

ORDINANCE 2023 – 5

**AN ORDINANCE DETERMINING TO PROCEED WITH
SEWER IMPROVEMENTS TO CERTAIN PROPERTY
IN THE CITY OF MASON, COUNTY OF WARREN,
OHIO, AS DESCRIBED IN RESOLUTION 2023-3.**

WHEREAS, this Council on January 9, 2023, duly adopted Resolution 2023-3 declaring the necessity of constructing improvements to the municipal sewer system by constructing new sanitary sewer lines and related improvements (herein the “Improvements”) in certain described property in this city; and

WHEREAS, the Petitioners have waved any claims for damages alleged to result from or objections to said Improvements;

NOW, THEREFORE, City Council of the City of Mason (herein the “City”), County of Warren, Ohio, hereby ordains:

SECTION 1. That it is hereby declared to be the intention of this Council to proceed with the improvement of the municipal sewer system by construction of new sanitary sewer lines including acquisition of easements, and related improvements and allocated improvements by constructing the Improvements, the nature of which Improvements and which such sewer system improvements and, easements, or parts thereof, are described in Resolution 2023-3 duly adopted by this Council on January 9, 2023.

SECTION 2. That the Improvements shall be made in accordance with the provisions of said Resolution 2023-3, and in accordance with the plans, specifications, profiles and estimate of cost of the Improvements, prepared and modified pursuant to said Resolution, which are hereby approved and now on file in the City offices.

SECTION 3. That the assessable portion of the cost of the Improvements shall be assessed on the benefited properties, in the manner and in the number of annual installments as provided in Sections 6 and 9 of said Resolution 2023-3.

SECTION 4. That the estimated assessments heretofore prepared and filed in the City office, in accordance with said Resolution, be and the same are hereby adopted.

SECTION 5. That, in compliance with Section 319.61 of the Ohio Revised Code, the Clerk be and is hereby directed to deliver a certified copy of this Ordinance to the County Auditor within fifteen (15) days after the date of adoption hereof.

SECTION 6. That a contract for the construction of the Improvements shall be let in the manner provided by law, subject to the provisions of the Ohio Revised Code, and the cost of the Improvements shall be financed as provided in said Resolution.

SECTION 7. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted 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 Section 121.22 of the Ohio Revised Code.

SECTION 8. That this Ordinance shall take effect at the earliest date permitted by law.

ADOPTED: January 9, 2023.

Mayor

Attest:

Clerk of Council

CERTIFICATE

The undersigned hereby certifies that the foregoing is a true and correct copy of a Ordinance adopted on the day 9th of January, 2023, and that on the ____ day of _____, 2023, a date within fifteen (15) days of the adoption of the foregoing Ordinance, a true and correct copy of such Ordinance was filed with the County Auditor.

Clerk

RECEIPT

The undersigned hereby acknowledges receipt of the foregoing Ordinance.

Warren County Auditor

Dated: _____