

EMERGENCY ORDINANCE NO. 61-73

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN Leonard Stubbs
ON THE 27th DAY OF July, 1973

EMERGENCY

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF EAST FRANKLIN STREET IN THE CITY OF CENTERVILLE, OHIO, BY WIDENING THE SAID STREET AND LOWERING THE CROWN THEREOF FROM A POINT 2800 FEET WEST OF CLYO ROAD TO A POINT APPROXIMATELY 1900 FEET WEST OF CLYO ROAD (A DISTANCE OF APPROXIMATELY 900 FEET), INCLUDING THE INSTALLATION OF CURBS, GUTTERS, AND APPROXIMATELY 310 FEET OF STORM SEWERS, AND INSTALLATION OF CONCRETE SIDEWALK ON THE NORTH SIDE OF SAID STREET FROM A POINT 1950 FEET WEST OF CLYO ROAD TO CLYO ROAD (COMPRISING APPROXIMATELY 1344 FEET OF SIDEWALK FOUR FEET WIDE), AND DECLARING AN EMERGENCY

The Municipality of Centerville, Montgomery County, Ohio, hereby ordains:

SECTION 1. That it is hereby determined to proceed with the improvement in the City of Centerville of East Franklin Street by widening the said street and lowering the crown thereof from a point 2800 feet west of Clyo Road to a point approximately 1900 feet west of Clyo Road (a distance of approximately 900 feet), including the installation of curbs, gutters, and approximately 310 feet of storm sewers, and installation of concrete sidewalk on the north side of said street from a point 1950 feet west of Clyo Road to Clyo Road (comprising approximately 1344 feet of sidewalk four feet wide).

SECTION 2. That said improvement shall be made in accordance with the provisions of Resolution No. 21-73 passed on July 6, 1973, and with the plans, specifications, estimates and profiles heretofore approved and now on file in the office of the Clerk of Council.

SECTION 3. That all claims for damages resulting therefrom, if any, that have been legally filed, shall be inquired into after completion of the proposed 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 that have been so filed.

SECTION 4. That portion of the cost provided in Resolution No. 21-73 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 5. That the estimated assessments heretofore prepared and filed in the office of the Clerk of Council be and the same are hereby approved.

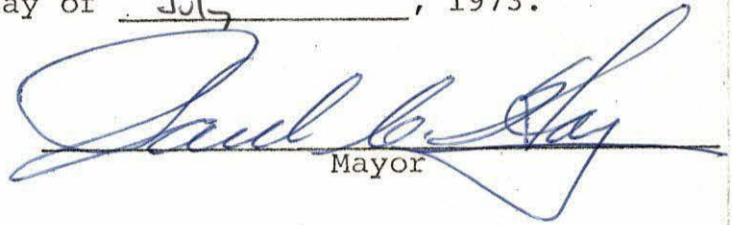
SECTION 6. The Clerk of Council is hereby directed to deliver a certified copy of this ordinance to the County Auditor within fifteen days after its adoption.

SECTION 7. Subject to the provisions of Ohio Revised Code Section 727.24, the Manager 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. 21-73.

SECTION 8. 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 SECTION 1 hereof at the

earliest possible time to facilitate the safe and orderly flow of traffic within the City, and this ordinance shall be in full force and effect from and after its adoption.

ADOPTED this 27th day of July, 1973.


Mayor

Attest: 
Clerk of Council

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Montgomery County, Ohio, hereby certifies that the foregoing is a true and correct copy of an emergency ordinance adopted by the Council of said City at a meeting held on July 27, 1973.

Marilyn J. McLaughlin
Clerk of Council

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Montgomery County, Ohio, hereby certifies that on the 27th day of July, 1973, a date within fifteen (15) days of adoption of the foregoing Emergency Ordinance No. 61-73, he caused to be certified to the County Auditor of Montgomery County, Ohio, a copy of Emergency Ordinance No. 61-73, adopted by the Council of said City on July 27 1973.

Marilyn J. McLaughlin
Clerk of Council

RECEIPT

The undersigned, County Auditor of Montgomery County, Ohio, hereby acknowledges receipt of a copy of Emergency Ordinance No. _____ of the City of Centerville, Ohio, on _____, 1973.

Date

County Auditor

By _____
Deputy County Auditor

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Montgomery County, Ohio, hereby certifies that the foregoing is a true and correct copy of an emergency ordinance adopted by the Council of said City at a meeting held on July 27, 1973.

Marilyn McLaughlin
Clerk of Council

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Montgomery County, Ohio, hereby certifies that on the 27th day of July, 1973, a date within fifteen (15) days of adoption of the foregoing Emergency Ordinance No. 61-73, he caused to be certified to the County Auditor of Montgomery County, Ohio, a copy of Emergency Ordinance No. 61-73, adopted by the Council of said City on July 27 1973.

Marilyn McLaughlin
Clerk of Council

RECEIPT

The undersigned, County Auditor of Montgomery County, Ohio, hereby acknowledges receipt of a copy of Emergency Ordinance No. 61-73 of the City of Centerville, Ohio, on July 31, 1973.

7-31-73
Date

A. L. Oswald
County Auditor

FILED

By M. Miller
Deputy County Auditor

JUL 31 1973

A. L. OSWALD
COUNTY AUDITOR