

RESOLUTION NO. 292. ✓

By Mr. Manly.

Declaring it necessary to construct that part of the sewer, in sanitary sewer district No. 5, together with a part of a main sanitary sewer in sewer district no. 4.

WHEREAS the owners of all of the lots and lands fronting and abutting upon the first alley east of Peck Avenue and on the first alley west of Peck Avenue from the first alley south of Main Street to Astor Avenue in the village of Bexley, Ohio, have filed their written petition with the council of said village, requesting said council to take the necessary steps therefor and to construct all that part of the sanitary sewers shown on the plans of sewer district No. 5 and being in the first alley east of Peck Avenue, and in the first alley west of Peck Avenue from the first alley south of Main Street to Astor Avenue together with an eight (8) inch sanitary main sewer in Astor Avenue from the first alley east of Peck Avenue westerly to the first alley east of Euclid Avenue; and that part of said eight inch main sewer to be constructed in Astor Avenue from the first alley east of Peck Avenue to Roche Avenue, or the east boundary of sewer district No. 4, is in sewer district No. 5 and the remainder of said main sewer to be constructed in Astor Avenue is in sewer district No. 4.

And said petitioners thereby did consent that the entire cost of constructing said sewers, including the cost of constructing said main sewer in Astor Avenue might be assessed upon their said lots and lands in proportion to the whole assessment, and in such manner as might be fixed by the council, and

WHEREAS each and all of said property owners, did in said petitions consent and agree that said assessments may be levied and collected without reference to the value of the property of the petitioners and did waive all benefits of the statute limiting assessments to thirty-three and one-third (33 1/3%) per cent. of the actual value of the property assessed; and did also waive the benefits of the provisions of Section 3814, 3818 and 3895 of the General Code, providing for the giving and the publication of notice of the proceedings for the construction of said sewers and the making or levying of the assessments therefor.

NOW THEREFORE BE IT RESOLVED by the council of the village of Bexley, State of Ohio:

Section 1. That it is necessary to construct a part of the sanitary sewers provided for in an amended general plan for a system of sanitary sewers for said village, said amended general plans consisting of the creation of an additional sewer district designated as No. 5, adopted by the council on April 25, 1922, and filed in the office of the village clerk; and to also construct an eight (8) inch main sewer, a part of which is in sewer district N^o 4, adopted by the

council March 15, 1921, and now on file in the office of the village clerk; and that the portion of the work provided for on the plans of said sewer districts is as follows:

An eight inch sanitary sewer in the first alley east of Peck Avenue from the first alley south of Main Street to the center of Astor Avenue; and also an eight inch sanitary sewer in the first alley west of Peck Avenue from the first alley south of Main Street to the center of Astor Avenue, together with an eight inch sanitary main sewer in Astor Avenue from the first alley east of Peck Avenue to the first alley east of Euclid Avenue; that part of said main sewer in Astor Avenue between the first alley east of Peck Avenue and Roche Avenue, the east boundary of sewer district No. 4, being in sewer district No. 5, and the remainder of said sewer in Astor Avenue being in sewer district No. 4.

Section 2. That said sewers shall be constructed of vitrified sewer pipe, and brick man-holes with iron covers, and in accordance with the plans and specifications prepared by the village engineers, on file in the office of the village clerk.

Section 3. That the whole cost of constructing said sewers shall be assessed in proportion to the benefits which may result from said improvement upon the following described lots and lands to-wit: all of the lots and lands fronting and abutting on the first alley west of Peck Avenue from the first alley south of Main Street to the center of Astor Avenue which said lots and lands hereby are determined to be specially benefited by said improvement equal to the cost thereof.

Section 4. That the assessments so to be levied shall be paid in five equal annual installments, with interest on deferred payments at six per cent (6%) per annum payable semi-annually; provided, however, if the bonds or notes issued in anticipation of the levy of said special assessments bear a rate of interest less than six per cent (6%) per annum, then such deferred payments shall bear the same rate of interest as is borne by such bonds or notes.

Section 5. That bonds of said village shall be issued in anticipation of the levy of special assessments to pay the cost of said sewer and in an amount sufficient to pay the estimated cost thereof.

Section 6. That the clerk of said village be and hereby is directed to cause this resolution to be published in the manner provided by law.

Section 7. This resolution shall take effect and be in force from and after the earliest period allowed by law.

Adopted May 23, 1922.

Attest:

S. W. Roderick, Clerk

S. E. Ludwig, Mayor

I, S. W. Roderick, clerk of the Village of Bexley, State of Ohio, do hereby certify that there is no newspaper published in said municipality, and that publication of the foregoing resolution was duly made by posting true copies thereof at five of the most public places in said corporation as determined by the council, as follows: Main Street and Parkview Avenue, Main Street and College Avenue, Main Street and Draxel Avenue, Broad Street and Drexel Avenue and Parkview Avenue and Platte Avenue, each for a period of fifteen days commencing on the 3rd day of June, 1922

S. W. Roderick, Clerk of the Village of Bexley, Ohio

Said Sewers will be constructed in Public Road, Main Street and Euclid