

ORDINANCE NO. 9-57

By Mr. Cramer

To authorize the Mayor, who is also the Director of Public Service, to grant an easement under property owned by this city, to the City of Columbus, Ohio, for the purpose of constructing and installing certain sections of the Alum Creek Trunk Line sewer providing the City of Columbus agrees to pay a fair and reasonable price therefor and also agrees to reimburse the City of Bexley for the loss of any trees as a result of said improvement.

Whereas, the City of Columbus is now engaged in a project known as the Alum Creek Trunk sewer which sewer the City of Columbus desires to lay adjacent to the east bank of Alum Creek from Fair Avenue south except in the vicinity of Main Street where said sewer will be laid in the creek bed, as per plans now being prepared by the City of Columbus; and

Whereas, the City of Columbus needs easements from the City of Bexley to permit said construction under such parts of said right of way as are owned by the City of Bexley; and

Whereas, the construction of said sewer contemplates that trees may be destroyed although the exact number cannot at this time be determined; and

Whereas, an emergency exists in that it is necessary to enter into agreements with the City of Columbus at once in order that the improvement may be completed at the earliest possible time thereby preserving the public health, peace and safety; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That the Mayor, who is also the Director of Public Service, on behalf of the City of Bexley, be and he is hereby authorized and directed to grant to the City of Columbus, Ohio, such easements as may be satisfactory to him and may be requested by the City of Columbus for the construction of the Alum Creek Sewer under property owned by the City of Bexley, Ohio, the terms, covenants and conditions of said easements to be approved by the City Solicitor as well as the Mayor.

Section 2. That the Mayor, who is also the Director of Public Service, on behalf of the City of Bexley, be and he is hereby authorized and directed to enter into an agreement with the City of Columbus, Ohio, under which agreement the City of Columbus, Ohio, will agree to reimburse the City of Bexley, Ohio, for any and all trees which may be lost as a result of the use of the easements authorized in Section 1. hereof.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor.

Passed April 23, 1957

Attest R. B. Russell
Clerk of Council

C. J. Hart
President of Council

Approved April 23, 1957

H. A. Schneider
Mayor