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A RESOLUTION DECLARING THE NECESSITY OF CONSTRUCTING A STORM SEWER AND ALL NECESSARY APPURTENANCES THERETO IN THE TERRITORY HERETOFORE DESIGNATED BY COUNCIL AS OBERLIN STORM SEWER DISTRICT NO. 1, AND DECLARING AN EMERGENCY

WHEREAS, the Council of the City of Oberlin, Ohio, has determined to provide further storm sewerage facilities for that part of the City herein-after described and heretofore established as Oberlin Storm Sewer District No. 1 by Ordinance No. 297 AC CMS passed on April 1, 1963; and

WHEREAS, this Council has directed the City Engineer to devise and form a plan of sewerage of said sewer district, and said City Engineer has devised, formed and submitted such a plan, together with the requisite details, specifications and cost estimates; and

WHEREAS, the Council has duly accepted and approved the aforementioned plan;

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

Section 1. That it is necessary to construct the following described storm sewer improvement together with all necessary appurtenances thereto as provided for in the plan of sewerage of Oberlin Storm Sewer District No. 1, which sewer district includes all the properties within the limits described in Section 3 hereof, and which plan has heretofore been approved by this Council and is now on file in the office of the Clerk of Council, and that the portion of the work therein provided for which it is hereby determined to construct and to be required for immediate use is as follows:

A storm sewer and all necessary appurtenances thereto in the following location:

Beginning at the outfall end of the project, 1160 feet south of Morgan Street in lands of Oberlin College; thence northerly in an existing open ditch, enclosing said ditch with a 54" pipe, to Morgan Street; thence northerly adjacent to the easterly lines of Fairway Subdivision, Robin Park Subdivision and Westmoor Colony Subdivision a distance of 1567 feet of 48" pipe to a manhole; thence westerly through lands of Robin Park Subdivision, 1138 feet of 36" pipe to Pyle-South Amherst Road; also beginning at the manhole above described and extending easterly and northerly to West College Street with a 36" pipe; a distance of 448 feet; thence easterly in West College Street 400 feet to a point with a 30" pipe; thence northerly through lands of Julia W. Wilson, et al, G. L. Severs, Eric Nord, a distance of about 915 feet, with a 24" pipe to Lorain Street, to the end of the project,

and that said improvement is hereby determined to be conducive to and required by the public health, convenience and welfare of said City.

Section 2. That said district storm sewer improvement shall be constructed in accordance with the plans and specifications heretofore prepared by the City Engineer, and now on file in the office of the Clerk of this Council, and shall be constructed of the kind of materials specified in said plans and specifications, which said plans and specifications by reference thereto are incorporated herein and made a part hereof. That the plans, specifications, estimates, and profiles for said improvement so prepared by said City Engineer and now on file in the office of the Clerk of Council are hereby approved.

Section 3. That the entire cost of constructing the aforesaid improvement, less one-fiftieth thereof, and the cost proportionate to the acreage in the streets of the City, shall be assessed in proportion to the benefits which may result from the improvement upon all lots and lands located within said Oberlin Storm Sewer District No. 1, which district is described as follows:

