

RECORD OF ORDINANCES

Dayton Legal Blank Co.

221
Form No. 30043

Ordinance No. _____

Passed _____ 19__

ORDINANCE NO.

08-55-93

AN ORDINANCE LEVYING ASSESSMENTS FOR THE IMPROVEMENT OF PONTIOUS LANE, BETWEEN LANCASTER PIKE AND BRINK DRIVE, BY INSTALLING CURBS, WITH GUTTERS AND SIDEWALKS THEREON, AND DECLARING AN EMERGENCY.

WHEREAS, this Council did, on the 3rd day of March, 1992, duly adopt Ordinance No. 03-17-92, authorizing the Director of Public Service to prepare plans, specifications and estimates of cost therein and hereinafter described; and

WHEREAS, this Council did, on the 7th day of April, 1992, duly adopt Ordinance No. 04-26-92 declaring the necessity of, and determining to proceed with said improvement and adopting the estimated assessments theretofore filed with respect to the said improvement; and

WHEREAS, the actual cost of said improvement has now been ascertained and has been placed on file in the Office of the Clerk of this Council and has been reported to this Council; and

WHEREAS, the estimated assessments for said improvement heretofore adopted by said Ordinance No. 04-26-92 have been adjusted so that said assessments, as adjusted, are in the same proportion to said estimated assessments as the actual cost of said improvement is to the estimated cost of said improvement; and

WHEREAS, said adjusted assessments are now on file in the Office of said Clerk, NOW, THEREFORE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CIRCLEVILLE, STATE OF OHIO:

SECTION I. That the adjusted assessment of the cost of the improvement of Pontious Lane, between Lancaster Pike and Brink Drive, by installing curbs with gutters and sidewalks thereon in the City of Circleville, Ohio, as heretofore reported to this Council and now on file in the Office of its Clerk and aggregating the amount of \$25,675.60 be and the same hereby is adopted and confirmed.

SECTION II. That there is hereby levied and assessed upon the lots and lands abutting upon said improvement the amounts reported in said adjusted assessment as aforesaid, which assessments are at the rate of \$9.20 per lineal foot for curb and \$9.00 per lineal foot for sidewalk. Said assessments do not exceed any statutory limitation.

SECTION III. That it is hereby determined that the adjusted assessments heretofore referred to are in the same proportion to the estimated assessments as the actual cost of said improvement bears to the estimated cost of said improvement upon which such estimated assessments were based.

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SECTION IV. That the total assessment against each lot and parcel of land shall be payable in cash to the Treasurer of said City within thirty (30) days after passage of this ordinance or, at the option of the property owner assessed in seven (7) yearly installments, with interest at the same rate as is borne by the bonds issued in anticipation of the collection of such assessments or, if bonds are not issued, then at an annual rate of interest of seven percent (7%). All assessments and installments thereof, which have not been paid at the expiration of the said 30-day period, shall be certified by the Clerk of this Council to the County Auditor to be placed by her on the tax duplicate and collected at the same time and in the same manner as other taxes are collected, as provided by law.

SECTION V. That the Clerk of this Council be, and she hereby is, authorized and directed to cause notice of the passage of this ordinance to be published once in a newspaper of general circulation in said City, as required by law.

SECTION VI. That the Clerk of this Council is authorized and directed to keep said adjusted assessments on file in her office for so long as any of them remain unpaid.

SECTION VII. That the Clerk of this Council be, and she hereby is, authorized and directed to cause notice of the levy of the assessments herein provided for to be filed with the County Auditor within twenty (20) days after the passage of this ordinance.

SECTION VIII. That Council declares this to be an emergency ordinance necessary for the preservation of the public peace, health and safety, such emergency arising out of the necessity to assess for said improvements to provide a safe and adequate street.

PASSED :

8-3-93

DATE

Patricia Radwan
PRESIDENT OF COUNCIL

ATTEST :

Patricia G. Vouch
CLERK OF COUNCIL

APPROVED:

8-3-93

DATE

Thomas R. Rapp
MAYOR