

ORDINANCE NO. 133 - AC CMS

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF NORTH PROSPECT STREET IN THE CITY OF OBERLIN, OHIO, BY INSTALLING SANITARY AND STORM SEWERS, WATER LINE, CONCRETE CURBS AND GUTTERS AND PAVING, AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Oberlin, Lorain County, State of Ohio, three-fourths of all members elected thereto concurring:

SECTION 1. That it is hereby determined to proceed with the improvement of North Prospect Street from its intersection with Union Street northerly approximately 609 feet to an intersection with an alley by installing an eight inch sanitary sewer, a six inch water line, a storm sewer sufficient for proper drainage of such street, concrete curbs and gutters and paving with eight inches of compacted base and two inches of black top or concrete in accordance with established City specifications therefor, in accordance with the plans, specifications, estimates and profiles heretofore approved and now on file in the office of the City Manager; the character of the materials to be bid upon for the sanitary sewer is vitrified sanitary pipe, the storm sewer is concrete pipe, the water main is cast iron pipe, the curbs and gutters are concrete, and the paving is black top, and reference is made to said plans and specifications for additional information concerning the character of the materials for such improvement.

SECTION 2. That all claims for damages resulting therefrom that have been legally filed shall be inquired into before the commencement of the proposed improvement, and the Solicitor shall be, and he is hereby authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into any claims that have been so filed.

SECTION 3. That the whole cost of said improvement including 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, 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 legal services and obtaining an approving legal opinion, the expense of the preliminary and other surveys and of printing and publishing the notices, resolutions and ordinances required, the serving of said notices, the cost of construction, together with interest of notes and bonds issued in anticipation of the collection of deferred assessments and all other necessary expenditures.

SECTION 4. 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 to be assessed may, at his option, pay such assessments in cash within thirty (30) days after the passage of the assessing ordinance.

SECTION 5. That bonds of the City shall be issued in anticipation of the collection of assessments by installments and in an equal amount thereto and notes of said City shall be issued in anticipation of the levy of such assessments and the issuing of such bonds.

SECTION 6. That the City Manager be and he is hereby authorized and directed as soon as the funds therefor are available to make and execute a contract for said improvement with the lowest and best bidder after advertising according to law.

SECTION 7. This ordinance is hereby declared to be an emergency measured 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 eliminate existing hazards to pedestrian and vehicular traffic; wherefore this ordinance shall be in full force and effect from and immediately after its passage.

PASSED: Under Suspension 9/7/59

ATTEST:

Ruth Gregg
Clerk of Council

James F. Long
Chairman of Council

Pasted: 9/8/59 to
9/23/59