

## RESOLUTION NO. 9-40

By Mr. Betz

Declaring it necessary to improve Astor Avenue from the first alley west of Euclaire Avenue to the first alley east of Chelsea Avenue by grading and paving the roadway thereof with concrete base and bituminous concrete surface, constructing concrete curbs and gutters and necessary drains to provide drainage for said improvement and constructing sidewalks on each side thereof, in cooperation with the Work Projects Administration, and declaring an emergency.

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

Three-fourths of all members elected thereto concurring:

Section 1. That it is necessary to improve Astor Avenue from the first alley west of Euclaire Avenue to the first alley east of Chelsea Avenue, by grading and paving the roadway thereof with concrete base and bituminous concrete surface, constructing concrete curbs and gutters and necessary drains to provide drainage for said improvement and constructing sidewalks on each side thereof, and doing all things incident and necessary thereto, in accordance with the plans, specifications, estimates and profiles of the proposed improvement heretofore prepared by the engineers and now on file in the office of the Mayor, which plans, specifications, estimates and profiles are hereby approved.

Section 2. That whereas, the Work Projects Administration of the United States has proposed and agreed to furnish all labor in the making of said improvement and a portion of the materials necessary therefor, and to make and perform said improvement, on condition that the City of Bexley shall furnish the balance of said materials and equipment and other direct costs, including engineering services, in accordance with the W. P. A. Form No. 301, now on file in the office of the Mayor, said improvement shall be made in cooperation with said Work Projects Adminis-

tration, or other governmental agency, in accordance with said proposal and agreement.

Section 3. That the grade of said street and curbs 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 cost of said improvement, less that portion thereof which is to be performed and borne by said Work Projects Administration, or other governmental agency, shall be paid as follows: Two-thirds ( $2/3$ ds) thereof shall be paid by the City of Bexley (said two-thirds being in excess of  $1/50$ th of said cost and the cost of intersections), and one-third thereof shall be assessed in proportion to the benefits which may result from the improvement upon the following described lots and lands, to-wit: all 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, and of the printing and publishing of notices, resolutions and ordinances required, the serving of said notices, the cost of construction, together with interest on notes and bonds issued in anticipation of the collection of deferred assessments, and of all other necessary expenditures, as provided in said proposal and agreement of said Work Projects Administration.

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 Bexley shall be issued in anticipation of the collection of the assessments by installments and in an amount equal thereto, and notes of said city shall be issued in anticipation of the issuance of such bonds.

Section 7. This resolution is an emergency measure, necessary for the immediate preservation of the public peace, health and safety, said emergency being that said street is in a condition dangerous to public traffic and should be immediately improved, and said resolution shall go into immediate force and effect.

Adopted June 11, 1940.

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

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

Approved June 11, 1940.

*W. A. Schneider*  
W. A. 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, Parkview Avenue and Clifton Avenue and Broad Street and Drexel Avenue each for a period of fifteen days commencing on the 12th day of June, 1940.

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

Legal

LEGAL NOTICE

Clarence E. Owens of Miami Springs, Florida, and all other persons owning real estate bounding and abutting on Astor Avenue from the first alley west of Euclaire Avenue to the first alley east of Chelsea Avenue, are hereby notified that on the 11th day of June, 1940, the Council of the City of Bexley, State of Ohio, duly passed a Resolution No. 2-40, declaring it necessary to improve Astor Avenue from the first alley west of Euclaire Avenue to the first alley east of Chelsea Avenue, by grading and paving the roadway, curbing and providing concrete base and bituminous concrete surface, constructing drains, curbs and gutters, and necessary improvements to provide drainage for said sidewalks on each side thereof, and doing all things incident and necessary thereto, in accordance with the plans, specifications, estimates and on file in the office of the Mayor, said improvement to be performed in co-operation with the Projects Administration, which is to furnish all labor in the making of said improvement and a portion of the materials, on condition that the material, on condition of said materials and equipment and other direct costs, as provided in W. P. A. Form 301. Said Resolution further provides that portion of said improvement less that portion thereof which is to be performed by said Work Projects Administration shall be paid as follows: Two-thirds thereof shall be paid by the city and one-third thereof shall be assessed in proportion to the benefits which may result from the improvement upon all lots and lands bounding and abutting upon said proposed improvement, and which lots and lands are therein designated to be especially benefited by said improvement, in an amount not less than the cost thereof, that said assessments shall be paid in five annual installments with interest on deferred payments at the same rate as shall be borne by the collection thereof, and that said assessments in cash within thirty days after the passage of the assessing ordinance; that the bonds of the city shall be issued in anticipation of the collection of said assessments by installments, in an amount equal thereto, and that notes of the city shall be issued in anticipation of the issuance of such bonds.

You are further notified that it is proposed to change the grade of said street, as shown on said plans.

By order of the Council of the City of Bexley.

S. W. RODERICK, Clerk.

Funeral