such improvement in accordance with Section 8 of Resolution No. 34-84.

Section 9. That this ordinance shall be effective immediately upon its adoption, as provided by Section 5.05 of the Charter of the Municipality.

Adopted by Council this 8th day of October, 1984.

ATTEST:

Shirley F. Keen
Mayor, City of Centerville, Ohio

Maile D. McLaughlin
Clerk of Council of the
City of Centerville, Ohio

RECEIPT

The undersigned does hereby acknowledge receipt on the date set forth below of a certified copy of Ordinance No. 36-84 of the City of Centerville, Ohio.

ROBERT L. RODERER
COUNTY AUDITOR

Oct 15, 1984

By Robert L. Roderer
Deputy County Auditor
By Robert G. Taylor, Deputy