

ORDINANCE NO. 63-2011
INTRODUCED BY: Alexander

AN ORDINANCE CERTIFYING AN ASSESSMENT FOR 2545 HILLTOP ROAD (PERMANENT PARCEL NO. 662-03-003) AND 2543 HILLTOP ROAD (PERMANENT PARCEL NO. 662-03-004) FOR A WATER MAIN AND SANITARY SEWER FACILITIES; AND DECLARING AN EMERGENCY.

WHEREAS, by Resolution No. 61-2010, passed August 24, 2010, this Council accepted the Improvement Petition of Evenhuis Properties, LLC and Eric J. Uchbar, for assessment of a water line and sanitary sewer service for 2545 Hilltop Road (Permanent Parcel No. 662-03-003) and 2543 Hilltop Road (Permanent Parcel No. 662-03-004), respectively.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Richmond Heights, Cuyahoga County, State of Ohio, that:

Section 1. The assessment of the cost and expense of improving 2545 Hilltop Road, being Permanent Parcel No. 662-03-003, and 2543 Hilltop Road, being Permanent Parcel No. 662-03-004, with a water main and sanitary sewer facilities, all together with necessary appurtenances, amount in the aggregate to over \$174,000, as reported to this Council on the 6th day of September, 2011 by the City Engineer and now on file in the office of the Clerk of this Council be, and the same hereby is, adopted and confirmed and that there be, and hereby is, levied and assessed upon said properties an assessment as follows:

Permanent Parcel No. 662-03-003	\$40,000.00
Permanent Parcel No. 662-03-004	\$40,000.00

which assessments are in proportion to the special benefits and not in excess of any statutory limitation.

Section 2. This Council hereby finds and determines that the assessments in Section 1 above are consistent with the estimated assessments as originally set forth in the "Improvement Petition" made a part of Resolution 61-2010 of this Council and a "Utility Development Agreement" executed by the owners of the subject property as authorized by Resolution No. 59-2010 of this Council with respect to the above-described improvement.

Section 3. The Clerk of Council be, and hereby is, authorized and directed to certify to the County Fiscal Officer as provided by law said assessments to be placed on the tax duplicate and collected as other taxes are collected.

Section 4. The Clerk of this Council shall cause notice of the passage of this Ordinance to be published once in a newspaper of general circulation in this City and to continue on file in said office said assessments.

Section 5. The Clerk of Council is hereby directed to deliver a certified copy of this Ordinance to the County Fiscal Officer by September 12, 2011.

Section 6. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that it is immediately necessary in order to allow water and sanitary sewer service for a residential property and to meet the September 12, 2011 deadline to file with the County Fiscal Officer; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____, 2011

Daniel J. Ursu, Mayor

APPROVED: _____, 2011

ATTEST:

Betsy Traben
Clerk of Council

David H. Roche
President of Council