

## RESOLUTION NO. 2-52

By Mr. Wm. P. Hunt:

Declaring it necessary to improve Maryland Avenue, from Stanwood Road to Gould Road, by grading and paving the roadway with concrete base, with bituminous surface, constructing concrete curbs and gutters, necessary drains to provide drainage for said improvement, a water main at the intersection with Merkle Road, installing water taps, and constructing sidewalks on each side thereof, and declaring an emergency.

Whereas, a petition subscribed by three-fourths in interest of the owners, or the owners of sixty percent of the foot frontage of property abutting upon Maryland Avenue between Stanwood Road and Gould Road, has been regularly presented to Council, petitioning for the improvement of Maryland Avenue, from Stanwood Road to Gould Road in the manner hereinafter in Section 1 described, therein consenting that the entire cost of said improvement less 40% thereof, which 40% is inclusive of the cost of intersections and shall be borne by the City, may be assessed and collected in equal installments proportioned to the whole assessment, in the manner which may be fixed by Council. Water taps to be fully assessed against benefitted lots.

Said petitioners further consenting and requesting that said assessments may be levied and collected without reference to the value of the property of the petitioners, and waiving all benefits or provisions of the General Code of Ohio limiting assessments to thirty-three and one-third percent ( $33\frac{1}{3}\%$ ) of the value of the property assessed for any and all purposes within the period of five years, and also waiving the provisions of the General Code providing for the service and publication of notices of the proceedings for the construction of said improvement and making and levying of assessments therefor; 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 Maryland Avenue

from Stanwood Road to Gould Road, by grading and paving the roadway thereof with concrete, with bituminous surface, constructing concrete curbs and gutters, necessary drainage to provide drainage for said improvement, a water main at the intersection with Merkle Road, installing water taps, and constructing sidewalks on both sides thereof, 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 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 40% thereof, which 40% is inclusive of the 1/50th thereof 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 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.

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 may 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. That the remainder of the entire cost of said improvement, not specially assessed, including the cost of intersections, and any damages any owner of adjoining lands and interest thereon and costs of any such award, shall be paid by the issuance of bonds in the manner provided by law.

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 January 22, 1952.

J. C. Harlor  
President of Council.

Attest: E. D. Stackhouse  
Clerk of Council

Approved January 22, 1952

W. 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 Clifton Avenue and Parkview Avenue each for a period of fifteen days, commencing on the 24th day of January, 1952.

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