

ORDINANCE No. 8 -59

cc
certified to
co. and - 4/27/59

By: Mr. Hunt

Determining to proceed with the improvement of Mayfield Place and Ferndale Place, from the north line of Livingston Avenue to the north line of Mayfield Place Subdivision, and the improvement of the alley along the north line of said Subdivision, from Mayfield Place to Ferndale Place, by grading and paving the roadways with concrete base, with asphaltic wearing course, constructing concrete curbs, gutters and sidewalks, and installing and constructing sanitary sewers and water lines, and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, STATE OF OHIO: Three-fourths of all members elected thereto concurring:

Section 1. That it is hereby determined to proceed with the improvement of Mayfield Place and Ferndale Place, from Livingston Avenue to the north line of Mayfield Place Subdivision, by grading, draining and constructing an asphaltic concrete pavement with Portland cement concrete foundation, with combined curbs and gutters, constructing sidewalks, installing and constructing sanitary sewers and water lines and to proceed with the improvement of the alley connecting Mayfield Place and Ferndale Place, at the north ends thereof, by grading and paving the alleyway with concrete and to do such other things as may be necessary to complete the improvement in accordance with Resolution No. 2-58, adopted June 27, 1958, and in accordance with the plans, specifications, estimates and profiles heretofore approved and now on file in the office of the Mayor of Bexley.

Section 2. That all claims for damages resulting therefrom shall be judicially inquired into after the completion of the proposed improvements and the Solicitor be, and he is hereby authorized and directed, to institute proceedings in a court of competent jurisdiction to inquire into such claims.

Section 3. That the whole 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 east and west sides of Ferndale Place, and the east and west sides of Mayfield Place, within the City of Bexley, which said lots and lands are hereby determined to be specifically benefitted by said improvement; and the cost of said improvement shall include the expenses of the preliminary and other surveys, of printing and publishing the notices, resolutions and ordinances required, and the serving of said notices and 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 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 born 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 assessments by installments and in the amount equal thereto; and the notes of said City shall be issued in anticipation of the levying of such assessments and the issue of such bonds.

Section 6. That to pay the remainder of the cost of said improvement there be and is hereby appropriated from the General Fund the sum of \$1640.00, Water Fund the sum of \$550.00 and \$110.00 from the Sewer Fund, making a total of \$2300.00 to be paid by the City of Bexley.

Section 7. That the Mayor and the Auditor be and they are hereby authorized and directed, as soon as the funds therefor are available, to make and execute a contract for said improvement with the lowest and best bidder, after advertising, according to law.

Section 8. That this ordinance is an emergency measure necessary for the immediate preservation of the public peace, health and safety, said emergency being that said streets and alley are unimproved and need to be improved immediately for the use of the lot owners and the public, and said ordinance should go into immediate force and effect.

Passed April 14th, 1959

C. Hart
President of Council

Attest: A. G. Smith
Clerk of Council

Approved: April 14th, 1959

H. W. Schmidt
Mayor