

RESOLUTION NO. 29-87

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN Charles Taylor
ON THE 21st DAY OF September, 1987.

A RESOLUTION AUTHORIZING REPAYMENT TO VARIOUS PROPERTY OWNERS A PORTION OF THE FUNDS PREVIOUSLY DEPOSITED BY THEM WITH THE CITY OF CENTERVILLE FOR PAYMENT FOR THE CONSTRUCTION OF AN EXTENSION OF CLYO ROAD TO THE EXTENT THAT SAID DEPOSITS EXCEEDED THE ACTUAL COST OF CONSTRUCTION AND RECOGNIZING A MORAL OBLIGATION FOR SAID REPAYMENT.

WHEREAS, at the time the City determined to build an extension to Clys Road, it approached property owners who would otherwise be assessed for the cost of said road construction and offered the opportunity to avoid the assessment by depositing each property owner's share of the estimated cost of construction with the City; and

WHEREAS, the total cost of construction was based upon the engineer's estimate; and

WHEREAS, the actual cost of construction was less than the engineer's estimate by a total \$29,052.29; and

WHEREAS, the City was, in reality, acting as a trustee in holding said deposits; and

WHEREAS, now that construction has been completed and there is \$29,052.29 excess which the City is under a moral obligation to return to said property owners;


NOW THEREFORE,

THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

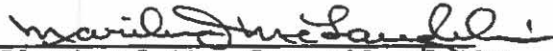
Section 1. That the City Manager and Director of Finance are hereby authorized and directed to refund the sum of \$29,052.29 to the following property owners in the following proportions:

Acro Realty	\$ 6,942.45
Oxford Development Enterprises	\$ 4,111.64
The St. Elizabeth Corporation	\$ 4,526.18
Greeneco Corporation	\$ 4,683.94
Woodley Development Co.	\$ 8,788.08

PASSED this 21st day of September, 1987.

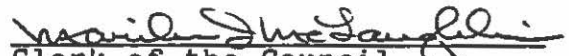

Mayor of the City of
Centerville, Ohio

ATTEST:


Clerk of the Council of the
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Resolution No. 29-87, passed by the Council of the City of Centerville, Ohio, on the 21st day of September, 1987.


Clerk of the Council

Approved as to form, consistency
with existing ordinances, the
charter & constitutional provisions.

Department of Law
Robert N. Farquhar
Municipal Attorney