

RESOLUTION NO. 878.

By Mr. Bonnet.

Accepting the improvement of Columbia Avenue from Maryland Avenue to Caroline Avenue in accordance with the terms of agreement of October 18th, 1927, between the Village of Bexley, the receiver of The Yale Avenue Construction Company, The A. W. Burns Construction Company and the Globe Indemnity Company, and approving and ordering paid the final estimate thereon.

WHEREAS, pursuant to resolution of Council of the Village of Bexley, a contract was entered into on the 18th day of October, 1927, between the Village of Bexley, The A.W. Burns Construction Company, the receiver for The Yale Avenue Construction Company and The Globe Indemnity Company, providing for the acceptance of the improvement of Columbia Avenue between the points above mentioned upon the deposit with the Village by The A.W. Burns Construction Company of the Sum of Four Thousand Dollars (\$4,000.00) to be held by the Village in addition to the retainer and maintenance bond for said improvement as an additional guarantee of the asphalt surface of said street, all as provided in said contract, which said contract also provides that upon the making of said deposit the Village agree to accept said improvement and to pay the final estimate thereon by distributing the same among the various lien holders pro-rata according to law, and

WHEREAS, the engineer has submitted to Council the final estimate of the amount of work done under the contract and the value thereof, showing the amount due the contractor, after deducting all previous payments and all amounts to be kept and retained under the provisions of the contract, in the sum of Two Thousand, Five Hundred Forty-seven Dollars Thirteen Cents (\$2,547.13), and Council having examined the same does hereby accept said improvement subject to all the terms and conditions of said agreement of the Date of October 18th, 1927, and reserving unto said Village all the rights relative to the application of said funds so deposited for the re-surfacing or repairing of said street as provided in said agreement and does hereby approve said final estimate and order that the same shall be paid as follows, to-wit: There having been a lien filed against said fund by The A.W. Burns Construction Company now amounting to One Thousand, Five Hundred Sixty-nine Dollars Thirty-four Cents (\$1,569.34) and by Albert F. Riley and William Neilson, amounting, with interest to the sum of Seven Hundred Ninety-five

294

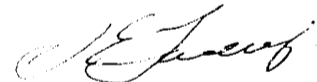
9XRAG

Dollars (\$795.00), it is ordered that upon the release of their respective liens a voucher of the Village be issued to said above lien holders for the amounts of their said respective liens, and that there be paid out of said fund to the Bexley Water Works for water used in the construction of said street, the sum of Thirty-two Dollars Sixty-two Cents (\$32.62) and for water used in the construction of the improvement of Chelsea Avenue, the sum of One Hundred and Six Dollars Forty-four Cents (\$106.44) and that the balance, to-wit: The sum of Forty-three Dollars Seventy-three Cents (\$43.73) shall be held for future distribution.

Be it further resolved that said sum of Four Thousand Dollars (\$4,000.00) so deposited by said The A.W. Burns Construction Company with the Village Treasurer be, in accordance with said agreement, deposited in The Fireside Building, Loan and Savings Company upon certificate of deposit and that the interest accruing thereon be credited and paid to The A.W. Burns Construction Company, subject to the terms of said agreement.

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

Adopted Nov. 9, 1927.



S. E. Ludwig.

Mayor.

Attest:  Clerk.

Clerk.