

RESOLUTION NO. 7-38

By Mr. Rehn-

Providing for the improvement of the alley south of Fair Avenue from the alley East of Drexel Avenue to Remington Road, by paving the same, in cooperation with the Works Progress Administration of the United States of America, and declaring an emergency.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BEKLEY, STATE OF OHIO:

Three-fourths of all members elected thereto concurring:

Section 1. That Council has determined and hereby does determine that it is necessary to improve the alley south of Fair Avenue from the alley east of Drexel Avenue to Remington Road, by grading and paving the surface thereof with concrete, and constructing the necessary drains to furnish proper drainage for said improvement, all in accordance with the plans, specifications, estimates and profiles of said improvement heretofore prepared by the engineers and now on file in the office of the Mayor, which are hereby approved.

It is further found determined and declared by Council that said alley so to be improved by paving is so situated in relation to the alleys provided to be paved by Resolution No. 5-38, adopted April 12th, 1938, and in said resolution specifically described, that in order to complete the improvement thereof in the most practical and economical manner, the same should be improved at the same time as said alleys in said Resolution No. 5-38 described, with the same kind of materials and in the same manner, and that all of said alleys shall be treated as a single improvement, and the same legislation and the same contracts providing for said improvement shall include the above described alley, together with the alleys described in said Resolution No. 5-38.

Section 2. That whereas, the Works Progress Administration of the United States of America has proposed and agreed to

furnish all labor in the making of said improvement, together with a portion of the materials necessary therefor, said materials so to be furnished to be determined by the number of man-months of labor necessary to complete the improvement, and has proposed and agreed to perform said improvement at its own expense, on condition that the City of Bexley shall furnish the balance of said materials not so to be furnished by said Works Progress Administration, together with certain equipment and other direct costs, including engineering services, in accordance with the Works Progress Administration Form No. 301, now on file in the office of the Mayor, all of said city's portion of said cost, including all of said alleys, being in the estimated sum of \$114,500.00, the council does hereby resolve that said improvement shall be made in accordance with said proposal and agreement.

Section 3. That the grade of said alley as improved shall be as shown by the engineer's plans and profiles which are made a part hereof, and which are on file in the office of the Mayor.

Section 4. That the entire part of the cost of said improvement hereinabove provided to be paid by the city, less 1/50th thereof, and the cost of inter-sections, shall be assessed in proportion to the benefits which may result from the improvement upon all the lots and lands bounding and abutting upon said proposed improvement, which said lots and lands are hereby determined to be specially benefitted by said improvement in an amount not less than the cost thereof, and the cost of said improvement shall include the expense of the preliminary and other surveys, of printing and publishing the notices, resolutions and ordinances required, and the serving of said notices, the cost of said materials so to be furnished by the municipality together with interest on notes and bonds issued in anticipation of the collection of deferred assessments, and all other necessary expenditures.

Section 5. That the assessments 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 assessed may at his option pay such assessment in cash within thirty days after the passage of the assessing ordinance.

Section 6. That the bonds of the City of Drexley shall be issued in anticipation of the collection of assessments by installments, and in an amount equal thereto, and the notes of said City shall be issued in anticipation of the issue of said bonds.

Section 7. That the remainder of the City's portion of the cost of said improvement not specially assessed, including also the said 1/50th of said cost and the cost of intersections, and the damages awarded any owner of adjoining lands and interest thereon, and the costs and expenses of any such award, shall be paid from the general fund of the City.

Section 8. The Mayor and Auditor be and they are hereby authorized to enter into any and all necessary agreements with said Works Progress Administration reasonably necessary and proper for the completion of said improvement.

Section 9. That this resolution is an emergency measure, necessary for the immediate preservation of the public peace, health and safety, said emergency being that said alley is in an impassible condition, and dangerous to traffic, and should be improved without delay, and said resolution shall go into immediate force and effect.

Adopted May 3, 1938.

S. W. Roderick
Attest S. W. Roderick
Clerk

Approved May 4, 1938.

F. H. Bonnet
F. H. Bonnet
President of Council

J. H. Schneider
J. H. Schneider
Mayor

I, S. W. Roderick, Auditor of the City 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 Clifton Avenue, each for a period of fifteen days commencing on the 4th day of May, 1938.

S. W. Roderick
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Auditor of the City
of Bexley, Ohio