

RESOLUTION NO. 21-41

By Mr. Stackhouse

Providing for the improvement of the first alley east of Chelsea Avenue from Main Street to Charles Street, 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 Council has determined and does hereby determine that it is necessary to improve the first alley east of Chelsea Avenue from Main Street to Charles Street, by grading and paving the surface thereof with concrete, and constructing the necessary drains to furnish proper drainage for said improvement, and 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.

Section 2. That whereas, the Work Projects 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 Work Projects 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, the council does hereby resolve that said improvement shall be made in cooperation with said Work Projects Administration, or other governmental agency, in accordance with said proposal and agreement.

Section 3. That the grades 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. Whereas, representations have been made to Council that there will be paid into the city treasury by and on behalf of the owners of the lots and lands bounding and abutting upon the east side of said proposed improvement prior to the letting of a contract for materials for said improvement, and prior to the commencement of any work upon said improvement such sum of money, to be estimated by the engineers, as will pay for that portion of the work which would be assessible against said premises abutting said improvement upon the east side thereof, under an agreement to be entered into whereby said funds shall be used in purchase of materials for and to pay expenses of said improvement and said improvement shall not be undertaken unless and until said funds are so paid into the city treasury. The entire cost of said improvement, except that portion thereof to be borne by said Work Projects Administration, and excepting 2% of the balance of the cost of intersections shall be payable one-half out of the funds so above provided to be deposited in the city treasury, and one-half shall be assessed in proportion to the benefits which may result from the improvement upon all the lots and lands bounding and abutting upon the west side of said 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 Bexley 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 and expense of said improvement not so especially assessed, 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 Work Projects Administration, or other governmental agency, 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 October 14, 1941.

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

Approved October 14, 1941.

S. J. Altman
S. J. Altman
President of Council
Pro tempore

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 and correct 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 15th day of October, 1941.

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