Beginning at a point in the center line of Pyle-South Amherst Road, distant 600.0 feet northerly from the center line of Morgan Street; thence westerly at right angles to Pyle-South Amherst Road a distance of about 1050.0 feet to the westerly line of lands owned by Elizabeth Kelly; thence in the westerly line of said lands, northerly a distance of 1300.00 feet; thence easterly at right angles to Pyle-South Amherst Road a distance of about 820.0 feet to a point 200.0 feet westerly from the westerly line of Pyle-South Amherst Road; thence northerly parallel to said Road to the southerly line of Lorain Street; thence in said southerly line, easterly to a point 200.0 feet easterly from the center line of Pyle-South Amherst Road; thence northerly parallel to Pyle-South Amherst Road a distance of 200.0 feet from the center line of Lorain Street; thence in the northerly line of Oberlin City Corporation line, easterly to the westerly Corporation line of Oberlin City; thence in said westerly line, northerly to the southerly line of Union Street; thence in said southerly line, easterly to the center line of an alley, distant 192.0 feet easterly from the easterly line of North Prospect Street; thence southerly in said center line, 200.0 feet to a point; thence easterly in a line parallel to Union Street to the center line of an alley 192.0 feet, easterly from the easterly line of Hollywood Street; thence in said center line southerly 100.0 feet to a point; thence easterly in a line 300.0 feet southerly from the southerly line of Union Street and parallel thereto to a point 272.25 feet easterly from the easterly line of Woodland Avenue; thence in a line parallel to Woodland Avenue, southerly 145.0 feet to a point; thence easterly in a line parallel to Union Street and 445.0 feet southerly from the southerly line of said street, to a point 220.0 feet westerly from the westerly line of Main Street; thence southerly parallel to Main Street 198.0 feet; thence in a line parallel to Union Street, easterly to the westerly line of Main Street; thence in the westerly line of said street, southerly to the southerly line of Vine street; thence in said southerly line, westerly to the easterly line of Professor Street; thence in said easterly line, southerly to a point 200.0 feet southerly from the southerly line of Forest Street; thence in a line parallel to and 200.0 feet southerly from the southerly line of Forest Street, westerly to a point 434.0 feet easterly from the easterly line of Cedar Street; thence in a line parallel to Cedar Street and 434.0 feet easterly therefrom, northerly to a point distant 179.50 feet northerly from the northerly line of Forest Street; thence in a line parallel to Forest Street, westerly to a point 150.0 feet easterly from the easterly line of Prospect Street; thence in a line parallel to Prospect Street, northerly to a point 150.0 feet southerly from the southerly line of Elm Street; thence in a line parallel to Elm Street, westerly to a point 200.0 feet westerly from the westerly line of Prospect Street; thence in a line parallel to Prospect Street, northerly to a point 200.0 feet northerly from the northerly line of Elm Street; thence in a line parallel to Elm Street, westerly to the westerly line of the former Lorain-Ashland and Southern Railroad right-of-way; thence in said westerly line, southerly to a point 200.0 feet northerly from the northerly line of Morgan Street; thence in a line parallel to Morgan Street, westerly to the former westerly line of Oberlin Village; thence in said westerly line, southerly to the southerly line of Oberlin Cemetery lands; thence westerly to the

westerly line of Oberlin Cemetery lands; thence southerly to Plum Creek; thence westerly in said creek to a point 200.0 feet easterly from the center line of Pyle-South Amherst Road; thence in a line parallel to said Road, northerly to the center line of Morgan Street; thence westerly in said center line to the center line of Pyle-South Amherst Road; thence northerly in the center line of Pyle-South Amherst Road, 600 feet to the place of beginning of lands herein described.

being and the same is hereby established as a storm sewer district and shall be designated as City of Oberlin Storm Sewer District No. One.

with the exception of the two following described areas in said sewer district which shall be excluded from the assessment district for this improvement:

Area 1. - All lands southerly from a line 1000 feet south of and parallel to the center line of Morgan Street and extending from the former westerly corporation line of Oberlin Village, westerly to a point 200 feet easterly of the center line of Pyle-South Amherst Road.

Area 2. - All lands in Original Township Lot 74 lying between the westerly corporation line of the former Oberlin Village and the westerly line of the former Right-of-way of the Lorain and Ashland Railroad and extending from a point 200 feet north of the center line of Lorain Street to the southerly line of Union Street.

Said lots and lands are hereby determined to be specially benefited by said improvement and the cost of said improvement shall include the expense of preliminary and other surveys, and of printing and publishing the notices, resolutions and ordinances required, and the service of said notices, and 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, legal or otherwise, in connection with the financing thereof.

Section 4. That the Engineer of this City be and he is hereby authorized and directed to prepare and file 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 cost of said improvements now on file in the office of the Clerk of this 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 Revised Code Section 727.13.

Section 5. That the assessments to be levied shall be paid in fifteen 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 days after passage of the assessing ordinance.

Section 6. That bonds of the City shall be issued in anticipation of the collection of assessments by installments and in an amount equal thereto and notes of said City shall be issued in anticipation of the issuance of such bonds and the levy of such assessments.

Section 7. That this resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety and for the further reason that it is urgently necessary to provide further for the sewerage of the aforesaid district to eliminate existing unsanitary conditions therein and to preserve and protect the health of the residents thereof, and this resolution shall therefore go into immediate effect upon the passage thereof.

Passed: June 15, 1964 - Emergency

Attest: Ruth B. Grogg
Clerk of Council

Lytle H. Butler
Chairman of Council

Posted: 6/17/64 through
7/2/64

Ruth B. Grogg
Clerk of Council