

ORDINANCE C-31-64

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENTS OF A PORTION OF SOUTHWEST BOULEVARD, BY THE CONSTRUCTION OF STREET, CURB, GUTTER, SIDEWALK, WATER, SEWER AND APPURTENANCES THERETO, and to Declare an Emergency.

WHEREAS, this Council did duly adopt Resolution CR-7-64 on the 1st day of June, 1964, declaring therein the necessity of the proposed improvements herein-after described; and

WHEREAS, pursuant to said resolution, estimated assessments with respect to said improvements duly prepared, have been on file in the office of the Clerk of this Council; and

WHEREAS, no objection to said estimated assessments were filed within the period permitted by law; and

WHEREAS, all of the owners of property in the area to be assessed for said improvement have by petition, waived all resolution, ordinances and notices required for the making of said improvements, including the notice of the adoption of the resolution of necessity and the notice of filing of estimated assessments, the equalization of the estimated assessments, the increase in the cost of labor and materials over the estimated cost thereof, and the passage of the assessing ordinance, including, but not by way of limitation, such notices as are authorized and required by Revised Code Section 727.13, 727.16, 727.17, 727.24 and 727.26; and

WHEREAS, the said owners have also waived all rights and benefits, privileges fixed by Revised Code Section 727.03 and 727.06 and further have waived all benefits of Revised Code 727.04; and

WHEREAS, each of the petitioners further have waived any damages or claims for damages of any kind, character or description whatsoever, growing out of or resulting from said improvements which are fixed by Revised Code Section 727.18 to 727.22, inclusive, and 727.43.

Southwest Boulevard as dedicated to the City of Grove City, as set forth in Deed Book 2512, page 244, described as follows:

Being an 80 foot wide strip of land in Reserve "A" of Resubdivision of Part of Barfield Heights No. 1 as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 28, page 61, Recorder's Office, Franklin County, Ohio. The centerline of said 80 foot wide strip of land being more particularly described as follows:

Beginning at a point in a westerly line of said Reserve "A"; the centerline of Southwest Boulevard (80 feet in width), at its eastern terminus, said beginning point being located N 82°35'15" E, a distance of 52.57 feet from the centerline of said Richard Avenue;

Thence N 82°35'15" E., with the centerline of said Southwest Boulevard extended easterly, a distance of 11.92 feet to a point of curvature;

Thence with the arc of a curve to the right having a radius of 1040.00 feet and whose chord bears N 87°25'25" E, a chord distance of 175.36 feet to a point of tangency;

Thence S 87°44'25" E, a distance of 306.34 feet to the point of ending in an easterly line of said Reserve "A", the easterly line of said "Resubdivision of Barfield Heights No. 1", the westerly line of the 55.926 acre tract now or formerly owned by Ohio Holding Co. by deed and recorded in Deed Book 2383, page 347 of record in Recorder's Office, Franklin County, Ohio, said point of ending being located S1°53'30" W, a distance of 430.00 feet from the northwesterly corner of said 55.926 acre tract; said 80 foot wide strip of land containing 0.907 acre of land, more or less.

as shown on the plans hereinafter referred to, prepared by the Jennings-Lawrence Engineering Co., by construction of a street, curb and gutter, sidewalks, water and sewer lines and appurtenances thereto, in accordance with the provisions of said Resolution No. CR-7-64, and in accordance with the plans, profiles, specifications and estimate of cost, of estimated improvements heretofore approved and filed in the office of the Clerk of Council.

SECTION 2. That the estimated assessment of the cost of said improvement, heretofore prepared and filed in the office of the Clerk be and the same are adopted.

SECTION 3. That it is further determined that the proportion of the cost of said improvements assessed against the benefited property shall be assessed in the amount, manner and number of installments as provided for in said Resolution, declaring the necessity of said improvements.

SECTION 4. That all claims for damages resulting from said improvements have been waived by petition of the owners of property to be assessed.

SECTION 5. That the Service Director of the City of Grove City is hereby authorized and directed to advertise for bids for the construction of said improvements in the manner provided by law, subject to the provisions of Revised Code 727.24 and the availability of funds to enter into a contract for said improvements with the lowest and best bidder.

C-31-64

SUBMITTED July 6, 1964

PASSED July 6, 1964

EFFECTIVE July 6, 1964

Robert T. Wagner
Robert T. Wagner, Acting President of Council

Anton C. Fatzer
Anton C. Fatzer, Mayor

Maria T. Kochensparger
Maria T. Kochensparger, Clerk of Council

Date: 7-6-64

I hereby certify that the foregoing legislation was published 7-6-64 in accordance with the provisions of Section 2.11. of the Grove City Charter.

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Clerk of Council

I Certify that this Ordinance is Correct as to Form.

R. E. Gunderman
R. E. Gunderman, Director of Law