

**CITY OF XENIA, OHIO
ORDINANCE 2023 – 07**

**LEVYING ASSESSMENTS FOR THE IMPROVEMENT OF CITY STREETS AND PUBLIC
WAYS BY THE LIGHTING THEREOF WITHIN STREET LIGHTING DISTRICT #3
(SUMMER BROOKE SOUTH SUBDIVISION) FOR THE YEARS 2023-2027**

WHEREAS, this Council, on June 23, 2022, duly adopted Resolution 2022-KK, establishing Street Lighting District #3 (Summer Brooke South Subdivision) and declaring the necessity of improving City streets and public ways within District #3 by the lighting thereof, said lighting to be provided by electrical lighting, for the years 2023-2027;

WHEREAS, this Council by Ordinance 2022-34, adopted on September 22, 2022, determined to proceed with said improvement within Street Lighting District #3 (Summer Brooke South Subdivision);

WHEREAS, the actual cost of the improvement has been ascertained and the amount of the special assessments have been increased or decreased in the same proportion to the estimated assessments as the actual cost of the improvements bears to the estimated cost of the improvement upon which the estimated assessments were based; and

WHEREAS, Ohio Revised Code Section 727.25 requires this Council, by ordinance, after the actual cost of improvement has been ascertained, to assess upon the lots and lands enumerated in the estimated assessment, that portion of the total costs of the improvement to be paid for by special assessments.

NOW, THEREFORE, THE CITY OF XENIA HEREBY ORDAINS, at least four (4) members of the City Council concurring, that:

Section 1. The adjusted assessment of the cost of improving City streets and public ways by the lighting thereof, said lighting to be provided by electrical lighting, within Street Lighting District #3 (Summer Brooke South Subdivision) in the City of Xenia, Ohio, for the years 2023-2027, as reported to this Council and filed in the office of the City Clerk, and aggregating One Thousand One Hundred Eighteen Dollars and No Cents (\$1,118.00), is adopted and affirmed.

Section 2. There are hereby levied and assessed upon all lots and lands lying within Street Lighting District #3 (Summer Brooke South Subdivision) the several amounts reported in the adjusted assessments, which assessments are in proportion to the tax value thereof. The assessments do not exceed any statutory limitations.

Section 3. In accordance with Ohio Revised Code Section 727.06, the entire cost of the improvement to be assessed against benefited property, in the yearly aggregate amount of Thirty-One Dollars and Six Cents (\$31.06), shall be assessed in the amount, manner and number of installments provided in Resolution 2022-KK, which declared the necessity of the improvement.

Section 4. The adjusted assessments are in the same proportion to the estimated assessments as the actual cost of the improvement bears to the estimated cost upon which such estimated assessments were based.

Section 5. The total assessment against each lot and parcel of land within Lighting District #3 (Summer Brooke South Subdivision) shall be certified by the Finance Director to the County Auditor, to be placed on the tax duplicate and collected in the same as other taxes are collected, as provided by law.

Section 6. The City Clerk is directed to cause notice of the adoption of this Ordinance to be published once in a newspaper of general circulation in the City, as required by law.

Section 7. The Finance Director is authorized and directed to keep the adjusted assessments on file in his office for as long as any of them remain unpaid.

Section 8. The Finance Director is directed to cause notice of the levy of the assessments herein to be filed with the County Auditor within twenty (20) days after the adoption of this Ordinance.

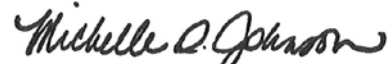
Section 9. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including ORC 121.22.

Section 10. This Ordinance shall become effective on May 13, 2023.

Introduced: March 23, 2023
Adopted: April 13, 2023


William J. Urschel
President, Xenia City Council

Attest:


Michelle D. Johnson
City Clerk