

## ORDINANCE NO. 37-38

By Mr. Sam Betz

Providing for the construction of a sanitary sewer and water main in the first alley north of Main Street between Remington Road and Cassingham Road, and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, 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 construct an eight inch sanitary sewer with necessary Y's in the first alley North of Main Street beginning at the west side of Remington Road and extending westerly 100 feet, and a six inch cast iron water main beginning at said west line of Remington Road and extending westerly 140 feet, in accordance with the plans, specificarions, estimates and profiles prepared by the engineers and on file in the office of the Mayor, which are hereby approved.

Section 2. Whereas, the Works Progress Administration of the Public Works of the United States is now improving said alley in cooperation with the City, and whereas, it is expedient that said sewer and water main be installed before said alley shall be improved, and said Works Progress Administration has proposed and agreed to furnish all labor in the making of said improvement, and to make and perform said improvement on condition that the City of Bexley shall furnish the materials and other direct costs therefor, including engineering services, and whereas, Orr Zimmerman being the owner of the premises bounding and abutting upon said improvement, has agreed to pay the cost of the necessary materials for the making of said improvement, estimated in the sum of \$250.00, and has deposited with the Auditor of the City of Bexley said sum of \$250.00 with his agreement and direction that the same be used for the purchase of said materials, and which said

sum of \$250.00 has been deposited by said Auditor to the credit of the general fund of the City, Now, Therefore, Council does ordain that said improvement shall be made in accordance with said proposal and agreement of said owner, and the Mayor is hereby authorized to enter into a contract for the purchase of said materials in accordance with the plans, specifications, estimates and profiles hereinabove referred to, and the Works Progress Administration is hereby authorized to enter upon said alley and cause said improvement to be made in accordance with the foregoing provisions of this ordinance.

Section 3. That said sum of \$250.00 so deposited by said owner, as hereinabove recited, is hereby appropriated from said general fund for the purchase of said materials, Provided, however, should said entire sum not be required for the procuring of such materials the balance shall be refunded to said owner.

Section 4. This ordinance is an emergency measure necessary for the immediate preservation of the public peace, health and safety, said emergency being that said alley improvement cannot proceed until said improvement shall be made, for which reason this ordinance shall go into immediate force and effect.

Passed September 27, 1938.

Attest S. W. Roderick  
Clerk

S. J. Altman  
President Pro Tempore of  
Council

Approved September 27, 1938.

S. W. A. Schneider  
Mayor

I, S. W. Roderick, Auditor of the City of Bexley, State of Ohio, do hereby certify that there is no newspaper published in the 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 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 28th day of September, 1938.

S. W. Roderick  
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Auditor of the City of  
Bexley