

AN ORDINANCE TO ACCEPT A CERTAIN PROPERTY OWNERS' PETITION FOR THE IMPROVEMENT THEREIN DESCRIBED AND, IN RELIANCE ON THAT PETITION, TO PROCEED WITH THAT IMPROVEMENT BY DIRECTING THE PREPARATION OF THE PLANS, SPECIFICATIONS, PROFILES, COST ESTIMATES AND OTHER NECESSARY AND APPROPRIATE DOCUMENTS FOR SUCH IMPROVEMENT.

WHEREAS, there was presented to this Council a petition for the improvement of the properties described in that petition by constructing sanitary sewers, together with the necessary appurtenances thereto, in Brecksville Road from the southerly most point in the Village to the northerly most point in the Village and in Congress Parkway, easterly a distance of 2,400 feet from the centerline of Brecksville Road and westerly a distance of ~~1,537~~ <sup>2137</sup> feet from the centerline of Brecksville Road, and further requesting that the entire cost of that improvement be assessed upon the lots and lands described in that petition;

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

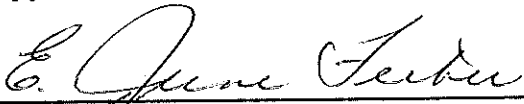
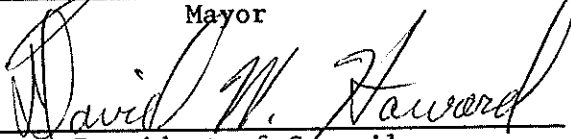
- Section 1. The petition for the improvement referred to in the preamble hereto is hereby accepted and directed to be filed in the office of the Clerk of Council, and, in reliance on that petition, Council determines to proceed with the construction of that improvement as herein provided.
- Section 2. Council hereby finds and determines that the costs of the plans, specifications, profiles, cost estimates and other documents necessary or appropriate for the construction of the improvement shall be a part of the costs of the improvement and shall be assessed, as shall a portion of the balance of those costs, upon the properties of the petitioners and the other property owners described in the petition.
- Section 3. In reliance upon the petition and the findings and determinations set forth in Sections 1 and 2 hereof, Finkbeiner, Pettis & Strout, Ltd. is hereby authorized and directed to prepare, pursuant to a contract to be entered into between that firm and the Village at a cost not to exceed \$250,000, the plans, specifications, profiles, cost estimates and other documents deemed necessary or appropriate by the Village for the construction of the improvement, the costs thereof to be paid as herein provided. The Mayor and the Director of Finance are hereby authorized to sign that contract on behalf of the Village.

Section 4. The Clerk of Council is directed to cause notice of the filing of the petition and of the passage of this ordinance to be served by certified mail on the owners of all lots and lands to be assessed. The Clerk of Council is also directed to deliver a certified copy of this ordinance to the County Auditor of Summit County.

Section 5. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.

Section 6. This ordinance is hereby declared to be an ordinance providing for improvements petitioned for by the owners of a majority of the foot frontage of the property benefitted and to be specially assessed therefor; wherefore, this ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Approved:

  
\_\_\_\_\_  
Mayor  
  
\_\_\_\_\_  
President of Council

Passed:

9/2/86

I, the undersigned Clerk of Council of the Village of Richfield, Summit County, Ohio, do hereby certify that the foregoing Ordinance No. 38-1986, was duly and regularly passed by the Council of the Village of Richfield, Summit County, Ohio, at a regular meeting of Council on the ~~24th~~ day of ~~August~~, 1986. <sup>2ND</sup>  
~~SEPTEMBER~~

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

Approved as to legal form:

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Director of Law

Posted: September 5, 1986