

## RESOLUTION NO. 7-48

By Mr. Betz

Declaring it necessary to improve Elm Avenue from Roosevelt Avenue to Gould Road by grading and paving the roadway thereof, constructing curbs and gutters, sidewalks, the necessary drains and water connections, and declaring an emergency.

Whereas, petitions have been filed with Council by the owners of three-fourths, or more, in interest, and the owners of more than 60% of the foot frontage of property bounding and abutting upon Elm Avenue from Roosevelt Avenue to Gould Road, petitioning in writing for the improvement of said Elm Avenue between said points, in the manner hereinafter provided, therein agreeing and consenting that the entire cost of said improvement, except such portion thereof as is by law chargeable against the City, may be assessed and collected in equal annual installments proportioned to the whole assessment in the manner provided by law, and further therein consenting and requesting that said assessments be levied and collected without reference to the value of the property of said petitioners, and therein waiving all the benefits of the provisions of the General Code of Ohio limiting the assessments to thirty-three and one-third per cent of the value of the property assessed for any and all purposes within the period of five years; and further waiving all benefits of the provisions of the General Code providing for the service and publication of any and all notices of the proceedings for the construction of said improvement, NOW, THEREFORE:

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 Elm Avenue from Roosevelt Avenue to Gould Road by grading and paving the roadway thereof with concrete foundation, with bituminous top, constructing curbs and gutters, the necessary drains to furnish proper drainage for said improvement, and constructing sidewalks on each side thereof, and installing water connections, in accordance with the plans,

specifications, estimates and profiles of the proposed improvement theretofore 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 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 3. That the entire cost of said improvement less 2% and the cost of intersections 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 benefited 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.

Section 4. That the assessments so to be levied shall be paid in 10 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 by at his option pay such assessment in cash within thirty days after the passage of the assessing ordinance.

Section 5. 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 6. 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 8, 1948.

F. H. Bonnet  
President of Council

E. D. Stackhouse  
Attest: E. D. Stackhouse  
Clerk

Approved June 8, 1948.

J. A. Schneider  
Mayor

I, E. D. Stackhouse, Clerk of Council, 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, Broad Street and Drexel Avenue and Parkview Avenue and Clifton Avenue each for a period of fifteen days, commencing on the 16th day of June, 1948.

E. D. Stackhouse  
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Clerk of Council  
City of Bexley, Ohio

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