

RESOLUTION NO. 397

By Mr. Masly.

Declaring it necessary to improve Hartley Road from Bread Street South to Fair Avenue.

WHEREAS, the owners of three-fourths or more in interest of all of the lots and lands fronting, bounding and abutting on Hartley Road, from Bread Street and Fair Avenue, in the Village of Bexley, Ohio, have filed with the council of said village their written petition for the improvement of said road between said points by constructing therein a six (6) inch water line therein, and

WHEREAS, by the terms of said petition, said owners consent and agree "that the entire cost of said improvement except only such portion thereof as is by law chargeable against the village, may be assessed upon their respective properties and collected in equal annual installments in proportion to the whole assessment in the manner which may be fixed by the council," and

WHEREAS, said owners also "consent and request that said assessments be levied and collected without reference to the value of their property, and waive all benefits of the provisions of Section 3619 of the General Code limiting assessments to thirty-three and one-third per cent of the value of the property assessed for any and all purposes within the period of five years; and also waive all benefits of the provisions of Sections 3614, 1310 and 3695 of the General Code providing for the service and publication of notice of the proceedings for the construction of said improvement and the making and 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 improve Hartley Road between Bread Street and Fair Avenue in said village, by constructing a six inch water line with necessary fire hydrants therein and making water connections therefrom to the lots and lands fronting and abutting thereon, in accordance with the plans, specifications, estimates and profiles of the proposed improvements prepared by the engineers of said village and now on file in the office of the village clerk, which plans, specifications, estimates and profiles hereby are approved.

Section 2. That the grade of said avenue as improved pursuant to this resolution shall be the natural grade shown by and upon the plans and profiles aforesaid.

Section 3. That the whole cost of said improvement, less one fiftieth (1/50) thereof 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 bounding, fronting and abutting upon said proposed improvement, which said lots and lands hereby are determined to be specially benefitted by said improvement

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and in an amount equivalent that part of the cost thereof hereby determined to be assessed thereon.

Section 4. That the assessments so to be levied shall be paid in five equal annual installments, with interest on the deferred payments at the same rate as shall be borne by the bonds to be hereafter issued in anticipation of the collection of such assessments.

Section 5. That said village may borrow money and issue notes due and payable not later than two years from the date of issue, in anticipation of the levy of said special assessments and of the issuance of bonds in anticipation of the collection thereof as provided in section 3924 of the General Code of Ohio. Said notes shall not exceed in amount that portion of the estimated cost of the improvement for which said special assessments are to be levied.

Section 6. That bonds of said village shall be issued, in anticipation of the collection of said assessments, in an amount sufficient to pay that portion of the cost of said improvement heretofore determined to be assessed upon the property fronting and abutting thereon.

Section 7. That the remainder of the cost of said improvements shall be paid from the proceeds of bonds of said village issued in the manner provided by law.

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

Adopted January 8, 1924.

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, ~~Draxel~~ Street and Draxel Avenue and Parkview Avenue and Platte Avenue, each for a period of fifteen days commencing on the 11th day of January, 1924.

Clerk of the Village of Bexley, Ohio