

Resolution # 250 ✓

By Mr. F. H. Bonnell.

Declaring it necessary to construct a part of the sewer shown upon the plan of Sewer District No. 2.

Whereas; the owners of all the lots and lands in Berley Heights Addition fronting and abutting upon the first alley east of Parkview Avenue between Parkview Avenue and the right of way of the B+O. Railroad Company, and upon the first alley east of Columbia Avenue between Parkview Avenue and the right of way of said Railroad Company, have filed their written petition with the Council asking for the construction of sanitary sewers in said alleys and requesting that the cost thereof be assessed upon said lots and lands and waiving the limitation of assessments to thirty-three and one-third per cent (33 1/3%) of the property assessed and also waiving the provision of Sections 3814, 3818, 3834, 3878 and 3895 of the General Code providing for the giving of publication of notice of such assessments, Now therefore,

Be it resolved by the Council of the Village of Berley, State of Ohio to-wit:

That it is necessary to construct that part of the sewers herein after described and provided for in a plan of a system of sanitary sewerage in said village known as Sewer District No. 2 adopted by the Council on the 11th day of June, 1918 and upon file in the office of the Clerk of said village, and that the portions of the work provided for in said general plan, which it is hereby determined to construct are as follows: an eight inch sanitary sewer in the first alley east of Parkview Avenue and in the first alley east of Columbia Avenue in Berley Heights Addition to said village from the main sanitary sewer in Parkview Avenue to the right of way of the B+O. Railroad Company.

Be it resolved further that said sewers shall be constructed in accordance with the plans and specifications on file in the office of the Clerk of said village and shall be constructed of vitrified sewer pipe.

Be it resolved further that the entire cost of said improvement shall be assessed by the first front upon the following lots and lands to-wit: the cost of constructing the sewer in said first alley east of Parkview Avenue between Parkview Avenue and the right of way of the B+O. Railroad Company upon all of the lots and lands fronting and abutting thereon and the cost of constructing the sewer in the first alley east of Columbia Avenue between Parkview Avenue and the right of way of the B+O. Railroad Company upon all of the lots and lands fronting and abutting thereon which said lots and lands are hereby determined to be

especially benefited by said improvement and in an amount equal to the cost thereof per front foot.

Be it resolved further that the assessments so to be levied shall be paid in two equal semi-annual installments with interest on deferred payments at the rate of six per cent (6%) per annum and in default of such payment the same shall be certified to the tax collector for collection as other taxes with penalties as provided by law provided that the owner of any property may, at his option, pay such assessment in cash within thirty (30) days after the passage of the assessing ordinance upon due notice being given.

Be it resolved further that said assessments when collected shall be used by the Village Treasurer to reimburse the sewer funds of said village for money in the sum of \$ which sum is hereby temporarily appropriated from said funds to pay the cost of constructing said sewer.

Be it resolved further that the clerk be and he hereby is authorized and directed to advertise for bids for the construction of said improvement according to law, and that the Mayor and Clerk be and they here by are authorized to make and execute a contract on behalf of said village for the construction of said improvement to the lowest and best bidder.

Be it resolved further that this resolution shall take effect and be in force from and after the earliest period allowed by law.

Adopted October 11 - 1921

Attest

Sheldon

Clerk F. C. McGeer Mayor