

By *W. J. Bell*

ORDINANCE NO. 17-69

An ordinance determining to proceed with the improvement of the following alleys: the first alley east of Cassady Road from Delmar Drive to Ruhl Avenue; the alley between Ruhl Avenue and Columbus Avenue from the first alley east of Cassady Road east to the corporation line; the alley between Columbus Avenue and Bellwood Avenue from the first alley east of Cassady Road east to the corporation line, the alley between Bellwood Avenue and Allegheny Avenue from the first alley east of Cassady Road east to the corporation line; the alley between Allegheny Avenue and Delmar Drive from the first alley east of Cassady Road east to the corporation line; in the City of Bexley, Ohio, by paving the Roadways with plain Portland cement concrete, constructing storm sewers, and doing all other work incidental thereto, and declaring an emergency.

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

Section 1. That it is hereby determined to proceed with the improvement in the City of Bexley, Ohio, of the following alleys: the first alley east of Cassady Road from Delmar Drive to Ruhl Avenue; the alley between Ruhl Avenue and Columbus Avenue from the first alley east of Cassady Road east to the corporation line; the alley between Columbus Avenue and Bellwood Avenue from the first alley east of Cassady Road east to the corporation line; the alley between Bellwood Avenue and Allegheny Avenue from the first alley east of Cassady Road east to the corporation line; the alley between Allegheny Avenue and Delmar Drive from the first alley east of Cassady Road east to the corporation line.

Section 2. That said improvement shall be made in accordance with the provisions of Resolution No. 4-68 adopted November 26, 1968 as amended by Resolution No. 5-68 adopted December 17, 1968, and with the plans, specifications, estimates and profiles heretofore approved and now on file in the office of the Clerk of this Council by paving the roadways with plain Portland cement concrete, constructing storm sewers, and doing other work incidental thereto.

Section 3. That all claims for damages resulting therefrom that have been legally filed shall be inquired into before the commencement of the proposed improvement, and the Solicitor is hereby authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into claims that have been so filed, if any.

Section 4. That the portion of the cost provided in the above-mentioned resolutions of necessity to be assessed shall be assessed in the manner and the number of installments provided in said resolutions and on the lots and lands described therein, except that said assessments shall not include the cost of engineering and supervision, nor the cost of the storm sewers, which shall be paid by the City of Bexley.

Section 5. That the estimated assessments heretofore prepared and filed in the office of the Clerk of this Council and as equalized by the board heretofore appointed for such purpose by Resolution No. 1-69 adopted on February 11, 1969, the report of which board was approved by Resolution No. 3-69 adopted April 22, 1969, be and the same are hereby adopted, except that such assessments shall be reduced to reflect the fact that the City of Bexley will pay the cost of engineering and supervision, and the cost of the storm sewers.

Section 6. The Clerk of this Council is hereby directed to deliver a certified copy of this ordinance to the county auditor within fifteen days after its passage.

Section 7. Subject to the provisions of R.C. #727.24, the Mayor of the city is 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, and the improvement shall be financed as provided in the resolution of necessity as amended.

Section 8. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of said city and for the further reason that the immediate construction of said improvement is necessary to eliminate existing hazards to pedestrian and vehicular traffic; wherefore, this ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

Passed April 22, 1969

J. Roth Trabler
President of Council

Attest: R. P. Russell
Clerk of Council

Approved April 23 1969

K. P. McClure
MAYOR

Posted 4/24/69