

EMERGENCY

City of Cincinnati

SSB

AWB

An Ordinance No. \_\_\_\_\_

- 2021

**LEVYING** special assessments to pay for the costs of improving Walworth Avenue in the East End neighborhood of Cincinnati by constructing an extension thereto, together with curbs, street lighting, streetscaping, sidewalks, water mains, and storm and sanitary sewer; necessary remediation of soil in the related right-of-way; installing retaining walls; acquiring land necessary to construct and install the foregoing; and acquiring, constructing, and installing other related improvements, and any financing and administrative expenses in connection therewith.

WHEREAS, on March 17, 2021, Council adopted a resolution (the “Resolution”) declaring the necessity of improving Walworth Avenue by constructing an extension thereto, together with curbs, street lighting, streetscaping, sidewalks, water mains, and storm and sanitary sewer; remediation of soil in the related right-of-way; installing retaining walls; acquiring land necessary to construct and install the foregoing; and acquiring, constructing, and installing other related improvements (the “Public Infrastructure Improvements”); and

WHEREAS, Council has, pursuant to Chapter 727 of the Ohio Revised Code and the Resolution, determined the necessity of levying and collecting assessments for the costs of the Public Infrastructure Improvements (the “Special Assessments”), as provided in Chapter 727 of the Ohio Revised Code; and

WHEREAS, on the date hereof, Council enacted an ordinance (the “Determination to Proceed”) (i) determining to proceed with the construction of the Public Infrastructure Improvements; (ii) adopting the estimated Special Assessments with respect to the Public Infrastructure Improvements, as prepared and filed with the Clerk of Council; and (iii) indicating that the City intends, by separate ordinance, to authorize cooperation with the Port of Greater Cincinnati Development Authority (the “Port Authority”) in the issuance of bonds or other indebtedness of the Port Authority to finance the Assessable Cost (as defined in the Resolution) of the Public Infrastructure Improvements; and

WHEREAS, there are no outstanding objections to the estimated Special Assessments, the right to object having been waived by 100% of the owners of the Assessed Property (as defined in the Resolution); now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the list of assessments (“Special Assessments”) of the Assessable Cost of the Public Infrastructure Improvements (each as defined in the Resolution adopted by Council on March 17, 2021, with respect to improvements to Walworth Avenue (the “Resolution”)), amounting in the aggregate to \$3,073,661.83, exclusive of interest thereon and administrative

expenses related thereto, as set forth in the Petition and as now on file in the office of the Clerk of Council, is hereby adopted and confirmed and there are hereby levied and assessed upon all of numbered lots 1 through 27, 29, 31 through 33, 36, and 38, included in the Assessed Property (as defined in the Resolution and as described and depicted on Exhibit A hereto) the amounts reported on such list of Special Assessments attached as Exhibit B hereto (the “Special Assessment Roll”), which includes the interest and financing costs. The Special Assessments with respect to each such lot within the Assessed Property shall be payable in 30 equal semi-annual installments commencing with the date on which the first installment of tax year 2022 real property taxes are due. The breakdown of the estimated assessments attached to the petition of the owner of the Assessed Property on file with the Clerk of Council (the “Petition”) as Exhibit D thereto is hereby incorporated herein by reference.

Section 2. That Council further finds and determines that the Special Assessments which may be certified to the Hamilton County Auditor for collection are as set forth in the Special Assessment Roll attached hereto as Exhibit B. The appropriate officials from the City’s Finance Department are (a) authorized to accept the Special Assessments from the appropriate County officials, deposit them into the appropriate account for the purpose of paying the costs of the Public Infrastructure Improvements, and disburse them for said purpose; and (b) authorized to take such other steps as are necessary to receive and process the Special Assessments.

Section 3. That Council hereby finds and determines that the Special Assessments are in proportion to the benefits received by each applicable lot within the Assessed Property, as set forth in the Special Assessment Roll, because each lot will benefit equally from access to the Public Infrastructure Improvements.

Section 4. That Council hereby finds and determines that all Special Assessments levied hereby shall be certified by the Clerk of Council or other appropriate City official to the

Hamilton County Auditor as provided by law, to be placed by him or her on the tax duplicate and collected as other taxes are collected.

