

RESOLUTION NO. 164

By Mr. Elder

TO IMPROVE ASHBOURNE ROAD

WHEREAS, the Forrest Realty Company, the owner of all the lots and lands fronting or abutting on both sides of Ashbourne Road in the Village of Bexley, Ohio, has filed its written petition with the council of said village praying said council to pass the necessary legislation therefor, and to improve said Ashbourne Road by grading, curbing and paving the roadway with brick, concrete, asphalt, bitulithic, tarvia, or some other form of permanent improvement; by constructing sewers necessary for the proper drainage of such improvement, and by making water and sanitary sewer connections with the water main and sanitary sewer in said Ashbourne Road to the lots and lands fronting and abutting thereon; and consenting and requesting that the entire cost of such improvement be assessed by the foot frontage upon the lots and lands fronting, abutting and abounding upon said Ashbourne Road, and waiving the benefit of any and all provisions of law requiring certain portions of the cost of said improvement to be paid by said village.

NOW THEREFORE, be it resolved by the Council of the Village of Bexley, Ohio:

(a) That it is necessary to improve Ashbourne Road in said village, by grading, curbing and paving the roadway with brick, concrete, asphalt, bitulithic, tarvia, or some other form of permanent improvement, constructing sewers necessary to furnish proper drainage for such improvement, and constructing water and sanitary sewer connections from the water main and sanitary sewer in said Ashbourne Road to the lots and lands fronting and abutting thereon, in accordance with the plans, specifications, estimates and profiles for said proposed improvement prepared by the Engineer of said Village, which plans are hereby approved and filed.

(b) That the grade of said Ashbourne Road as improved shall be as shown on the plans and profiles, to-wit:

#2.

**Ashbourne Road, South and East curb:**

Beginning at the intersection of the east curb of Stanbery Avenue and the south curb of Ashbourne Road at elevation 112.20 feet village datum; thence with 0.00% grade 22.09 feet to elevation 112.20 feet; thence with a 0.54% ascending grade 84.91 feet to elevation 112.66 feet; thence with a 0.517% ascending grade 358.30 feet to elevation 114.51 feet; thence with a 0.346% ascending grade 64.45 feet to elevation 114.73 feet; thence with a 0.36% ascending grade 990.25 feet to elevation 118.29 feet; thence with a 0.352% ascending grade 250.10 feet to elevation 119.17 feet; thence with a 0.356% ascending grade 106.22 feet to elevation 119.55 feet; thence with a 0.438% descending grade 327.85 feet to elevation 118.12 feet; thence with 0.443% descending grade 0.87 feet to elevation 118.11 ft; thence with 0.508% descending grade 71 feet to elevation 117.75 feet; thence with 0.30% ascending grade 90 feet to elevation 118.02 feet at the intersection of the north curb of Ashbourne Road, and the east curb of Stanbery Ave.

**Ashbourne Road, North and West curb:**

Beginning at the intersection of the east curb of Stanbery Avenue and the north curb of Ashbourne Road at elevation 112.20 feet village datum; thence with 0.00% grade 36.09 feet to elevation 112.20 feet; thence with 0.54% ascending grade 84.91 feet to elevation 112.66 feet; thence with 0.575% ascending grade 321.25 feet to elevation 114.51 feet; thence with 0.336% ascending grade 57.95 feet to elevation 114.73 feet; thence with 0.36% ascending grade 990.25 feet to elevation 118.29 feet; thence with 0.37% ascending grade 235.05 feet to elevation 119.17 feet; thence with 0.364% ascending grade 104.25 feet to elevation 119.55 feet; thence with 0.444% descending grade 322.30 feet to elevation 118.12 feet; thence with 0.441% descending grade 0.87 feet to elevation 118.11 feet; thence with 0.696% descending grade 64.70 feet to elevation 117.68 feet, at the intersection of the East curb of Stanbery Avenue and the South curb of Ashbourne Road.

(c) That the whole cost of said improvement shall be assessed upon the foot frontage upon the following described lots and lands, to-wit: All of the lots and lands abounding and abutting upon the proposed improvement, which lots and lands are hereby determined to be specially benefited by said improvement, and in an amount equal to the cost thereof.

(d) That the assessments so to be levied shall be paid in ~~ten~~ <sup>twenty</sup> annual installments, with interest on deferred payments at a rate not exceeding six per cent. (6%) per annum, provided, that the owner of any lot or tract of ground so assessed may, at his option, pay such assessments or any number of installments of the same at any time after such assessment has been levied, with interest to the semi-annual interest day on said assessment next following date of payment.

(e) That bonds of said Village of Bexley, Ohio, shall be issued in anticipation of the collection of the assessments, and in an amount equal thereto.

Adopted the 24 day of July, 1917.

Attest:

Chester A. Miller  
Clerk

J. T. Sheppard  
Mayor

ORDINANCE NO. 164

By Mr. E. E. E.

DETERMINING TO PROCEED WITH THE IMPROVEMENT OF ASHBOURNE  
ROAD IN THE VILLAGE OF BEXLEY, OHIO

Be it ordained by the council of the Village of Bexley, State of Ohio:

Section 1. That it is hereby determined to proceed with the improvement of Ashbourne Road in said Village by grading, curbing and paving the roadway with brick, asphalt, bitulithic, tarvia, or some other form of permanent improvement; constructing sewers necessary to furnish proper drainage for such improvement, and constructing water and sanitary sewer connections from the water main and sanitary sewer in said <sup>Ashbourne Road</sup> ~~avenue~~ to the lots and lands abutting thereon, in accordance with the resolution declaring it necessary to improve said avenue adopted by the council of said Village on the 24th day of July, 1917, and in accordance with the plans, specifications, estimates and profiles of said improvement heretofore approved and now on file in the office of the clerk of said Village.

Section 2. That all claim for damages resulting therefrom shall be judicially inquired into after the completion of the proposed improvement, and the village solicitor be and he hereby is authorized and directed to institute proceedings in a court of competent jurisdiction to inquire into such claims.

Section 3. That the total cost of said improvement, together with the interest on bonds issued in anticipation of the collection of assessments to be levied for said improvement and all other necessary expenditures shall be assessed in proportion to the special benefits which result from the improvement, as petitioned for, by the owners <sup>upon</sup> ~~of~~ the following described lots and lands to-wit: All lots and lands fronting, bounding or abutting upon said improvement on said <sup>road</sup> ~~avenue~~, which said lots and lands are hereby determined to be specially benefited by said improvement, and in an amount equal to the cost thereof.

Section 4. That the assessments so to be levied shall be paid in <sup>twenty</sup> ~~ten~~ annual installments with interest on deferred payments at a rate not exceeding 6% per annum; provided, that the owner of any of the property assessed may, at his option, pay such assessments or any number of the installments thereof, at any time after said assessment has been levied, with interest to the

semi-annual interest date of said bonds next following the date of payment.

Section 5. That bonds in the Village of Bexley, Ohio, shall be issued in anticipation of the collection of assessments by installments and in an amount <sup>to</sup> equal ~~thereof~~.

Section 6. That the clerk of said Village be and he hereby is authorized and directed to advertise for bids for the construction of said improvement according to law.

Section 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed September 11, 1917.

Attest:

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Village Clerk

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Mayor of the Village of Bexley