

AN ORDINANCE NO. 683.

By Mr. O. C. Manly.

Determining to proceed with the improvement of certain streets and avenues in the Village of Bexley, by constructing water mains therein with necessary fire hydrants and connecting same with existing mains in the Village of Bexley and City of Columbus.

WHEREAS, it is proposed by the Board of Commissioners of Franklin County, Ohio, in consideration that said Village of Bexley prepare all necessary plans and estimates of cost and construct water mains as hereinafter provided to connect with water mains of the City of Columbus, and grant to said Franklin County the joint use of said water mains for the purpose of supplying water to Sewer District Truro No. 1 and the inhabitants thereof, in said County of Franklin, that said Board of Commissioners of Franklin County, Ohio, will pay to said Village of Bexley the sum of two-thirds of the cost of construction of said water main in Maryland Avenue, excluding fire hydrants and connections; two-thirds of the cost of construction of the mains in Mound, Chelsea and Main Streets, excluding fire hydrants and connections; and one-half of the cost of construction of the eight (8) inch main in Gould Road from Main Street to Broad Street and 70.83% of the cost of constructing the sixteen (16) inch main in Gould Road from Broad Street to Maryland Avenue, together with one-half of the cost of fire hydrants and connections in said Gould Road; said cost to include engineering and inspection, necessary rights of way and easements and the extensions of said mains to connect with the mains in the City of Columbus, together with all other legitimate items of cost; also to pay two-thirds of the cost of two meters to be installed at or near the westerly corporation line of the Village and two meters at or near the easterly corporation line of the Village; said percentage of said estimated cost of construction to be paid to said Village before the said improvement is advertised for bids. Said Board of Commissioners also proposing and agreeing as a further consideration for the joint use of such water mains and improvement to pay to said Village, on or before the 1st day of February in each year, the same proportion of the cost of maintenance and operation of said water mains and meters (not including fire hydrants on the Maryland Avenue, or on the Mound, Chelsea and Main Street mains or connections therein) for the preceeding year, said Village to retain full control and management of the construction, maintenance, repair and operation of said water mains, and

WHEREAS, the Village has heretofore entered into a contract with said Board of County Commissioners for said construction upon the terms hereinabove set forth and Council has by Resolution No. 505, adopted on the 13th day of October, 1925, found it necessary to make said improvement and does hereby find that said improvement is necessary for the preservation and promotion of the public health and welfare and to provide fire protection for said Village,
NOW, THEREFORE:

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 improvement of the following streets and avenues and streets in the Village of Bexley, Ohio, by constructing water mains therein as follows, to-wit:

Maryland Avenue, from the east corporation line to the west corporation line, by constructing a sixteen (16) inch main therein; Main Street from the east corporation line to Chelsea Avenue; Chelsea Avenue from Main Street to Mound Street, Mound Street from Chelsea Avenue to the west end thereof, by constructing therein a sixteen (16) inch water main; and Gould Road from Main Street to Maryland Avenue, by constructing therein an eight (8) inch water main from Main Street to Broad Street, and a sixteen (16) inch water main from Broad Street to Maryland Avenue,

said water mains to have the necessary hydrants and to be connected with the water mains of the City of Columbus, said various mains constituting one improvement; in accordance with the plans, specifications, estimates and profiles prepared by the Engineer of the Village and now on file in the office of the Village Clerk, which plans, specifications, estimates and profiles have heretofore been approved.

Section 2. That all claims for damages resulting from said improvement shall be judicially inquired into after the completion of the improvement and the solicitor hereunto authorized and directed to institute proceedings in a court of Competent Jurisdiction to inquire into such claims.

Section 3. That the following percentages of that part of the cost of said improvement between the points hereinafter in this section designated, apportioned to the Village in said agreement with the Board of Commissioners of Franklin County, shall be assessed in proportion to the benefits which may result from said improvement upon the following described lots and lands, to-wit: 20% thereof upon all the lots and lands bounding, fronting and abutting upon the north side of Maryland Avenue between Drexel Avenue and the east corporation line and on the south side of Maryland Avenue between the east line of Rullitt Park East Addition and the east corporation line;

50% thereof upon all the lots and lands bounding, fronting and abutting upon the west side of Gould Road from Maryland Avenue to Main Street; 10.5% thereof upon all the lots and lands bounding, fronting and abutting upon the south side of Main Street between the east corporation line and Chelsea Avenue; 10.5% thereof upon all the lots and lands bounding, fronting and abutting on the west side of Chelsea Avenue from Mound Street to Main Street and on the east side of Chelsea Avenue from the north line of Lot Number Sixteen (16) of Drake's East Lawn Annex Addition to Main Street, which said lots and lands are determined to be specially benefitted by said improvement and in an amount equal to that part of the cost thereof hereby determined to be specially assessed therefor.

Section 4. That the assessment so to be levied shall be paid in five annual installments, with interest on deferred payments at the same rate as shall be borne by the bonds to be issued in anticipation of the collection thereof, provided that the owner of any property so assessed may, at its option, pay such assessments in cash within thirty days after the passage of the assessing ordinance.

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 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.

Section 7. That the Village's portion 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 8. That the Treasurer of the Village is hereby authorized and empowered to receive from said County of Franklin the proportion of the cost of the construction of said improvement provided in said contract so heretofore entered into with the Board of County Commissioners, which said amount shall be placed to the credit of

_____ fund, and used for no other purpose than said improvement; and that upon the receipt of said funds the Clerk be, and hereby is, authorized and directed to advertise for bids for the construction of said improvement according to law.

Section 9. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed February 10, 1926.



S. E. Ludwig.


Mayor.

Attest:



S. W. Roderick.
Clerk.

I, S. W. Roderick, Clerk of the Village of Pexley, State of Ohio, 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 Parkview Avenue, Main Street and College Avenue, Main Street and Drexel Avenue, Broad Street and Drexel Avenue, and Parkview Avenue and Platte Avenue, each for a period of fifteen days commencing on the 18th. day of February, 1926.



Clerk of the Village of Pexley, Ohio