

ORDINANCE NO. 25-42 ✓

By Mr. Rehn

Determining to proceed with 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 ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, STATE OF OHIO:

Section 1. That it is hereby determined to proceed with the improvement of 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, in accordance with Resolution No. 21-41, adopted October 14, 1941, and 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.

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 Work 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 co-operation with said Work Projects Administration or other governmental agency, in accordance with said proposal and agreement.

Section 3. That all claims for damages resulting therefrom shall be judicially inquired into after the completion of

the proposed improvement, and that the Mayor be and he is hereby authorized and directed to institute proceedings in a court of competent jurisdiction to inquire into such claims.

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 the following lots and lands bounding and abutting said improvement upon the east side thereof, to-wit: being all of the lots on the east side of said improvement from Main Street to and including the seventh lot south of Astor Avenue, said seventh lot being No. 270 of Eastlawn Addition under an agreement to be entered into whereby said funds shall be used in the 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 per cent of the balance and the cost of intersections shall be payable as follows: One-half thereof 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 especially benefitted by said improvement in an amount not less than the cost thereof; the other one-half thereof shall be prorated by the Committee hereafter appointed to estimate assessments for said improvement among the lots bounding and abutting said improvement on the east side thereof, and that part of said cost so apportioned to the lots lying upon said east side of said improvement from Main Street to and including the seventh lot

south of Astor Avenue shall be payable out of the amounts hereinabove provided to be deposited in the city treasury for that purpose, and the amounts apportioned to those lots lying south of said seventh lot south of Astor Avenue to the north side of Charles Street shall be payable by the City of Bexley. 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 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. That to pay the remainder of the cost of said improvement there be and is hereby appropriated from the general Fund the sum of \$ 1600⁰⁰.

Section 8. That the Mayor and Auditor be and they are hereby authorized and directed to enter into a contract or contracts for that part of said improvement to be paid for by the city under said agreement with the Work Projects Administration, as hereinabove set forth, after advertisement according to law.

Section 9. This ordinance 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 ordinance shall go into immediate force and effect.

PASSED April 14, 1942.

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

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

Approved April 14, 1942.

J. H. Schumaker
J. H. Schumaker
Mayor

I, S. W. Roderick, Clerk of Council of the City of Wexley, 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 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 15th day of April, 1942.

S. W. Roderick
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Clerk of Council, City of Wexley