

ORDINANCE NO. 11-42 ✓

By Mr. Betz

To provide for the issue of bonds in anticipation of the collection of special assessments for the improvements herein named.

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

Section 1. That for the purpose of raising money in anticipation of the collection of special assessments for the improvement of Mound Street, from Duclaire Avenue to Chelsea Avenue, by grading and paving the roadway with concrete base and bituminous concrete surface, constructing concrete curbs and gutters and the necessary drains, and constructing sidewalks on each side thereof, in accordance with Ordinance No. 56-40, passed August 13, 1940, determining to proceed with said improvement thereof, bonds of said City of Berley shall be issued to the amount of \$4044.28 to pay notes previously issued and about to mature.

It is hereby recited and declared that there has been included in the amount of said bonds (and in the notes previously issued), an amount sufficient to pay the interest thereon until said assessments are available.

Section 2. Said bonds shall be signed by the mayor and clerk, bear date not later than April 1st, 1942, and shall be numbered and be due and payable as follows:

DATE OF MATURITY	NOS.	AMOUNT
October 1, 1943	1	\$800.00
October 1, 1944	2	800.00
October 1, 1945	3	800.00
October 1, 1946	4	800.00
October 1, 1947	5	844.28

It is hereby determined that the above maturities are in substantially equal annual installments.

Said bonds shall be of the denomination of \$800.00 each, except No. 5 shall be \$844.28; shall bear interest at the rate of 3% per annum, payable semi-annually on the first

days of April and October of each year and for which the proper interest coupons bearing a facsimile of the signature of the Auditor, shall be attached to and made a part of said bonds; provided, however, that if said bonds are sold bearing a different rate of interest than hereinbefore specified, such bonds shall bear such rate of interest as may be provided for in the resolution of council approving the award thereof. Principal and interest shall be payable at the office of the Auditor of said City of Bexley.

It is hereby stated and recited that the final tax settlement between the county treasurer and the City of Bexley, next following the inclusion of a tax for the issue of the bonds herein provided for in the annual budget, as provided by law, will take place in August, 1942.

Section 3. For the purpose of providing the necessary funds to pay the interest on the foregoing issue of bonds promptly when and as the same falls due, and also to provide a fund sufficient to discharge the said serial bonds at maturity, there shall be and is hereby levied on all taxable property in the City of Bexley, in addition to all other taxes, a direct tax annually during the period said bonds are to run, in an amount sufficient to provide funds to pay the interest upon said bonds as and when the same shall fall due, and also to provide a fund for the discharge of the principal of said serial bonds at maturity, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the constitution. Provided, however, that in each year that the assessments anticipated by said bonds are payable and are applicable to the payment of such interest and principal and are appropriated for such purpose, the amount of such tax shall be reduced by the amount of the assessment so appropriated.

Said tax shall be and is hereby ordered computed, certified, levied, and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of said years are certified, extended and collected. Said tax shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from said tax levies hereby required, shall be placed in a separate and distinct fund, which, together with the interest collected on the same, shall be irrevocably pledged for the payment of principal and interest of said bonds when and as the same fall due.

Section 4. The City Auditor is hereby authorized and directed to certify a copy of this ordinance to the Auditor of Franklin County, Ohio, according to law.

Section 5. That all installments of said assessments and all portions thereof, together with interest thereon, shall be applied to the payment of said bonds and interest as the same shall become due and to no other purpose whatsoever. In the event that the amount of bonds required to be issued for said improvement shall be reduced by the cash payment by the property owners in accordance with the option included in the assessing ordinance, such reduction shall be accomplished by reducing all of the serial bonds hereinabove provided for so as to retain substantially equal annual maturities.

Section 6. The committee on finance of this council is hereby directed to have said bonds and coupons properly prepared and executed, to sell the same and to deposit the proceeds in the city treasury to the credit of the following funds and in the amounts therein stated.

General fund for the payment of notes previously issued	\$4044.28
Sinking fund, accrued interest and any premiums received upon sale, for the purpose of paying said bonds and for which	

purpose said money is hereby appropriated.

Section 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed March 17, 1942.

F. H. Bonnet

F. H. Bonnet
President of Council

Approved March 17, 1942.

Attest *S. W. Roderick*
S. W. Roderick
Clerk of the Council

W. A. Schneider
W. A. Schneider
Mayor

I, S. W. Roderick, Clerk of Council of the City of Bexley, Ohio, do hereby certify that there is no newspaper published in 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 Drexel Avenue, Main Street and College Avenue, Broad Street and Drexel Avenue and Parkview Avenue and Clifton Avenue each for a period of fifteen days commencing on the 18th day of March, 1942.

S. W. Roderick
S. W. Roderick
Clerk of Council, City of
Bexley, Ohio