

RESOLUTION NO. 11-1942.

revised

DECLARING IT NECESSARY TO IMPROVE WELLER AVENUE, BETWEEN MAIN STREET AND EAST AVENUE, BY CONSTRUCTING SAID STREET TO THE GRADE ESTABLISHED BY ORDINANCE NO. 6-1941, DULY PASSED BY THE COUNCIL ON THE 12TH DAY OF MAY, 1941, WHICH CONSTRUCTION SHALL CONSIST OF NOT LESS THAN FOUR (4") INCHES OF THOROUGHLY COMPACTED SLAG, GRAVEL, WATER-BOUND MACADAM, SOIL-CEMENT OR THE EQUIVALENT, AND A TOP DRESSING OF NOT LESS THAN TWO (2") INCHES OF GRAVEL OR CRUSHED STONE SCREENINGS BOUND WITH PENETRATION ASPHALT OR ROAD OIL APPLIED AT THE RATE OF ONE-HALF (1/2) GALLON PER SQUARE YARD, AND DECLARING AN EMERGENCY.

BE IT RESOLVED by the Council of the Village of Centerville, in the County of Montgomery and State of Ohio, three-fourths of all members elected thereto concurring:

Section 1: That it is necessary to improve Weller Avenue, Between Main Street and East Avenue, by constructing said street to the grade established by Ordinance No. 6-1941, duly passed by the Council on the 12th day of May, 1941, which construction shall consist of not less than four (4") inches of thoroughly compacted slag, gravel, water-bound macadam, soil-cement or the equivalent, and a top dressing of not less than two (2) inches of gravel or crushed stone screenings bound with penetration asphalt or road oil applied at the rate of one-half (1/2) gallon per square yard.

Section 2: That the owners of all of the foot frontage of the property abutting on the south side of the street to be improved, as hereinafter mentioned, ~~to-wit:--all-of-them,~~ have petitioned in writing for the improvement of said street, between the points named.

Section 3: That the grade of said street as improved shall be the new grade established by ordinance No. 6-1941, duly passed by the Council on the 12th day of May, 1941.

Section 4: That the plans, specifications, estimates and profiles of the proposed improvement heretofore prepared by the engineer and now on file in the office of the Village Clerk be and the same are hereby approved.

Section 5: That the whole cost of said improvement less one-fiftieth and the cost of intersections shall be assessed by the foot front upon the following described lots and lands, to-wit: all lots and lands bounding and abutting upon the proposed improvement; and the cost of said improvement shall include the expense of the preliminary and other surveys and of printing and publishing the notices, resolutions and ordinances required, and the serving of said notices, the cost of construction together with interest on notes and bonds issued in anticipation of the collection of deferred assessments, and all other necessary expenditures.

Section 6: That the assessments so to be levied shall be paid in one annual installment, with interest at the same rate as shall be borne by the bonds to be issued in anticipation of the collection thereof; provided that the owner of any property assessed may, at his option, pay such assessment in cash within thirty days after the passage of the assessing ordinance.

Section 7: That bonds of the Village of Centerville shall be issued in anticipation of the collection of assessments by installments and in an amount equal thereto; and notes of said village shall be issued in anticipation of the issue of such bonds.

Section 8: That the remainder of the entire cost of said improvement, not especially assessed, including the cost of intersection, together with the cost of any real estate or interest therein, purchased or appropriated, and the cost and expenses of any appropriation proceeding therefor, and the damages awarded any owner of adjoining lands and interest thereon, and the cost and expenses of any such award shall be paid by the issuance of bonds in the manner provided by law.

Section 9: This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety in said Village of Centerville which require the immediate improvement of said street in the respects aforesaid and shall take effect upon

its passage .

Adopted 11/9 - 1992

Attest:

Approved:

Luella Brown
Clerk.

Emory W. Bradstreet
Mayor.