

By Mr:

Franc

Declaring it necessary to improve Livingston Avenue from College Avenue to the east corporation line of this City, by grading and paving the roadway with concrete base, with asphaltic concrete wearing course, constructing concrete curbs and gutters and doing such other things as may be necessary to complete the improvement, and declaring an emergency.

Whereas, an agreement has been duly entered into between the City of Columbus, Ohio, and the City of Bexley, Ohio, as authorized by Sec. 727.08 Revised Code, which agreement provides that the City of Columbus, Ohio, shall have complete charge of the construction of said improvement and which agreement was authorized by Ordinance No. 4-55 of this council; 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 Livingston Avenue from College Avenue to the east corporation line of this City, by grading, draining and constructing an asphaltic concrete pavement upon a Portland cement concrete foundation with combined curbs and gutters, constructing sidewalks and doing such other things as may be necessary to complete the improvements, all in accordance with the plans therefor marked 1600, Drawer D, the specifications and the estimate of quantities and costs thereof, on file in the office of the Chief Engineer of the City of Columbus, prints and copies of such plans, specifications and estimates being on file in the office of the Mayor of Bexley, and open to public inspection, which 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 as above.

Section 3. That the entire City of Bexley share of the cost of said improvement, less 2% 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 the northerly side of said proposed improvement, which said lots and lands are hereby determined to be specially benefitted by said improvement and in an amount not less than the cost thereof, and the cost 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 printing bonds and notes, legal services, 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 ten 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 passing of the assessing ordinance.

Section 5. That the bonds of the City shall be issued in anticipation of the collection of assessments by installments and in an amount equal thereto; and notes of said City shall be issued in anticipation of the issue of such bonds.

Section 6. That the remainder of the cost of said improvement not specifically assessed, including the cost of intersections, and any damages awarded any owner of adjoining lands and interest therein, and the cost and expense of 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: *April 12, 1955*

H. H. Schneider
MAYOR of Council

Attest: *R. C. Ginn*
Clerk of Council

Approved: *April 12, 1955*

E. J. Kirby
PRESIDENT OF COUNCIL