

RESOLUTION NO. 441. ✓

By Mr. Phelps.

Declaring it necessary to improve Brentwood Road from Drexel Avenue to Belgard Lane.

WHEREAS, the owners of three-fourths or more in interest of the lots and lands bounding, fronting and abutting on Brentwood Road between Drexel Avenue and Belgard Lane in the Village of Bexley, Ohio, have filed with the Council of said Village their written petition for the improvement of said Brentwood Road between the points above named, 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 and collected upon our respective properties and collected in equal annual installments, proportioned to the whole assessment, in the manner which may be affixed by Council, which assessments we hereby agree to pay as and when they become due," and

WHEREAS, said owners also "consent and agree that said assessments shall be levied and collected without reference to the value of the property of subscribers hereto," and waive all benefits of the provisions of Section 3819 of the General Code, limiting assessments to 33 1/3% of the value of the property assessed for any and all purposes within the period of five years, and also waive the benefits of any other statutory or constitutional provision limiting the amounts which may be specially assessed upon said properties for public improvements and waiving all benefits of the provisions of Sections 3814, 3818 and 3895 of the General Code, providing for the service and publication of notice of the proceedings for the construction of said improvement and for the making and levying of the assessments therefor.

BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF BEXLEY, STATE OF OHIO:

Section 1. That it is necessary to improve Brentwood Road between Drexel Avenue and Belgard Lane in said Village, by grading, curbing and improving the roadway thereof with brick, asphalt, bitulithic, concrete or some other form of permanent improvement, constructing the necessary storm sewers to furnish proper drainage for such improvement and erecting street signs, in accordance with the plans, specifications, estimates and profiles heretofore filed with this council, which are hereby approved.

Section 2. That the grading of said Brentwood Road as improved shall be the grade shown by and upon the plans and profiles aforesaid, and the grade of the curbs shall be as follows, to-wit:

NORTH CURB. Beginning at the east property line of Denzel Avenue Station 0 plus 00 and elevation 107.40; thence easterly with 0.30% ascending grade to station 3 plus 50, elevation 108.45; thence easterly with a vertical curve as follows:

Station 3 plus 75	Elevation 108.50
" 4 plus 00	" 108.47
" 4 plus 25	" 108.39
" 4 plus 50	" 108.23

thence easterly with 0.75% descending grade to Station 8 plus 35, elevation 105.33; thence easterly with a vertical as follows:

Station 8 plus 60	Elevation 105.23
" 8 plus 85	" 105.12
" 11 plus 10	" 105.18
" 11 plus 35	" 105.23

thence easterly with 0.54% ascending grade to the center line of Cassady Avenue, Station 11 plus 07.5, elevation 106.16; thence easterly with 0.33% ascending grade to the center line of Cassingham Road, Station 17-27.5, elevation 108.21; thence easterly with 0.42% ascending grade to the west curb line of Belgard Lane, Station 25 plus 35.3, elevation 110.76; thence easterly 25 feet level to the east property line of Belgard Lane.

SOUTH CURB. The south curb is to be the same elevation as the north curb.

Above elevations refer to Village Datum.

Section 3. That the whole cost of said improvement, less one fiftieth (1/50) thereof and the cost of intersections shall be specially 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 between the points aforesaid, 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.

Section 4. That the special assessments so to be levied shall be paid in not less than nine or more than ten 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 date of issue, in anticipation of the levy of said assessments and of the issuance of bonds in anticipation of the collection of said special assessments as provided in Section 3914 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 estimated cost of said improvement hereinbefore determined to be assessed upon the property fronting and abutting thereon.