

ORDINANCE NO. 82-17

AN ORDINANCE TO AMEND ORDINANCE 70-17 LEVYING SPECIAL ASSESSMENTS FOR THE CONSTRUCTION AND RECONSTRUCTION OF A PORTION OF CHESTER ROAD FROM A TWO (2) LANE TO A FIVE (5) LANE ROADWAY TOGETHER WITH ALL APPURTENANCES AND RELATED IMPROVEMENTS THERETO AND DECLARING AN EMERGENCY

WHEREAS, this Council (the “Council”) of the City of Avon, Lorain County Ohio (the “City”) duly adopted Resolution No. R-4-16 on March 11, 2016 (the “Resolution”) and declared the necessity of the Construction and Reconstruction of a Portion of Chester Road from a two (2) lane to a five (5) lane roadway together with all appurtenances and related improvements thereto (the “Assessment Project”) as described in the Resolution and the underlying Petition attached to the Resolution as Exhibit A (the “Petition”); and

WHEREAS, the construction and reconstruction of a portion of Chester Road as described in the Resolution was completed, the final cost of the Assessment Project was determined and the Final Assessing Ordinance was passed on July 10, 2017; and

WHEREAS, ownership and permanent parcel numbers for each of the parcels impacted by this Special Assessment listed in Exhibit A to Ordinance No. 70-17 need to be amended to reflect changes in ownership since March 11, 2016; and

WHEREAS, Council finds that amending Ordinance No. 70-17 levying the special assessments to cover the cost of these improvements by updating the names of the abutting property owners and permanent parcel numbers in Exhibit A thereto is in the best interest of the health, safety and welfare of the citizens of Avon; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 – That Exhibit A to Ordinance No. 70-17 is hereby amended as set forth in the attached Exhibit A which is incorporated herein by this reference.

Section 2 – All other sections of Ordinance No. 70-17, except as amended herein by the attached Exhibit A, remain in full force and effect.

Section 3 – That it is hereby found and determined that all formal actions of the Council of the City of Avon concerning and relating to the passage of this Ordinance were taken 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 all legal requirements including Ohio Revised Code Section 121.22.

Section 4 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity of amending Exhibit A to Ordinance No. 70-17 to reflect the current property owners and their new permanent parcel numbers; therefore

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this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Craig L. Witherspoon, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks
Clerk of Council

POSTED: _____
In Five Places as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director