

ORDINANCE NO. 359 AC CMS

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF ARTINO STREET IN THE CITY OF OBERLIN, OHIO, BY EXTENDING ARTINO STREET 400 FEET NORTH FROM ITS PRESENT TERMINUS AND BY INSTALLING SANITARY AND STORM SEWERS, WATER LINES, CONCRETE CURBS AND GUTTERS AND PAVING.

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

SECTION 1. That it is hereby determined to proceed with the improvement of Artino Street northerly approximately 400 feet from its present terminus point by installing a ten inch cast iron class 150 water main, a ten inch vitrified sanitary sewer, a twelve inch concrete storm sewer, concrete curbs and gutters, ten inches of bituminous concrete with eight inches of compacted base and two inches of finished material in accordance with city specifications. All specified appurtenances to be designed by the city engineer.

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, the 2% which must be paid by the city, and 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~~ <sup>option</sup>, 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 shall be in full force and effect from the earliest period allowed by law.

Passed: June 15, 1964 - 1st reading  
July 6, 1964 2nd reading

Attest:

Paul B. Grogg  
Clerk of Council

Lyle R. Butler  
Chairman of Council

Posted: June 18, 1964 through  
July 3, 1964