



## Legislation Details (With Text)

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**Title:** Declaring it necessary to construct the Colony South Storm and Water Relocations in the plats of the Kingston and West Central Stores in the City of Toledo, Ohio; and declaring an emergency.

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Date	Ver.	Action By	Action	Result
11/4/2020	1	City Council		
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Colony Storm and Water Relocation Resolution

Law Department, Finance Department, Economic Development Department

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(Revised)

**Declaring it necessary to construct the Colony South Storm and Water Relocations in the plats of the Kingston and West Central Stores in the City of Toledo, Ohio; and declaring an emergency.**

### SUMMARY & BACKGROUND:

Plans and specifications for Colony South Storm and Water Relocations in the plats of the Kingston and West Central Stores improvement have been completed and are on file with the Clerk of Council. This improvement project is necessary to facilitate the residential and retail development project adjacent to Central Avenue and ProMedica Parkway. The passage and immediate taking effect of this Resolution are necessary for the preservation of the public health and safety, an emergency in fact exists.

NOW, THEREFORE, Be it resolved by the Council of the City of Toledo:

SECTION 1. That it is necessary and conducive to the public health, convenience and welfare, to construct the Colony South Storm and Water Relocations in the plats of the Kingston and West Central Stores in the City of Toledo, Ohio.

SECTION 2. That said construction shall be located and constructed within the street right-of-way and easements that are required in order to drain the benefited properties.

SECTION 3. That said improvement shall be constructed in accordance with the plans, specifications, estimates and profiles therefor now on file in the offices of the Director of Public Utilities and the Clerk of Council, all of which are hereby approved.

SECTION 4. That it is hereby determined that a petition requesting the improvement has been regularly presented to this Council subscribed by the requisite number of owners to be assessed. The petition is accepted by this Council.

SECTION 5. That the whole cost and expense of said improvement after deducting such other costs and expenses as cannot be legally assessed upon the benefitted property, shall be assessed in proportion and according to the benefits which may result from the improvements, upon all the lots and lands.

SECTION 6. That Council hereby determines that said lots and lands so to be assessed will be specially benefitted by said improvement. The cost of said improvement so to be assessed, shall include the cost of the right-of-way, easements, licenses, the cost of assessment, the cost of preliminary and other surveys, the cost of printing and publishing the notices, the cost of resolutions and ordinances required, the cost of serving said notices, the cost of construction plan review, the cost of construction materials and supplies, the cost of supervision and inspection of work, the cost of interest on bonds or notes issued in anticipation of the collection of installments of assessments.

SECTION 7. That the remainder of the entire cost of said improvement not specially assessed shall be paid by the City of Toledo in the manner provided by law.

SECTION 8. That the assessments so to be levied upon said property shall be paid by the owners thereof in forty (40) semiannual installments, with interest on deferred payments at the same rate as that of the bonds or notes which shall be issued in anticipation of the collection thereof; provided, however, that the owner of any property assessed may, at his option pay such assessment in cash within the thirty (30) days after passage of the assessing Ordinance in which case, said cash assessment shall not include any item of interest upon bonds or notes to be issued in anticipation of the collection of deferred installments of assessments.

SECTION 9. That bonds or notes of the City of Toledo shall be issued in anticipation of the collection of said assessments by installments and in an amount equal thereto.

SECTION 10. That notice of this Resolution shall be served upon the owner of each lot or parcel of land to be assessed, or otherwise affected, or upon the persons in whose names the same may be assessed for taxation upon the tax duplicate by publication of this resolution in the manner provided by law.

SECTION 11. That this Resolution, being an emergency measure, shall take effect and being force from and after its adoption. The reason for the emergency lies in the fact that this Resolution is necessary for the immediate preservation of the public welfare, safety, and to facilitate the timely completion of the improvement and redevelopment of the Colony neighborhood.

Vote on emergency clause: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Adopted: \_\_\_\_\_, as an emergency measure: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

\_\_\_\_\_

Mayor

I hereby certify that the above is a true and correct copy of a Resolution adopted by Council

\_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council