

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CERTAIN PROPERTIES IN THE VILLAGE OF RICHFIELD BY CONSTRUCTING SANITARY SEWERS, TOGETHER WITH SERVICE CONNECTIONS, AND SANITARY SEWAGE PUMPING STATIONS, TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, IN CERTAIN DESIGNATED LOCATIONS, AND DECLARING AN EMERGENCY.

WHEREAS, this Council has adopted Resolution No. 41-1987 on September 3, 1987, as amended by Resolution No. 43-1987, adopted on September 29, 1987, declaring the necessity of making the improvement described in Section 1;

WHEREAS, Council has adopted Resolution No. 56-1987 on this date, approving the report of the Assessment Equalization Board appointed by Resolution No. 46-1987 adopted on November 4, 1987;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, Summit County, Ohio, that:

Section 1. It is determined to proceed with the improvement of certain properties in the Village as described in Resolution No. 43-1987 by constructing sanitary sewers, together with service connections, and sanitary sewage pumping stations, together with the necessary appurtenances thereto, in Brecksville Road and in adjacent easements of the Village from Everett Road to an existing sanitary sewer owned by Cuyahoga County located in Parkview Road in the City of Brecksville, in Broadview Road and in adjacent easements of the Village, northwesterly a distance of approximately 515 feet from the centerline of Brecksville Road, in Streetsboro Road, westerly a distance of approximately 300 feet from the centerline of Brecksville Road, and in Congress Parkway and in adjacent easements of the Village, easterly a distance of approximately 1,937 feet from the centerline of Brecksville Road and westerly a distance of approximately 1,500 feet from the centerline of Brecksville Road.

Section 2. The improvement shall be made in accordance with the provisions of Resolution No. 41-1987, as amended by Resolution No. 43-1987, and with the plans, specifications, profiles and estimate of cost previously approved and now on file in the office of the Clerk of Council.

- Section 3. All claims for damages resulting from the improvement that have been legally filed shall be inquired into after completion of the improvement, and the Director of Law is authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into those claims.
- Section 4. The portion of the cost of the improvement to be assessed in accordance with Resolution No. 41-1987, as amended by Resolution No. 43-1987, shall be assessed in the manner and the number of installments provided, and on the lots and lands described, in resolutions.
- Section 5. The estimated special assessments previously prepared and filed in the office of the Clerk of Council and as equalized by the Assessment Equalization Board are adopted.
- Section 6. The Clerk of Council shall deliver a certified copy of this ordinance to the County Auditor within 15 days after its passage.
- Section 7. Subject to the provisions of Section 727.24 of the Revised Code, the Mayor is authorized and directed to prepare plans and specifications for the improvement, and to advertise, according to law, for bids to accomplish the improvement; and the improvement shall be financed as provided in Resolution No. 41-1987, as amended by Resolution No. 43-1987.
- Section 8. This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were passed in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.
- Section 9. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of this Village and for the further reason that this ordinance is required to be immediately effective to provide for the construction of the improvement, which is needed to eliminate existing hazards to the health and property of the

residents of the Village; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Approved:

E. June Ferber  
Mayor  
David M. Hawaaf  
President of Council

Passed: 12-30-87

I, the undersigned Clerk of Council of the Village of Richfield, Summit County, Ohio, do hereby certify that the foregoing Ordinance No. 57-1987, was duly and regularly passed by the Council of the Village of Richfield, Summit County, Ohio, at a regular meeting of Council on the ~~1st~~<sup>30th</sup> day of December, 1987.

Mary L. Hegley  
Clerk of Council  
Village of Richfield, Ohio

Approved as to legal form:

\_\_\_\_\_  
Director of Law

Posted: \_\_\_\_\_