

AN ORDINANCE NO. 402.

By Mr. Manly.

Determining to proceed with the construction of branch drains or sewers for the purpose of furnishing storm and surface water drainage for that part of the territory within the Village of Bexley hereinafter described.

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 construction of branch drains or sewers in Charles Street, Astor Avenue and Mound Street from points opposite the center line of the alley between Roche Avenue and Peck Avenue to the east corporation line of said village, thence to a township ditch to connect with a main surface and storm water drainage sewer for the purpose of furnishing surface and storm water drainage to that part of the territory in said village to-wit:

Beginning at a point 160 ft. south of the south line of Charles Street and in the center line produced southerly of the alley between Roche Avenue and Peck Avenue; thence northerly with the center line of said alley and with said center line produced to a point in the north line of Main Street; thence easterly with the north line of Main Street to a point where the same intersects the east corporation line; thence southerly with the east corporation line to a point 160 ft. south of the south line of Charles Street; thence westerly and parallel to the south line of Charles Street and 160 ft. distant therefrom to the place of beginning.

Section 2. That said branch drains or sewers shall be constructed in accordance with the plans, specifications, estimates and profiles for the proposed improvement, on file in the office of the village clerk, which plans, specifications, estimates and profiles are hereby approved, and shall be constructed of vitrified pipe, concrete pipe, brick or segment block pipe.

Section 3. That 70% per centum of the whole cost of that part of said improvement to be constructed within the corporate limits of said village shall be assessed in proportion to the benefits which may accrue from said improvement upon the following lots and lands, to-wit:

Lots numbered 461 to 561 both inclusive of Riders Addition; lots numbered one (1) to 284 both inclusive of East-Lawn Addition; lots numbered one (1) to three (3) both inclusive of Riders Addition; lots one (1) to sixteen both inclusive of Eastlawn Annex, to said village and a part of a twenty-nine (29) acre tract owned by Joseph Welfel Esq. bounded and described as follows:

Beginning at a point 160 feet south of the south line of Charles Street in the center line, produced southerly, of the alley between Roche Avenue and Peck Avenue; thence easterly and parallel to the south line of Charles Street and 160 feet distant therefrom to the east corporation line of said village; thence northerly with said east corporation line, to the south line of Charles Street; thence westerly with the south line of Charles Street to a point in the center line, produced southerly, of the alley between Roche Avenue

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and Peck Avenue; thence southerly to the place of beginning.

which said lots and lands hereby are determined to be specially benefited by said improvement and in an amount equal to that part of the cost thereof hereby determined to be assessed thereon, and are included within the boundaries set forth in Section 1., hereof; and the cost of said improvement shall include the purchase money of real estate or any interest therein, when acquired by purchase, or the one-half ( $\frac{1}{2}$ ) the value thereof as found by a jury when appropriated, the cost and expenses of the proceeding, the damages assessed in favor of any owner of adjoining lands and interest thereon, the cost and expenses of assessment, the expense of the preliminary and other surveys, and of printing, publishing the notices, resolutions and ordinances required, including notices of assessment and serving notices on property owners, the cost of construction, interest on bonds, when bonds have been issued in anticipation of the levy and of the collection of assessments, and any other necessary expenditures.

Section 4. That the assessments so to be levied shall be paid in equal annual installments, with interest thereon at the same rate as shall be borne by the bonds issued in anticipation of the levy and of the collection of such assessments, provided, that the owner of any property assessed may, at his option, pay such assessments in cash within thirty days after the passage of the assessing ordinance upon due notice being given.

Section 5. That bonds of said village shall be issued in anticipation of the levy and of the collection of assessments by installments, and in an amount equal that portion of the cost of said improvement for which assessments are to be levied.

Section 6. That the remainder of the cost of said improvement shall be paid from the proceeds of bonds issued by said village in the manner provided by law.

Section 7. That the clerk be and hereby is directed to cause this resolution to be published in the manner provided by law.

Section 8. This resolution shall take effect and be in full force from and after the earliest period allowed by law.

Adopted January 23, 1923.

Attest:

*Stephen C. ...*

I, *W. H. ...*, Clerk of the Village of *...*, do hereby certify that there is no newspaper published in said municipality and that publication of the foregoing ordinance 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 ...*, *Main Street and College Avenue, Main Street and ...*, *Main Street and ...* and *... Avenue and ... Avenue and ... Avenue, each for a period of fifteen days commencing on the 27th day of January, 1923.*

*W. H. ...*  
Clerk of the Village of *... 1923*