

EMERGENCY ORDINANCE NO. 23-75

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER J.V. Stone  
ON THE 3rd DAY OF March, 1975

AN EMERGENCY ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF EAST FRANKLIN STREET IN THE CITY OF CENTERVILLE, OHIO, FROM A POINT APPROXIMATELY 75 FEET EAST OF EAST DRIVE TO A POINT 180 FEET EAST OF CEMETERY DRIVE, BY CONSTRUCTION OF BRICK SIDEWALK FOUR FEET WIDE ON THE NORTH SIDE OF SAID STREET FOR APPROXIMATELY 530 LINEAR FEET, CONSTRUCTION OF CONCRETE SIDEWALK FOUR FEET WIDE ON THE SOUTH SIDE OF SAID STREET FOR APPROXIMATELY 490 LINEAR FEET, CONSTRUCTION OF CONCRETE CURB ON BOTH SIDES OF SAID STREET FOR APPROXIMATELY 1,300 LINEAR FEET, INSTALLATION OF 130 LINEAR FEET OF FIFTEEN-INCH CONCRETE PIPE AND TWO CATCH BASINS, AND OTHER IMPROVEMENTS INCIDENTAL TO SUCH CONSTRUCTION AND INSTALLATION, AND DECLARING AN EMERGENCY.

WHEREAS, this Council on the 20th day of January, 1975, duly adopted Resolution No. 4-75, declaring the necessity of the public improvement hereinafter described; and

WHEREAS, the time for filing objections to the estimated assessments prepared and filed in accordance with said Resolution has expired and no such objections were filed; and

WHEREAS, the time for filing claims for damages to be sustained by reason of said improvement has expired and no such claims were filed; now, therefore,

THE MUNICIPALITY OF CENTERVILLE, MONTGOMERY COUNTY, OHIO, AT LEAST FIVE OF THE MEMBERS ELECTED TO THE COUNCIL THEREOF CONCURRING, HEREBY ORDAINS:

SECTION 1. That it is hereby determined to proceed with the improvement in the City of Centerville of East Franklin Street from a point approximately 75 feet east of East Drive to a point 180 feet east of Cemetery Drive.

SECTION 2. That said improvement shall be made in accordance with the provisions of Resolution No. 4-75, adopted on January 20, 1975, and with the plans, specifications, estimates

and profiles heretofore approved and now on file in the office of the Clerk of Council, by construction of brick sidewalk four feet wide on the north side of said Street for approximately 530 linear feet, construction of concrete sidewalk four feet wide on the south side of said Street for approximately 490 linear feet, construction of concrete curb on both sides of said Street for approximately 1,300 linear feet, installation of 130 linear feet of fifteen-inch concrete pipe and two catch basins, and other improvements incidental to such construction and installation.

SECTION 3. That the portion of the cost provided in Resolution No. 4-75 to be assessed shall be assessed in the manner and the number of installments provided in said Resolution and on the lots and lands described therein.

SECTION 4. That the estimated assessments heretofore prepared and filed in the office of the Clerk of Council be and the same are hereby adopted.

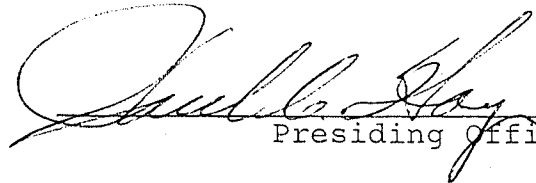
SECTION 5. That the Clerk of Council is hereby directed to deliver a certified copy of this ordinance to the County Auditor of Montgomery County, Ohio, within fifteen (15) days after its adoption.

SECTION 6. That subject to the provisions of Section 727.24 of the Ohio Revised Code, the Manager of the City is hereby authorized and directed as soon as the funds therefor are available to make and execute a contract for said improvement with the lowest and best bidder after advertising according to law; and the improvement shall be financed as provided in Resolution No. 4-75.

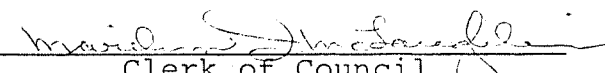
SECTION 7. That this ordinance is hereby declared to be necessary to meet a special emergency in the operation of the Department of Service of the City, which emergency is hereby determined to exist by reason of the necessity of commencing and completing the improvement described in SECTIONS 1 and 2 hereof

at the earliest possible time to facilitate the safe and orderly flow of traffic within the City; wherefore, under the provisions of Section 5.05 of the Charter, this emergency ordinance shall be in full force and effect from and immediately after its adoption.

ADOPTED this 3rd day of March, 1975.

  
Presiding Officer

Attest:

  
Clerk of Council

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a true and correct copy of Emergency Ordinance No. 23-75, adopted by Council on March 3, 1975, and that a certified copy thereof was filed with the County Auditor of Montgomery County, Ohio, on March 5, 1975, a date within fifteen (15) days of the adoption of said Emergency Ordinance.

Marion J. Savelle  
Clerk of Council

RECEIPT

The undersigned, County Auditor of Montgomery County, Ohio, hereby acknowledges receipt of a certified copy of Emergency Ordinance No. \_\_\_\_\_ of the City of Centerville, Ohio, on \_\_\_\_\_, 1975.

\_\_\_\_\_  
County Auditor  
County of Montgomery, Ohio

By \_\_\_\_\_  
Deputy County Auditor