

RESOLUTION NO. 859.

By Mr. Manly.

Authorizing the entering into of a contract with the Board of County Commissioners of Franklin County, Ohio, supplemental to a contract heretofore entered into with said Board of County Commissioners on the 23rd day of March, 1929, providing for the preparation of the necessary plans and estimates of cost to connect sewers of the Village of Bexley with an outlet and intercepting sewer and sewage disposal plant to be constructed by the County of Franklin, and to connect sewers of Franklin County Sewer District Truro No. 1 with a branch sewer in Gould Road to be constructed by the Village of Bexley, and providing for the joint use of such sewers and the maintenance and operation thereof.

WHEREAS, under authority of Resolution No. 765, duly adopted March 12th, 1929, a contract was entered into on the 23rd day of March, 1929, by and between the Board of County Commissioners of Franklin County, Ohio, and the Village of Bexley for the preparation of the necessary plans and estimates of cost to connect sewers of the Village of Bexley with an outlet and intercepting sewer and sewage disposal plant to be constructed by the County of Franklin, State of Ohio, and to connect sewers of Franklin County Sewer District Truro No. 1 with a branch sewer in Gould Road to be constructed by the Village of Bexley and providing for the joint use of such sewers and the maintenance and operation thereof, and paragraph 4 of said contract provides that if an outlet be arranged for into the general sewer system of the City of Columbus, the provisions of said contract concerning construction and operation of a disposal plant or sewer extension to the same shall be null and void, and in lieu thereof the Village of Bexley therein agrees to pay to the Board of County Commissioners of Franklin County an amount toward the construction, operation and maintenance of the necessary connecting or outlet sewer, such amount to be determined as provided in said paragraph, and

WHEREAS, such outlet has been arranged for into the general sewer system of the City of Columbus and the amount to be paid by said Village has been determined in accordance with said provisions to be seven and three-fourths percent (7-3/4%) of the cost of such outlet, and

WHEREAS, said Board of County Commissioners of Franklin County, Ohio has completed the construction of that part of said sewer from the intersection of Charles Street with the easterly corporation line of said Village to said proposed connecting or outlet sewer to the outlet which has been arranged for into the general sewer system of the City of Columbus, and

WHEREAS, the Village of Bexley has heretofore paid to said Board of County Commissioners in accordance with the provisions of said contract of March 23rd, 1929, the sum of Twenty Three Thousand, Eight Hundred Ninety Eight Dollars and Eighty-four Cents (\$23,898.84), and the Village's portion of the actual cost of said sewer so heretofore constructed by said Board of Commissioners to said proposed outlet sewer is the sum of Seventeen Thousand, Three Hundred Thirty Four Dollars and Five Cents (\$17,334.05), leaving a balance to the credit of said Village in the hands of said Board of Commissioners in the sum of Six Thousand, Five Hundred Sixty Four Dollars and Seventy-nine Cents (\$6,564.79), which amount is more than sufficient to pay the Village's portion of the cost of said connecting or outlet sewer to said outlet into the General sewer system of the City of Columbus, as provided for in said contract of March 23rd, 1929, and

WHEREAS, this Council is of the opinion that said arrangement for an outlet into the general sewer system of the City of Columbus in lieu of the construction and operation of a disposal plant, in accordance with said contract heretofore entered into should be approved, and said necessary connecting or outlet sewer should be constructed, operated and maintained as provided for in said contract and that a contract supplemental to said contract of March 23rd, 1929, should be entered into with said Board of County Commissioners providing for the construction, joint use, operation and maintenance of said connecting or outlet sewer, NOW, THEREFORE:

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

Section 1. That for the preservation and promotion of

the public health and welfare it is necessary to acquire the joint use of said connecting or outlet sewer so to be constructed by the Board of County Commissioners of Franklin County, Ohio, said sewer to be 30 and 42 inches in diameter and to be constructed from the present southerly terminus of the outlet and intercepting sewer heretofore constructed, as provided in said contract of March 23rd, 1929, said southerly terminus being on the easterly bank of Alum Creek adjacent to Spring Lakes, northerly and westerly along the easterly bank of Alum Creek and across said Creek to the intercepting sewer now being constructed by the City of Columbus at a point immediately west of Alum Creek and about 1200 feet south of Livingston Avenue, according to the plans and estimates of the cost heretofore prepared by the Sanitary Engineer of said County, and approved by the Board of County Commissioners and now on file in the office of said Board, which said plans and estimates of cost are hereby approved, said joint use on behalf of said Village to be for sanitary sewage only and to be limited to Bexley Sewer District No. 5, all as provided in said Resolution No. 765, duly adopted March 12th, 1929, and in accordance with said contract entered into on the 23rd day of March, 1929.

Section 2. Be it further resolved that as a consideration for said joint use of said sewer said Village of Bexley pay to said Board of County Commissioners the sum of Seven and three-fourths percent (7-3/4%) of the cost of the construction of said sewer, such cost including engineering and inspection, necessary real estate and easements and all legitimate items of cost incident to such construction as soon as such cost can be determined; that said balance now to the credit of said Village in the hands of said Board of Commissioners heretofore paid in accordance with said contract of March 23rd, 1929, be applied by said Board of Commissioners upon said costs, and on completion of such sewer, settlement to be made by the payment to or by said Village by or to said Board of County Commissioners of an amount equal to the difference between said amount and said percentage of the actual cost; and that as a further consideration for the joint use of said sewer said Village shall pay annually on or before the

first day of February of each year, to said Board of County Commissioners seven and three fourths percent (7-3/4%) of the cost of maintenance and repairs of said sewer.

Section 3. Be it further resolved that the Mayor and Clerk be authorized, in the name of and on behalf of the Village, to enter into a contract to be approved by the Solicitor, with said Board of County Commissioners of Franklin County, Ohio for such joint use, which contract shall be supplemental to said contract of March 23rd, 1929, containing the above terms and such other terms and conditions as may be necessary and proper and as may be mutually agreed upon, for the preparation of all necessary plans and estimates of cost to secure the construction of said improvements and to provide for the joint use thereof by said Village and County; all of which improvements, proceedings and contract are had and made pursuant to the provisions of the General Code of Ohio affecting said improvements and said contract; which said contract before going into effect shall be approved by the Ohio State Department of Health.

Section 4. That the cost of said improvement shall be paid in the manner heretofore provided by said Resolution No. 765, duly adopted March 12th, 1929.

Section 5. This resolution shall take effect and be in force from and after the earliest period allowed by law.

Adopted June 10, 1930.

S. E. Ludwig
S. E. Ludwig.

Mayor.

Attest: S. W. Roderick.

S. W. Roderick
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 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 Drexel Avenue, Broad Street and Drexel Avenue, and Parkview Avenue and Platte Avenue, each for a period of fifteen days commencing on the 14th day of June 1930.

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