Section 5. That the City anticipates that it will cooperate with the Port of Greater Cincinnati Development Authority (the "Port Authority") to issue bonds or other indebtedness of the Port Authority to be repaid using the Special Assessments, which issuance will be authorized by a separate ordinance.

Section 6. That Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including the Charter of the City and Ohio Revised Code Section 121.22.

Section 7. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is to enable the construction contemplated hereby to proceed as scheduled and to effectuate the improvement of the City's transportation network and increase the amount of developable land within Cincinnati as soon as possible.

Passed: \_\_\_\_\_, 2021

\_\_\_\_\_  
John Cranley, Mayor

Attest: \_\_\_\_\_  
Clerk

EXHIBIT A

DESCRIPTION OF PROPERTY

Situate in Section 31, Town 4, Fractional Range 2, Columbia Township, City of Cincinnati, Hamilton County, Ohio and being more particularly described as follows:

Being all of Lot Numbers 1-39, inclusive and Open Space Parcels A and B of Walworth Junction Subdivision as recorded in Plat Book 480, Pages 29 - 31 of the Hamilton County, Ohio Records.

Lot 1 Parcel No. 031-0002-0114  
Lot 2 Parcel No. 031-0002-0115  
Lot 3 Parcel No. 031-0002-0116  
Lot 4 Parcel No. 031-0002-0117  
Lot 5 Parcel No. 031-0002-0118  
Lot 6 Parcel No. 031-0002-0119  
Lot 7 Parcel No. 031-0002-0120  
Lot 8 Parcel No. 031-0002-0121  
Lot 9 Parcel No. 031-0002-0122  
Lot 10 Parcel No. 031-0002-0123  
Lot 11 Parcel No. 031-0002-0124  
Lot 12 Parcel No. 031-0002-0125  
Lot 13 Parcel No. 031-0002-0126  
Lot 14 Parcel No. 031-0002-0127  
Lot 15 Parcel No. 031-0002-0128  
Lot 16 Parcel No. 031-0002-0129  
Lot 17 Parcel No. 031-0002-0130  
Lot 18 Parcel No. 031-0002-0131  
Lot 19 Parcel No. 031-0002-0132  
Lot 20 Parcel No. 031-0002-0133

Lot 21 Parcel No. 031-0002-0134  
Lot 22 Parcel No. 031-0002-0135  
Lot 23 Parcel No. 031-0002-0136  
Lot 24 Parcel No. 031-0002-0137  
Lot 25 Parcel No. 031-0002-0138  
Lot 26 Parcel No. 031-0002-0139  
Lot 27 Parcel No. 031-0002-0140  
Lot 28 Parcel No. 031-0002-0141  
Lot 29 Parcel No. 031-0002-0142  
Lot 30 Parcel No. 031-0002-0143  
Lot 31 Parcel No. 031-0002-0144  
Lot 32 Parcel No. 031-0002-0145  
Lot 33 Parcel No. 031-0002-0146  
Lot 34 Parcel No. 031-0002-0147  
Lot 35 Parcel No. 031-0002-0148  
Lot 36 Parcel No. 031-0002-0149  
Lot 37 Parcel No. 031-0002-0150  
Lot 38 Parcel No. 031-0002-0151  
Lot 39 Parcel No. 031-0002-0152  
O. S. "A" Parcel No.  
O. S. "B" Parcel No.

