

ORDINANCE C-49-15

AN ORDINANCE TO AUTHORIZE AN ASSESSMENT FOR A PORTION OF THE ORDERS ROAD TRUNK SANITARY SEWER IN THE AMOUNT OF \$164,400.00

WHEREAS, in 2014, the City began working on roadway improvements to Orders Road; and

WHEREAS, while the City was beginning the roadway improvements, new development projects necessitated extending the sanitary sewer trunk line along Orders Road ; and

WHEREAS, on July 20, 2015 City Council enacted Ordinance C-34-15 which appropriated \$690,000.00 for the sewer project; and

WHEREAS, the City has been negotiating cost sharing with the abutting landowners and obtaining the easements necessary for the project; and

WHEREAS, abutting property owners, Mr. and Mrs. Brown, have granted the City the necessary easements for the sewer project; and

WHEREAS, the Brown's have requested, in writing, that their portion of the cost sharing (as determined by the City) be assessed to their property; and

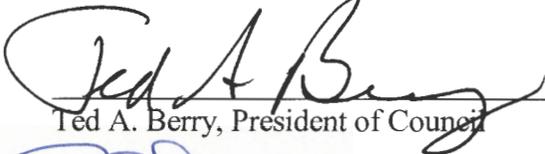
WHEREAS, the terms of the assessment have been reviewed by and approved by the City's Director of Finance.

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

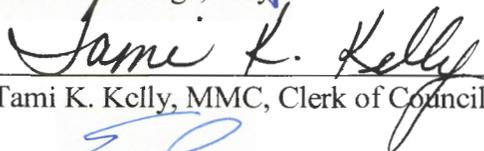
SECTION 1. The City Council hereby authorizes the assessment for a portion of the sewer project in the amount of \$164,400.00 upon the terms and conditions in Exhibit "A".

SECTION 2. The Director of Finance is hereby directed to file any necessary paperwork with the County to place this assessment on the tax duplicate.

SECTION 3. This Ordinance shall take effect and be in force from and after the earliest date permitted by law.


Ted A. Berry, President of Council


Richard L. Stage, Mayor


Tami K. Kelly, MMC, Clerk of Council


Stephen J. Smith, Director of Law

Passed: 08-17-15

Effective: 09-16-15

Attest:

I certify that this Ordinance is correct as to form.

C-49-15
EXHIBIT A

**REQUEST FOR
SEWER IMPROVEMENTS/ASSESSMENT**

To: City of Grove City
County of Franklin, Ohio

Joseph D. and Marcia L. Brown (collectively referred to as "Owner") own the real property located at 3655 Orders Road, Grove City, Ohio 43123 ("Property").

In order to provide a mechanism by which the City of Grove City ("City") will be reimbursed for its costs associated with the sewer extension along Orders Road ("Project"), the undersigned, being owners of real property, by this writing filed with the City of Grove City, Ohio, request that the City provide for payment of the Project Costs and that such costs be assessed on the Owners.

WHEREAS, the cost estimates have been prepared for the Project and Owner has agreed to pay their portion of the cost by having the cost assessed to their Property;

NOW, THEREFORE, Owner does hereby state and agree as follows:

1. Owner requests that the City agrees to provide for the payment of the cost of the Project as described in Section 6 below.
2. The construction of the Project will benefit Owner.
3. Owner agrees that they be assessed for their portion of the full cost of the Project.
4. With full knowledge of our rights under Chapter 729 of the Ohio Revised Code, Owner hereby waives and relinquishes rights to notice and the publication of all resolutions and legal notices provided for in Chapter 729, without any reservation or retention of right to contest, on the basis of want of the same, any proceedings which may be undertaken in furtherance of the acquisition and construction of the Project, the assessment requested herein and the payment of costs relative thereto.
6. Owner acknowledges that they have examined the estimated Project costs and their proportionate share is equal to One Hundred and Thirty Seven Thousand Dollars (\$137,000) and they have no objection

thereto and accept and approve same. Owner understands that they will have the opportunity to pay the assessment over the period not to exceed Fifteen (15) years with interest at an annual rate of Two and One Half Percent (2.5%). The estimated amount of said interest shall be calculated and added to the final assessment. Owner understands that on completion of the Project the Owner shall have the payment options of said final assessment as indicated herein.

7. Owner agrees that an executed copy or copies, if executed in counterparts, of this shall be filed with the County Auditor and the Clerk of the City of Grove City.

IN WITNESS WHEREOF, we have subscribed our names below.



Joseph D. Brown



Marcia L. Brown