

426 AC CMS
ORDINANCE NO. _____

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF EASEMENTS OF THE CITY OF OBERLIN AND WEST COLLEGE STREET BETWEEN CERTAIN TIERCHIX BY CONSTRUCTING A STORM SEWER AND ALL NECESSARY APPURTENANCES THEREON, AND DECLARING AN EMERGENCY

Be It Ordained by the Council of the City of Oberlin of Lorain County, State of Ohio:

Section 1. That it is hereby determined to proceed with the improvement in the City of Oberlin, of easements of the City of Oberlin and West College Street 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 43" pipe to a manhole, thence westerly through lands of Robin Park Subdivision 1135 feet of 36" pipe to Pyle-South Adairst Road and beginning at the manhole above described and extending easterly and northerly to West College Street with a 36" pipe a distance of 443 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 Ford, a distance of about 915 feet with a 24" pipe to Lorain Street to the end of project.

Section 2. That said improvement shall be made in accordance with the provisions of Resolution No. 536 passed on September 20, 1965, and with the plans, specifications, estimates and profiles heretofore approved and now on file in the office of the Clerk of this Council by constructing a storm sewer and all necessary appurtenances thereto.

Section 3. 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 is hereby authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into claims that have been so filed.

Section 4. That portion of the cost provided in the above-mentioned resolution of necessity to be assessed shall be assessed in the manner and the number of installments provided in said resolution and on the lots and lands described therein.

Section 5. That the estimated assessments heretofore prepared and filed in the office of the Clerk of this Council and as equalized by the board heretofore appointed for such purpose by Resolution No. 539 adopted on October 10, 1965, the report of which board was approved by Resolution No. 541 CMS adopted on July 26, 1965, 1965 be and the same are hereby adopted.

Section 6. The Clerk of this Council is hereby directed to deliver a certified copy of this ordinance to the County Auditor within fifteen days after its passage.

Section 7. Subject to the provisions of Section 727.24, Revised Code, the City Manager of the City 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 and the improvement shall be financed as provided in the resolution of necessity.

Section 8. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of said City and for the further reason that the immediate construction of said improvement is necessary to provide necessary drainage and to relieve inadequate drainage and prevent flooding conditions to protect the health of the residents within the area to be drained and benefited by said improvement; wherefore, this ordinance shall be in full force and effect from and immediately after its passage.

PASSED: October 26, 1965

ATTEST:

Paul B. Gregg
Clerk of Council

Leyle R. Butler
Chairman of Council

POSTED: October 27, 1965 thru
November 10, 1965

Paul B. Gregg