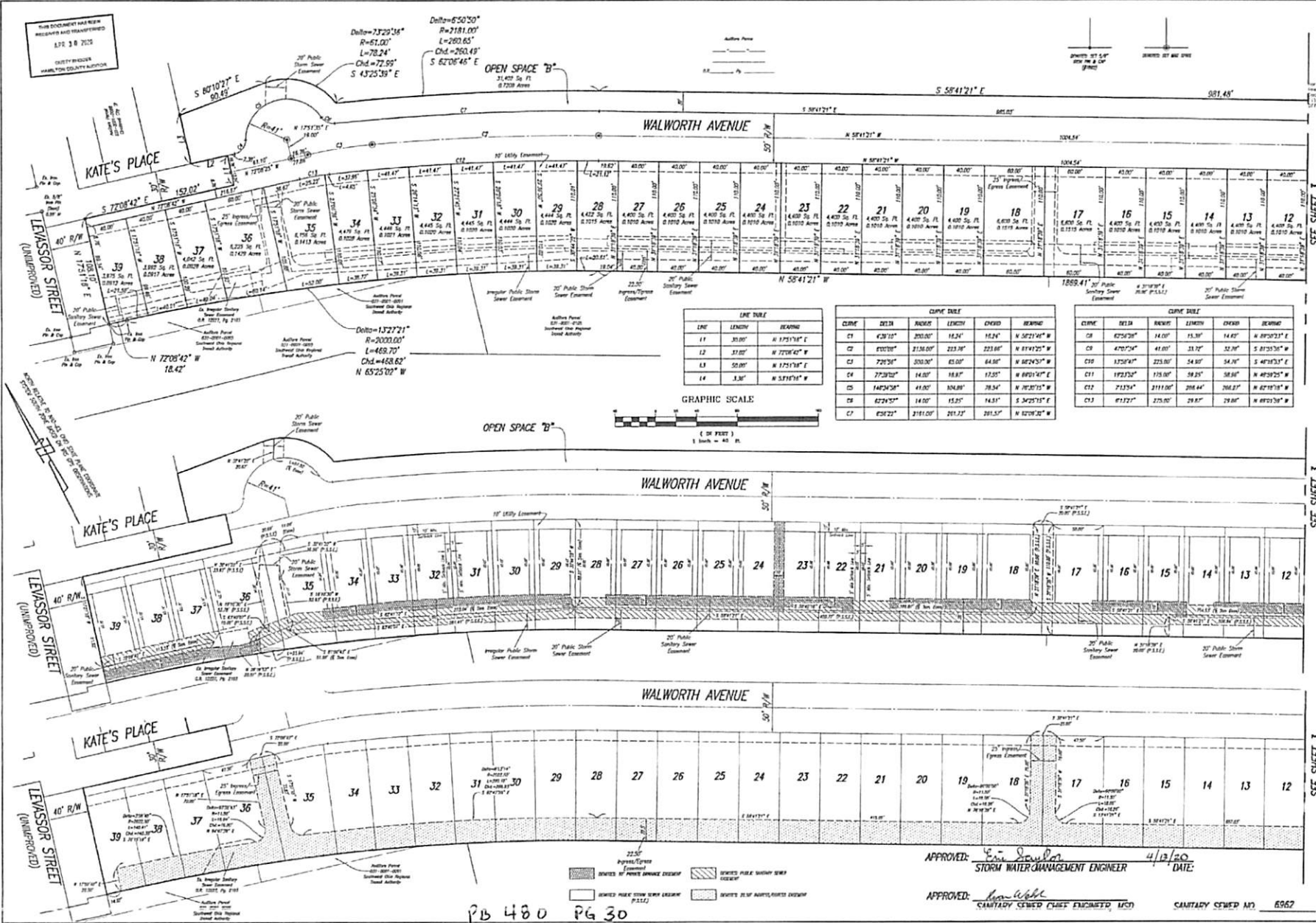




THIS DOCUMENT HAS BEEN REDESIGNED AND TRANSFERRED. DATE 10 2010. CITY ENGINEER HAMILTON COUNTY, OHIO

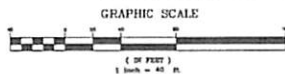
Delta=650'50"  
R=2181.00'  
L=260.65'  
Chd=200.48'  
S 67°06'46" E

Delta=1327'21"  
R=2000.00'  
L=468.70'  
Chd=468.62'  
N 65°25'09" W



LINE TABLE

LINE	LENGTH	BEARING
L1	35.00'	N 17°51'34" E
L2	31.00'	N 77°08'42" W
L3	59.00'	N 17°51'34" E
L4	3.30'	N 57°04'14" W

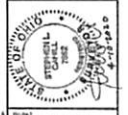


CURVE DATA

CURVE	DELTA	BACKSIGHT	LENGTH	CHECKED	BEARING
C1	42°30'18"	200.00'	16.24'	16.24'	N 58°21'46" W
C2	170°00'00"	213.00'	213.36'	213.66'	N 81°04'25" W
C3	72°30'58"	300.00'	65.00'	64.86'	N 88°24'30" E
C4	77°33'26"	14.00'	18.87'	17.05'	N 89°04'40" E
C5	146°24'58"	14.00'	104.89'	28.54'	N 80°30'15" E
C6	62°24'58"	14.00'	15.05'	14.51'	S 34°25'15" E
C7	62°24'22"	2191.00'	201.72'	201.54'	N 82°08'18" W

