

ORDINANCE NO. 10 , 2019

**AN ORDINANCE LEVYING ASSESSMENTS FOR STORMWATER
IMPROVEMENTS IN THE 7800 BLOCK OF JOLAIN DRIVE**

WHEREAS, pursuant to Resolution No. 4, 2017, the City Council of Montgomery, Ohio passed legislation declaring the necessity of the improvement in the area known as Jolain Drive to install stormwater improvements in and across the properties known as Auditor's Parcel numbers 603-0013-0039, 603-0013-0040, 603-0013-0041, 603-0013-0043, 603-0013-0047, 603-0013-0048, and 603-0013-0049; and,

WHEREAS, the City of Montgomery in Ordinance No. 6, 2017 determined to proceed with the Jolain Drive Stormwater Improvement Project, and

WHEREAS, said improvements have now been completed and the City has been able to determine the cost of said project for purposes of the assessment of the lots benefiting therefrom.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Montgomery, Hamilton County, Ohio, that:

SECTION 1. The adjusted assessment for the cost of the stormwater improvements within and across Auditor's Parcel numbers 603-0013-0039, 603-0013-0040, 603-0013-0041, 603-0013-0043, 603-0013-0047, 603-0013-0048, and 603-0013-0049, as reported to this Council and filed in the Office of the Clerk of Council, totals \$40,920, which is hereby adopted and confirmed.

SECTION 2. There are hereby levied and assessed upon those lots and lands bounding, abutting and within the improvement area the amounts accepted in the adjusted assessment, which assessments are in proportion to the benefits received by each lot owner and shall be apportioned as an equal benefit upon each lot. The assessment does not exceed any statutory limitation. The parcel numbers and specific assessments are attached hereto as **Schedule A.**

SECTION 3. The adjusted assessments are in the same proportions to the estimated assessments as the actual cost of the improvement bears to the estimated cost upon which such estimated assessments were based.

SECTION 4. The total assessments against each lot and parcel of land shall be payable in cash to the Finance Director of the City of Montgomery, Ohio within Thirty (30) days after passage of this Ordinance, or at the option of the property owner assessed in Twenty (20) annual installments with interest at the rate of 3.7% per annum. All assessments and installments which have not been paid at the expiration of the Thirty (30) day period shall be certified by the Clerk of Council to the County Auditor, to be placed on the tax duplicate and collected in the same manner as other taxes, as provided by law.

SECTION 5. The Clerk of Council is directed to cause notice of the passage of this Ordinance to be published once in a newspaper of general circulation in the City of Montgomery, Ohio as required by law.

SECTION 6. The Clerk of Council is authorized and directed to keep the adjusted assessments on file in her office for as long as any of them remain unpaid.

SECTION 7. The Clerk of Council is directed to cause notice of the levy of the assessments herein to be filed with the County Auditor within the period prescribed by law.

SECTION 8. This Ordinance shall be in full force and effect from and after its passage.

PASSED: August 7, 2019

ATTEST: Connie M. Gaylor
Connie M. Gaylor, Clerk of Council

Christopher P. Debrozzi
Christopher P. Debrozzi, Mayor

APPROVED AS TO FORM:

Terrence M. Donnellon
Terrence M. Donnellon, Law Director

SCHEDULE A

Owner	Property Address	Parcel No.	Assessment
Vivek & Bhavna Mehta	7815 Jolain Drive Montgomery, OH 45242	603-0013-0049-00	\$5,845
Jason & Brooke Finck, Co-Trustees	7825 Jolain Drive Montgomery, OH 45242	603-0013-0048-00	\$5,845
Darryl C. Davis & Ann E. Ray	7835 Jolain Drive Montgomery, OH 45242	603-0013-0047-00	\$5,845
Daniel Paul & Sara Stigler	7845 Jolain Drive Montgomery, OH 45242	603-0013-0043-00	\$5,845
Melissa E. Zepf, Trustee	7855 Jolain Drive Montgomery, OH 45242	603-0013-0041-00	\$5,845
Andrew S. & Sarita S. Zilch	7865 Jolain Drive Montgomery, OH 45242	603-0013-0040-00	\$5,845
Robert D. & Concetta Wallace	7875 Jolain Drive Montgomery, OH 45242	603-0013-0039-00	\$5,845