

RESOLUTION NO. 1-2016

A RESOLUTION DECLARING IT NECESSARY TO IMPROVE EAST CANAL STREET BETWEEN CERTAIN TERMINI BY GRADING AND THE APPLICATION OF ASPHALTIC CONCRETE PAVEMENT, AND THE CONSTRUCTION OF CONCRETE CURBS, GUTTERS, SIDEWALKS AND DRIVEWAY APPROACHES OR ANY COMBINATION THEREOF; REQUIRING THE ABUTTING PROPERTY OWNERS TO CONSTRUCT THE SAME; AND DECLARING AN EMERGENCY.

WHEREAS, the Village Engineer will heretofore prepare plans, specifications, and an estimate of the cost of the improvement of East Canal Street and the construction of certain curbs, gutters, sidewalks and driveway approaches at the locations hereinafter set forth; and

WHEREAS, said plans, specifications and estimate of cost will be on file in the office of the Finance Director of the Village of Ansonia, Darke County, Ohio;

NOW, THEREFORE, pursuant to Section 729.02 O.R.C., be it resolved by Council of the Village of Ansonia, Ohio, that:

SECTION ONE

It is necessary to improve East Canal Street from the Main & Canal intersection east to terminus at the Fourth Street and East Canal intersection by grading and the application of asphaltic concrete pavement, and the construction of concrete curbs, gutters, sidewalks, and driveway approaches or any combination thereof. Also to include the construction of a sidewalk from Fourth Street east to the Dollar General property on the south side of East Canal Street.

SECTION TWO

The plans, specifications, and estimate of cost of the proposed improvement will be on file in the office of the Finance Director of the Village of Ansonia, Ohio and the same are hereby approved.

SECTION THREE

The owners of each lot and lands abutting thereon shall construct that portion of said curb, gutter, sidewalk, drive approach, or any combination thereof, which abuts his property, in accordance with the plans and specifications that will be on file with the Finance Director of the Village of Ansonia, Ohio, within thirty days of the service of notice of the passage of this Resolution on said abutting land owners, or the waiver of said notice by said land owners.

SECTION FOUR

In the event that said curbs, gutters, sidewalks, and drive approaches are not constructed by the owners of the lots and lands abutting therein in accordance with said plans and specifications and within the time prescribed by this Resolution, the Village of Ansonia, Ohio, will so construct said curbs, gutters, sidewalks, and drive approaches and assess the cost in any combination thereof against the lots and lands abutting therein unless the owners pay their assessed costs to the Finance Director of the Village of Ansonia, Ohio, within thirty days of the completion of said construction. If the owners fail to pay their assessed costs within the thirty day period the assessed costs will be submitted to the Darke County Auditor for collection over a ten year period.

SECTION FIVE

The Clerk of this Council be and hereby is authorized and directed to prepare and serve notice of the passage of this Resolution upon the owners of the lots and lands abutting on the above described improvement in the manner provided by law as set fourth in Section 729.03 O.R.C.

SECTION SIX

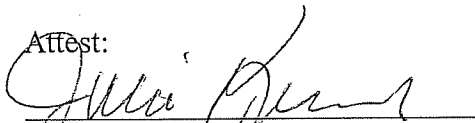
This Resolution is hereby declared an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the citizens of the Village of Ansonia, as there is a time limitation for the construction of said improvements, and this Resolution shall take effect and be in full force from and after its passage and approval by the Mayor.

Adopted this 1 day of March, 2016



Rick Lee, Mayor

Attest:



Julie Kimmel, Clerk

Approved:

Travis L. Fliehman, Solicitor