CURVE DATA

CURVE	DELTA	BACKSIGHT	LENGTH	CHECKED	BEARING
C8	62°24'28"	14.00'	15.36'	14.85'	N 89°04'23" E
C9	47°07'34"	41.00'	33.72'	32.26'	S 81°25'36" W
C10	175°04'41"	225.00'	54.90'	54.76'	S 47°14'33" E
C11	172°33'26"	175.00'	39.25'	38.84'	N 49°39'25" W
C12	71°33'54"	3111.00'	306.44'	306.21'	N 62°18'18" W
C13	61°17'21"	275.00'	29.87'	29.66'	N 89°04'30" E



WALWORTH JUNCTION

10-1-13

J.C.

D.P.

RECORD PLAT

WALWORTH JUNCTION  
SECTION-31, TOWN-4, RANGE-2  
COLUMBIANA COUNTY, OHIO

Abercrombie & Associates, Inc.  
Civil Engineering & Surveying  
11111 W. Main Street, Suite 200  
Cincinnati, OH 45241



APPROVED: *[Signature]* STORM WATER MANAGEMENT ENGINEER 4/10/20 DATE

APPROVED: *[Signature]* SANITARY SEWER CHIEF ENGINEER, M.S.D. DATE

SANITARY SEWER NO. 6562

PB 480 PG 30



**EXHIBIT B**

<p align="center"><b>A</b></p> <p align="center"><b><u>Assessed Lands Lot Number</u></b> (lot number references refer to the numbered lots within the Walworth Junction Subdivision Plat shown in Exhibit C above)</p>	<p align="center"><b>B</b></p> <p align="center"><b><u>Aggregate Special Assessment</u></b></p>	<p align="center"><b>C</b></p> <p align="center"><b><u>Special Assessment By Lot (B / 33)</u></b></p>	<p align="center"><b>D</b></p> <p align="center"><b><u>Semi-Annual Installment of Special Assessment (C / 30)</u></b> (i.e., this amount is to be paid 30 times over a 15 year period commencing with the payment of the first installment of the tax year 2022 tax bill)</p>
1	\$4,950,000	\$150,000	\$5000.00
2	\$4,950,000	\$150,000	\$5000.00
3	\$4,950,000	\$150,000	\$5000.00
4	\$4,950,000	\$150,000	\$5000.00
5	\$4,950,000	\$150,000	\$5000.00
6	\$4,950,000	\$150,000	\$5000.00
7	\$4,950,000	\$150,000	\$5000.00
8	\$4,950,000	\$150,000	\$5000.00
9	\$4,950,000	\$150,000	\$5000.00
10	\$4,950,000	\$150,000	\$5000.00
11	\$4,950,000	\$150,000	\$5000.00
12	\$4,950,000	\$150,000	\$5000.00
13	\$4,950,000	\$150,000	\$5000.00
14	\$4,950,000	\$150,000	\$5000.00
15	\$4,950,000	\$150,000	\$5000.00
16	\$4,950,000	\$150,000	\$5000.00
17	\$4,950,000	\$150,000	\$5000.00
18	\$4,950,000	\$150,000	\$5000.00
19	\$4,950,000	\$150,000	\$5000.00
20	\$4,950,000	\$150,000	\$5000.00
21	\$4,950,000	\$150,000	\$5000.00



22	\$4,950,000	\$150,000	\$5000.00
23	\$4,950,000	\$150,000	\$5000.00
24	\$4,950,000	\$150,000	\$5000.00
25	\$4,950,000	\$150,000	\$5000.00
26	\$4,950,000	\$150,000	\$5000.00
27	\$4,950,000	\$150,000	\$5000.00
29	\$4,950,000	\$150,000	\$5000.00
31	\$4,950,000	\$150,000	\$5000.00
32	\$4,950,000	\$150,000	\$5000.00
33	\$4,950,000	\$150,000	\$5000.00
36	\$4,950,000	\$150,000	\$5000.00
38	\$4,950,000	\$150,000	\$5000.00