



## **SCANNER NOTE:**

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RESOLUTION NO. 500 CMS

A RESOLUTION DECLARING IT NECESSARY TO IMPROVE SMITH STREET IN THE CITY OF OBERLIN FROM ITS INTERSECTION WITH SOUTH PLEASANT STREET EASTERLY APPROXIMATELY 1275 FEET BY INSTALLING STORM SEWERS, CONCRETE CURBS AND GUTTERS AND PAVING, AND DECLARING AN EMERGENCY

BE IT RESOLVED by the Council of the City of Oberlin, Ohio, five-sevenths of all members elected thereto concurring:

SECTION 1. That it is necessary to improve Smith Street from its intersection with South Pleasant Street easterly approximately 1275 feet by installing storm sewers, concrete curbs and gutters and paving in the manner and as shown on the plans hereinafter referred to prepared by the City Engineer.

SECTION 2. It is hereby determined and declared that said improvement is conducive to the public health, convenience and welfare of said City and the inhabitants thereof. Council further finds and determines that said improvement has been petitioned for by the owners of sixty per cent or more of the foot frontage of the property abutting upon said improvement between the said termini.

SECTION 3. That the grade of said street as improved shall be the grade shown by the plans and profiles which are made a part hereof.

SECTION 4. That the plans, specifications, estimates and profiles of the proposed improvement heretofore prepared by the City Engineer and now on file in the office of the Clerk of Council be and the same are hereby approved.

SECTION 5. That in accordance with the petition filed for said improvement, the whole cost of said improvement, including the cost of intersections, shall be assessed by the benefit method upon the following described lots and lands, to-wit:

All lots and lands bounding and abutting upon the proposed improvement between the termini aforesaid, 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 preliminary and other surveys, plans, specifications, profiles and estimates, and of printing, serving and publishing notices, resolutions and ordinances, the amount of damages resulting from the improvement assessed in favor of any owner of land affected 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 interests therein, expenses of legal services including obtaining an approving legal opinion, cost of labor and material, interest on bonds and notes issued in anticipation of the levy and collection of the special assessments, together with all other necessary expenditures.

SECTION 6. That the City Engineer be and he is hereby authorized and directed to prepare and file in the office of the Clerk of Council the estimated assessments of the cost of the improvement described in this resolution. Such estimated assessments shall be based upon the estimate of cost of said improvement now on file in the office of the Clerk of Council and shall be prepared pursuant to the provisions of this resolution. When such estimated assessments have been so filed, said Clerk shall cause notice of the adoption of this resolution and the filing of said estimated assessments to be served on the owners of all lots and lands to be assessed as provided in Section 727.13 of the Revised Code.

SECTION 7. That the assessments so to be levied shall be paid in ten (10) annual installments, with interest on deferred payments 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 (30) days after passage of the assessing ordinance.

SECTION 8. That bonds of the City shall be issued in anticipation of the collection of assessments by installments in an amount equal thereto and notes of said City shall be issued in anticipation of the issue of such bonds and the levy of such assessments.

SECTION 9. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of said City, and for the further reason that the immediate construction of said improvement is necessary to provide adequate and safe highway traffic facilities for the abutting owners and the inhabitants of the City, wherefore, this resolution shall be in full force and effect from and immediately after its passage.

PASSED: 3 June 1963 Emergency

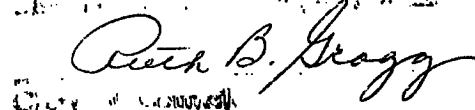
ATTEST:

  
CLERK OF COUNCIL

  
CHAIRMAN OF COUNCIL

POSTED: 4 June 1963 to  
19 June 1963

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Clerk of Council