

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CERTAIN PROPERTIES IN THE CITY OF BEACHWOOD, OHIO BY ACQUIRING AN EXISTING ROADWAY, CONSTRUCTING EATON BOULEVARD, CLEARING, GRADING, PAVING, DRAINING, CONSTRUCTING SIDEWALKS, CURBS AND DRIVEWAY APPROACHES, STORM SEWERS AND CATCH BASINS, WATERLINES, SANITARY SEWERS AND UTILITY CONDUITS, INSTALLING LANDSCAPING, IRRIGATION, TRAFFIC SIGNALS, SIGNAGE AND STREET LIGHTING, AND OTHERWISE IMPROVING THE SAME

WHEREAS, this Council has adopted Resolution No. 2010-95 (the Resolution of Necessity) on July 19, 2010, declaring the necessity of making the improvement described in Section 1;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Beachwood, Cuyahoga County, Ohio, that:

Section 1. It is determined to proceed with the improvement of certain properties in the City by:

(i) the acquisition of Spectrum Parkway (to be renamed Eaton Boulevard) from Richmond Road westerly to its terminus, a distance of approximately 550 lineal feet, (ii) construction of Eaton Boulevard from the current terminus of Spectrum Parkway westerly thence southerly to Harvard Road (including reconstruction of a portion of existing Robert Bishop Drive, to be renamed Eaton Boulevard), a distance of approximately 1,960 lineal feet, by clearing, grading, paving and constructing a roadway with upright curb, (iii) installing storm sewers with catch basins along Eaton Boulevard and replacing and upgrading existing storm sewer lines southerly along Richmond Road from Spectrum Parkway, (iv) installing a water main, constructing sidewalks, installing street lighting, installing signage, installing traffic signals, installing median landscaping between the lanes of the roadway, installing landscaping between the sidewalk and curb of the roadway, grading and installing landscaping upon any land or interest in land acquired by the City in connection with the Improvement, whether in fee or by easement and (v) installing landscape irrigation, sanitary sewers and utility conduits along Eaton Boulevard to accommodate the extension of such services, all of the foregoing together with the necessary appurtenances thereto.

Section 2. The improvement shall be made in accordance with the provisions of the Resolution of Necessity, and with the plans, specifications, profiles and estimate of cost previously approved and now on file in the office of the Clerk of Council.

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Section 3. The portion of the cost of the improvement to be assessed in accordance with the Resolution of Necessity shall be assessed in the manner and pursuant to the payment schedule set forth, and on the lots and lands described, in that Resolution.

Section 4. The estimated special assessments previously prepared and filed in the office of the Clerk of Council are adopted.

Section 5. The Clerk of Council shall deliver a certified copy of this ordinance to the County Auditor within 15 days after its passage.

Section 6. The improvement shall be constructed in accordance with the ordinances of the City and shall be financed as provided in the Resolution of Necessity.

Section 7. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this ordinance were taken, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were held, in meetings open to the public, in compliance with the law.

Section 8. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City and for the further reason that the immediate effectiveness of this ordinance is necessary to permit the City to timely enter into contracts for the improvement, which is needed to provide access to the lots and lands to be assessed and to promote the economic development of the City; wherefore, this ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

ATTEST: I hereby certify that this legislation was duly adopted on the 19th day of July, 2010, and presented to the Mayor for approval or rejection in accordance with Article III, Section 8 of the Charter on the 20th day of July, 2010.

Clerk of Council

APPROVAL: I have approved this legislation this 20th day of July, 2010 and filed it with the Clerk.

Mayor