

RESOLUTION NO. 23-84

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN James Singer ON THE  
30th DAY OF April, 1984.A RESOLUTION DECLARING THE NECESSITY OF  
IMPROVING CERTAIN DRAINAGE FACILITIES IN  
THE CITY OF CENTERVILLE, OHIO.

THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

Section 1. That it is necessary to improve the following public storm drainage facilities in the City of Centerville by cleaning and otherwise improving them.

Section 2. Said improvements shall be made as shown on the plan specifications, hereinafter referred to and made a part hereof, which are now on file in the office of the Clerk of this Council and are open and available for the inspection of all persons interested.

Section 3. That it is hereby determined and declared that said improvements are conducive to the public peace, health, safety, convenience and welfare of the City of Centerville and the inhabitants thereof.

Section 4. That the plans, specifications, and estimates of the proposed improvement, heretofore prepared and now on file in the office of the Clerk of this Council, are hereby approved.

Section 5. That one-half (1/2) of the cost of said improvement, but not to exceed \$500.00 per lot, shall be assessed in proportion to the benefits upon the following described lots and lands, to-wit:

All lots and lands bounding and abutting upon the proposed improvement as follows:

Being Lots 148, 149 and 150 of Village South, Section 9 as recorded in Plat Book 76, Page 76 of the Montgomery County Plat Records and Lots 61, 62, 63, 64, 65, 66, 67, 68, 69, 70 and 71 in Village South, Section 4 as recorded in Plat Book 71, Page 39 of said Plat Records and Lots numbered 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24 in Village South, Section 2 as recorded in Plat Book 70, Page 50 of the said records, which said lots and lands are hereby determined to be specially benefited by said improvement; and the cost of said improvement shall include the cost of surveys, plans, specifications and estimates and printing, serving and publishing notices, resolutions and ordinances, the amount of damages resulting from the improvement assessed in favor of any owner of land effected by the improvement and the interest thereon, the costs incurred in connection with the preparation, levy and collection of the special assessments, the cost of purchasing, appropriating and otherwise acquiring therefor any required real estate or interest therein, expenses of legal services including obtaining an approved legal opinion, costs of labor and materials, and interest on any notes issued in anticipation of the levy and collection of the special assessments together with all other necessary expenditures.

Section 6. That the City Manager be and he is hereby authorized and directed to prepare and file or cause to be prepared and filed in the office of the Clerk of this Council the estimated assessments of the cost of the improvement described in this Resolution. Such estimated assessments shall be based upon the estimate of costs of said improvement now on file in the office of the Clerk of this Council, shall be prepared pursuant to the provisions of this resolution, and shall show the amount of the assessment against each lot or parcel of land to be assessed. When such estimated assessments have been so filed, said Clerk of this Council shall cause notice of the adoption of this Resolution and the filing of said estimated assessments to be given to owners of all lots and lands to be assessed as provided in Section 727.13 of the Ohio Revised Code.

Section 7. That the assessments to be levied shall be paid in ten (10) annual installments.

Section 8. That the bonds of the City shall not be issued in anticipation of the collection of the assessments by installments.

Section 9. That all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees have resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including those of Section 121.22 of the Ohio Revised Code.

Section 10. This Resolution shall be in full force and effect from and immediately after its adoption.

Passed by a vote of at least 3/4s of the members of Council on this 30th day of April, 1984.

Shirley F. Hays  
Mayor of the City of Centerville

ATTEST:

Marie J. Paulini  
Clerk of Council of the City  
of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a true and correct copy of Resolution Number 23-St passed by the Council of the City of Centerville, Ohio, on the 30th day of April, 1984.

Marie J. Paulini  
Clerk of Council

TICK & CORWIN

Approved as to form, consistency,  
with existing ordinances, the  
charter & constitutional provisions.  
Department of Law  
Robert N. Farquhar  
Municipal Attorney