

AN ORDINANCE NO. 1093.

By Mr. Samuel Betz.

Determining to proceed with the construction of a main storm sewer along the easterly corporation line of the Village of Bexley, to be known as the Gould Road Storm Sewer, in accordance with an agreement with the City of Columbus providing for the joint construction and management thereof,

Whereas, the respective Councils of the Village of Bexley, Ohio, and the City of Columbus, Ohio, have authorized the entering into and execution of an agreement between the said municipalities for the joint construction and management of a main storm sewer, to be known as the Gould Road Storm Sewer, which sewer is hereinafter more particularly described, to provide for surface or ground water drainage of the territories described in Section 1 of this ordinance, which contract, along other things, provides that the engineers of said Village of Bexley shall prepare the necessary plans, specifications, estimates and profiles of said proposed improvement and shall pass the necessary legislation and let the contract therefor, in the manner provided by law for the letting of contracts by such municipality, and

Whereas, said agreement has been duly executed between said Village of Bexley and said City of Columbus, and the plans, specifications, estimates and profiles of said improvement, as prepared by the engineers of said Village, have been approved by said City and are now on file in the office of the Clerk of said Village and in the office of the Director of Public Service of said City, NOW, THEREFORE:

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

Three-fourths of the members elected thereto concurring:

Section 1. That it is hereby determined to proceed with the construction of a main storm sewer for the drainage of the following described territories, situate in the Village of Bexley, and in the City of Columbus, as follows, to-wit:-

(a) Situate in said Village of Bexley:

Beginning at a point in the east corporation line of the Village of Bexley, said point being in

the center line of the first alley south of Main Street; thence northerly, with the said east corporation line, to the north corporation line; thence westerly, with the north corporation line, to a point where the center line of Spruce Street extended northerly would intersect with the north corporation line; thence, southerly, with the center line of Spruce Street extended northerly with the center line of Spruce Street and with the center line of Cassingham Road, to the center line of Maryland Avenue; thence easterly, with the center line of Maryland Avenue, to the center line of the first alley west of Stanwood Road; thence southerly, with the center line of said alley, to the first alley north of Broad Street; thence southerly, with the west line of Lot 320, Ardmore No.2, across Broad Street to the northwest corner of Lot 336, Ardmore No.2, and with the west line of said Lot 336, to the first alley south of Broad Street; thence southerly, with the center line of the alley west of Stanwood Road, to the center line of Fair Avenue; thence westerly, with the center line of Fair Avenue, to the center line of Remington Road (north of Main Street); thence southerly, with the center line of Remington Road, to the center line of Main Street; thence westerly, with the center line of Main Street, to the center line of Remington Road (south of Main Street); thence southerly, with the center line of Remington Road, to the center line of the first alley south of Main Street; thence easterly, with the center line of said alley to the place of beginning.

(b) Situate in said City of Columbus:

Beginning at a point in the east corporation line of the Village of Bexley, said point being in the center line of the first alley north of Main Street; thence easterly, with the said alley north of Main Street, to the alley west of Aurora Place; thence northerly, with the alley west of Aurora and with the alley west of Harding Road to Denver Avenue; thence westerly, with Denver Avenue, to the alley west of Chesterfield Road; thence northerly, with the alley west of Chesterfield Road, to Maryland Avenue; thence north-westerly to Stanwood Road and the south line of the B. & O. Railway right-of-way, said point being the northeast corner of the Corporation of Bexley; thence southerly, with the east corporation line of the Village of Bexley, to the place of beginning,

said sewer to begin at the intersection of the County ditch with the south side of Main Street, near the Marion-Truro Township line; running thence west in Main Street to Gould Road; thence north in Gould Road to Maryland Avenue; thence west in Maryland Avenue to Stanwood Road; thence north in Stanwood Road and Hemlock Street to Delmar Drive, and said sewer shall be constructed of vitrified pipe, segment block or concrete, in accordance with the plans, specifications,

estimates and profiles heretofore approved by said Village and said City and now on file in the office of the Clerk of said Village and of the Director of Public Service of said City.

Section 2. That all claims for damages resulting therefrom shall be judicially inquired into after the completion of the proposed improvement, and the Solicitor or City Attorney of said respective Village and City, be and they are hereby authorized and directed to institute proceedings in a court of competent jurisdiction to inquire into such claims.

Section 3. That the entire cost of said improvement so apportioned to the Village of Bexley, being sixty-five (65%) per cent of the cost of preparing said plans, specifications, estimates and profiles, and sixty-five (65%) per cent of the cost of constructing that portion of said sewer from said beginning point to the intersection of Maryland Avenue and Stanwood Road, and all the cost of constructing that portion from Maryland Avenue to Delmar Drive, shall be paid in the following manner, to-wit:- 65% of said cost so apportioned to said Village, shall be assessed in proportion to the benefits which may result from said improvement upon all the lots and lands in said Village within the boundaries hereinabove described at Section 1, paragraph (a), which said lots and lands are hereby determined to be specially benefited by said improvement in the amount of the cost thereof, and said cost shall include the expense of the preliminary and other engineering services, surveys, printing and publishing of all required notices, resolutions and ordinances, and serving of notices, interest on bonds and notes issued in anticipation of the collection of deferred assessments, and all other necessary expenditures, and the balance of said cost shall be paid as provided in Section 6 hereof.

Section 4. That the assessments so to be levied shall be paid in nine equal 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 assessed may, at his option, pay such assessment in cash within thirty days after the passage of the

assessing ordinance.

Section 5. That bonds of the Village of Bexley shall be issued in anticipation of the collection of assessments by installments and in an amount equal thereto, and notes of said Village may be issued in anticipation of the issue of such bonds.

Section 6. That the remainder of the entire cost of said improvement, not specially assessed, together with the cost of any real estate, or interest therein purchased or appropriated, and the costs and expenses of any appropriation proceeding therefor, and the damages awarded any owner of adjoining lands and interest thereon, and the costs and expenses of any such award, shall be paid by the issuance of bonds in the manner provided by law.

Section 7. That the clerk be and he is hereby authorized and directed to advertise for bids for the construction of said improvement according to law.

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

Passed October 22, 1930.

Attest: S. W. Roderick.

Clerk.

R. J. Wheaton
R. J. Wheaton,
Acting Mayor.

C E R T I F I C A T E

To the Council of the Village of Bexley, Ohio.

The undersigned, as the fiscal officer of said Village of Bexley hereby certified as follows:

1. That the estimated life of the property and improvement known as the Gould Road Storm Sewer, as provided in Resolution No. 891, adopted October 7, 1930, is at least five years.

2. The maximum maturity of the bonds proposed to be issued therefor calculated in accordance with the provisions of Section 2293-9 of the General Code is twenty-five years.

3. If notes are issued in anticipation of the issuance of such bonds the maximum maturity of such notes is two years.

Dated October 22nd, 1930.

S. W. Roderick.
Village Clerk.

I, S. W. Roderick, Clerk of the Village of Bexley, 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 College Avenue, Main Street and Parkview 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 23rd day of October, 1930.

S. W. Roderick
Clerk of the Village of Bexley, Ohio.

