

# RECORD OF ORDINANCES

Dayton Legal Blank Co.—10116

Ordinance No. 1995-02

Passed January 17 19 95

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE CONSTRUCTION, REPAIR, AND REPLACEMENT OF SIDEWALKS AND CURBS IN THE MUNICIPALITY OF BROOKVILLE, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, this Council did on the 6th day of September, 1994 duly adopt Resolution No. 94-17 declaring the necessity of constructing, repairing, and replacing certain designated sidewalks and curb; and

WHEREAS, the Municipality of Brookville has subsequently constructed, repaired and replaced that portion of such sidewalks and curbs which were not constructed, repaired, and replaced by the owners of the property abutting thereon; and

WHEREAS, a list of the estimated assessments of the total cost of said construction, repair, and replacement has been prepared and placed on file in the office of the Clerk of Council; and

WHEREAS, no objections to said estimated assessments have been filed;

NOW, THEREFORE, be it ordained by the Council of the Municipality of Brookville, Ohio;

## SECTION I:

That the list of estimated assessments of the cost of constructing, repairing, and replacing certain sidewalks in the Municipality of Brookville, Ohio, as provided for in said Resolution No. 94-17 heretofore reported to this Council and now on file in the office of the Clerk of this Council, and aggregating in the amount of \$ 3995.00 be and the same hereby are adopted.

## SECTION II:

That the several amounts of said assessments, as aforesaid be and the same hereby are assessed and levied upon the lots and lands bounding and abutting upon said improvement, unless already paid.

## SECTION III::

That it is hereby determined that said assessments, as aforesaid, do not exceed the special benefits resulting from said improvement and do not exceed any statutory limitation.

## SECTION IV:

That the Clerk of this Council be and he hereby is authorized and directed to continue on file in his office a list of said assessments and the description of said lots and land.

## SECTION V:

That the total assessment against each lot and parcel of land shall be payable in cash to the Director of said Municipality within thirty (30) days after the passage of this Ordinance, or, at the option of the property owner assessed, in five (5) annual installments with interest at ten percent (10%) per annum plus a collection fee to the County Auditor of five percent (5%).

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All assessments and installments hereof which have not been paid at the expiration of said thirty-day period shall be certified by the Clerk of this Council to the County Auditor to be placed by him on the tax duplicate and collected, as provided by law.

## SECTION VI:

That the Clerk of this Council be and he hereby is authorized and directed to cause notice of the levy of the assessments herein provided for to be filed with the County Auditor within thirty (30) days following the passage of this Ordinance.

## SECTION VII:

This Ordinance is hereby declared to be an emergency Ordinance in order to provide proper bookkeeping and financial records as prescribed by law for the Municipality of Brookville, Ohio. This Ordinance shall take effect and be in full force from and after the date has been passed according to the charter of the Municipality of Brookville, Ohio.


PASSED this 17th day of January, 1995.

  
E. Eugene Roeser, Clerk

  
Michael A. Duncan, Mayor

## CERTIFICATE

The undersigned, Clerk of the Municipality of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 1995-02 passed by Council of said Municipality on the 17th day of January, 1995.

  
E. Eugene Roeser, Clerk

## CERTIFICATE OF POSTING

The undersigned, Clerk of Council of the Municipality of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 1995-02 was posted at the Municipal Building, U.S. Post Office and the Brookville National Bank, Brookville, Ohio on the 23rd day of January, 1995 to the 24th day of February, 1995, both days inclusive.

  
E. Eugene Roeser, Clerk

Exhibit A

Donald Crowe

627 Salem Street 34 square ft. sidewalk Total \$153.00

Edward Ullery

633 Salem Street 224 sq. ft. sidewalk 1008.00  
 extra: service walk 58.00  
 2 tile repair @ 38.00 ea. 76.00  
 Total \$1142.00

David Bennett

739 Salem Street 52 sq. ft. sidewalk 234.00  
 extra: dig out roots 75.00  
 Total \$309.00

Ricklin Sharp

745 Salem Street 40 sq. ft. sidewalk Total \$180.00

John Wilson

803 Salem Street 140 sq. ft. sidewalk 630.00  
 extra: grub roots in 3 areas 105.00  
 Total \$735.00

## Exhibit A

Robert Combs

818 Salem Street	236 sq. ft.	1062.00
	extra: 10' @ 6" deep - extra concrete	18.00
	1% Calcium + Heated Concrete	10.00
	Move mail box past back	25.00
	service walk	68.00
		<u>\$1183.00</u>

Kimberly Flora-812 Salem St.

white block house	64 sq. ft.	288.00
in alley - Salem Street	extra: 1% Calcium + Heated Concrete	5.00
		<u>Total \$293.00</u>

City of Brookville	112 sq ft @ 6" deep	504.00
city alley on	extra: 6" deep extra concrete	98.00
Salem Street	wheelchair ramp at Braumillers	48.00
	1% Calcium + Heated concrete	5.00
		<u>\$655.00</u>