

ORDINANCE NO. 53-32.

By Mr. Bonnet.

To authorize the Mayor, on behalf of the City of Bexley, Ohio, to enter into a contract with the State of Ohio for the improvement of a portion of State Highway No. 47, to request the Director of Highways of the State of Ohio to proceed with said improvement, and providing for the payment by the municipality of the agreed portion of the cost of said improvement.

Whereas, on the 12th day of January, 1932, the Council of the City of Bexley, Ohio, passed a resolution proposing to cooperate with the State of Ohio, by and under the supervision of the Director of Highways of the State of Ohio, in the improvement of a portion of State Highway No. 47, described as follows:-

"Beginning at the east end of the bridge over Alum Creek, and running thence east to the east corporation line of said City, and being that portion of said highway lying within the corporate limits of the City of Bexley, in all a distance of about one mile,"

and

Whereas, the Director of Highways of the State of Ohio has accepted said proposal, and whereas, this Council, by Ordinance No. 36-32, passed on the 14th day of June, 1932 determined to proceed with said improvement, and

Whereas, an emergency exists in that it is necessary to contract for said improvement in order that the same may be made before the coming of winter, NOW, THEREFORE,

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

Section 1. That the Director of Highways of the State of Ohio be and he is hereby requested and authorized to proceed with the improvement of that part of State Highway No. 47, hereinabove described, in accordance with the plans, profiles and

estimates of cost as prepared by said Director of Highways, copies of which are now on file in the office of the Council of the City of Bexley, and which have heretofore been approved by this Council.

Section 2. That the Mayor of the City of Bexley be and he is hereby authorized and directed to enter into a contract on behalf of the City with the State of Ohio, through its Director of Highways, for the improvement of that part of said State Highway No. 47, hereinabove described, and providing for the payment by the City of Bexley of the agreed portion of the cost thereof, the form of said contract to be in substance as follows, to-wit:-

"CONTRACT"

This contract and agreement made in duplicate this _____ day of _____, 1932, by and between the City of Bexley, State of Ohio, party of the first part, and the State of Ohio, party of the second part, witnesseth:

WHEREAS, on the 12th day of January, 1932, the Council of the City of Bexley, Franklin County, Ohio, adopted a resolution proposing to cooperate with the State of Ohio by and under the supervision of the Director of Highways of the State of Ohio, in the improvement of a portion of State Highway No. 47, described as follows:

"Beginning at the east end of the bridge over Alum Creek, and running thence east to the east corporation line of said City, and being that portion of said highway lying within the corporate limits of the City of Bexley, in all a distance of about one mile."

WHEREAS, Thereafter, on the 9th day of June, 1932, the Director of Highways of the State of Ohio accepted

the proposal of the City Council of Bexley, Franklin County, Ohio, to cooperate with the State of Ohio in the improvement of the above described portion of State Highway No. 47, said action of the Director of Highways being recorded in the Director's Journal, Volume 17, page _____, and.

WHEREAS, on the 9th day of June, 1932, the Director of Highways of the State of Ohio, determined to make the proposed improvement, and

WHEREAS, Thereafter, on the 9th day of June, 1932, the Director of Highways of the State of Ohio submitted to the City Council of City of Bexley, Franklin County, Ohio, for their approval, plans and estimates based on a total pavement width of fifty feet covering the proposed improvement of the above described portion of State Highway No. 47, and

WHEREAS, thereafter, on the 13th day of October, 1932, the City Council of said city duly adopted a Final Ordinance approving plans, proposing to cooperate, requesting the Director to proceed, and resolving to enter into a contract with the State of Ohio, in conformity with previous resolutions, providing for the payment by said city of One Hundred One Thousand Three Hundred and no/100 Dollars (\$101,300.00), being \$50,400.00 less than the total estimated cost and expense in the matter of the proposed improvement of Section "Bexley" of the Columbus-Newark Road, State Highway No. 47, in the City of Bexley, Franklin County, Ohio, and

WHEREAS, the Clerk has reported to this council that a certified copy of such ordinance has been duly transmitted to said Director of Highways of the State

of Ohio, and

WHEREAS, the City Council of the City of Bexley, Franklin County, State of Ohio, assumes and agrees to pay as its share of the cost and expense of construction of said improvement the sum of ONE HUNDRED ONE THOUSAND THREE HUNDRED AND ---no/100 Dollars (\$101,300.00), which moneys are now available for the purpose and as to which the Auditor of said City of Bexley as the fiscal officer thereof, has filed with said council a certificate that such moneys are in fund, all as required by the statute in such cases made and provided, and a duplicate of which certificate has been filed with the Director of Highways, and

WHEREAS, the City Council of the City of Bexley, Franklin County, Ohio, agrees to enter into a contract with the State of Ohio for the payment of One Hundred One Thousand Three Hundred and No/100 Dollars (\$101,300.00), as its share of the cost and expense of constructing said improvement, providing said City of Bexley is to share in any savings accruing from the reduction of the estimated cost as shown by the competitive bids to be received for said improvement, the share of said City of Bexley, in said savings to be computed on the same basis as said city's participation in the estimated cost and expense of said improvement:

NOW, THEREFORE, in consideration of the premises and the construction of said improvement desired and determined by the City Council of the City of Bexley, Franklin County, Ohio, said City Council of the City of Bexley, Franklin County, Ohio, as the party of the first part herein, hereby contracts and agrees with the State of Ohio that it will pay as its agreed proportion of the

cost and expense of said improvement said sum
of ONE HUNDRED ONE THOUSAND THREE HUNDRED AND ----
No/100 Dollars (\$101,300.00), and that the same
shall be paid by the proper officials of said City
upon the requisition of the Director of Highways
and at such time and in such manner during the
progress of the work of said Director of Highways
of the State of Ohio,

Signed: CITY OF BEXLEY

By: S. E. Ludwig
Mayor.

Franklin County, Ohio.

Signed: State Highway Director,
State of Ohio"

Section 3. That the sum of \$101,300.00 be and is hereby
authorized to be paid to the State of Ohio by the proper official
officers of the City upon the requisition of the Director of High-
ways, and at such time and in such manner during the progress of
the work of said improvement as may be determined and directed by
said Director of Highways of the State of Ohio, to pay the portion
of the cost and expense of making the above described improvement
agreed to be paid by the City of Bexley, Ohio.

Section 4. That for the reasons stated in the preamble
hereto this ordinance is declared to be an emergency measure, and
necessary for the immediate preservation of the public safety and
welfare, and the same shall take effect and be in force from and
after its passage and approval by the Mayor.

Passed October 13, 1932.

O. C. Manly
President of Council.

Attest S. W. Rodrick
Clerk

Approved October 13, 1932.

S. E. Ludwig
Mayor.

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