

## **ORDINANCE C-51-95**

**AN ORDINANCE DECLARING THE NECESSITY OF AND DETERMINING TO PROCEED WITH THE RELOCATION, CONSTRUCTION AND IMPROVEMENT OF SEEDS ROAD IN THE CITY OF GROVE CITY, CONSTRUCTING A NEW INTERSECTION WITH SOUTH MEADOWS DRIVE, INSTALLING RELATED DRAINAGE AND TRAFFIC CONTROL IMPROVEMENTS AND PAYING ENGINEERING, DESIGN AND LEGAL EXPENSES RELATING THERETO (THE "PROJECT") AND DECLARING AN EMERGENCY**

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WHEREAS, the owners of certain properties located in the City of Grove City (the "Properties") have petitioned the City for the construction of the Project described in the title to this Ordinance; and

WHEREAS, in the petition dated July 10, 1995, the petitioner has waived various procedural steps in order to expedite construction of the Project; and

WHEREAS, construction of the Project is in the best interest of the City and residents thereof and will eliminate a dangerous traffic condition.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT

SECTION 1. It is hereby determined to be necessary to construct, and Council hereby determines to proceed with the construction of the Project as described in the title to this Ordinance, in accordance with plans, specifications, and estimates of cost (the "Plans") prepared by consulting engineers to the City and on file or to be filed in the office of the Clerk of Council and open for public inspection.

SECTION 2. The grade of relocated Seeds Road after completion of the Project shall be as shown on the Plans.

SECTION 3. Fifty percent (50%) of the cost of the Project shall be paid by the City and fifty percent (50%) shall be paid by the owners of the Properties by way of special assessments to be levied against that portion of the Properties lying north of the relocated Seeds Road, in accordance with diagrams on file in the office of the Clerk of Council. The special assessments shall be levied in proportion to the benefits conferred by the Project, as determined by City Council, and collected over a period of ten (10) years in semi-annual installments as taxes are paid, with interest thereon at such rate (not to exceed eight per centum (8%) per annum) as shall be determined by City Council.

SECTION 4. The Clerk of Council is hereby directed to have delivered a certified copy of this Ordinance to the County Auditor within fifteen days after passage hereof.

SECTION 5. The City Administrator and other appropriate officials of the City are hereby authorized and directed, as soon as the funds therefor are available, to make and execute a contract for construction of the Project with the lowest and best bidder after advertising according to law and the City's procedures. The Project shall be financed as determined by this Council.

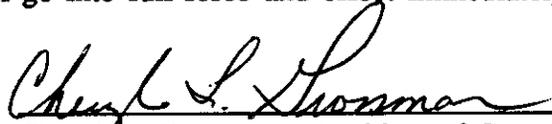
SECTION 6. It is hereby found and determined that all formal actions of the City Council concerning and relating to the passage of this Ordinance were taken in an open meeting of the City Council, and that all deliberations of the City Council and any of its Committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 7. This Ordinance is hereby declared to be an emergency measure, necessary for the immediate preservation of the public peace, health, safety and general welfare of the City, for the reason that a dangerous traffic condition exists and must be promptly corrected, and in order that the construction of the Project can be commenced during favorable weather conditions, wherefore this Ordinance shall go into full force and effect immediately upon its passage.

Passed: 8-7-95  
Effective: 8-7-95

Attest:

I Certify that this ordinance  
is correct as to form.

  
Cheryl L. Grossman, President of Council

  
Richard L. Stage, Mayor

  
Tami K. Kelly, Clerk of Council

  
Thomas Clark, Director of Law