

Resolution 62.

(Accepting the terms and conditions of Ordinance No. 27313 passed and adopted by the Common Council of the City of Columbus, Ohio May, 12, 1913 "authorizing the director of Public ^{Service} of the City of Columbus for and on behalf of said City to make, sign and execute a contract with the Village of Berley, Ohio, for supplying said Village with Water from the Municipal Water System of the City of Columbus, Ohio.")

A copy of which ordinance is as follows to-wit:-

An Ordinance No 27313 - Authorizing the director of public service of the city of Columbus, for and on behalf of said City, to make, sign and execute a contract with the Village of Berley, Ohio, for supplying said Village with water from the municipal water system of the city of Columbus, Ohio.

Whereas the Village of Berley, Ohio, has requested the city of Columbus to supply said Village with water from the municipal water system of said City of Columbus, and

Whereas, Said Village of Berley will enter into a contract for said service in substance as follows: That said City shall in consideration of the payments therein provided for by said Village, supply said Village with surplus water from the waterworks and filtration plant of said City for a period of five (5) years, from August 1st A.D. 1913, such water to be delivered by said City to said Village in cast iron pipes to be furnished and laid by said Village at its own cost and expense, under Alum Creek and such streets of said City and said Village as are named in said contract and at such intersections of water mains of said City as may be determined by said Village and said City, such water to be measured by meters of a type and capacity designated by the director of public service of said City, and further providing that all mains, pipes, meters, service and mechanical connections for conducting such water supply shall be furnished, installed and maintained by said Village at its own expense, but in conformity with plans therefor to be submitted to and approved by the director of service of said City and under his supervision,

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but the said village is not thereby to be relieved of responsibility for the proper installation and maintenance or create any liability on part of said city, and further providing that said Village shall have the right to use said water for all municipal purposes and to supply the same to the inhabitants thereof and also to persons in the vicinity of said village upon reasonable terms it being provided in said contract that the furnishing of water to persons outside of said Village shall be upon terms and conditions subject to the approval and control of the said director of public service of said city and the city council, and further that said city shall not be liable to said Village or its inhabitants or water consumers for failure or shortage of water supply, and providing that water shall be furnished by said city under said contract at the rate of twenty (20c) cents per thousand gallons as computed by the meters herein provided for. It being further provided that meters shall be read in said village on the first days of April and October, in each year, and that payments shall be made by said Village to the cashier of the water works of said city within thirty (30) days after due, the said city shall have the right to cut off the water supply, and said contract shall cease and terminate, in case of failure by said Village to make such payments. It being further provided that the city of Columbus will furnish said Village with the service of its fire department whenever necessary for the protection of said village and that said village will pay to said city of Columbus the actual cost of such service as may be agreed upon by the director of safety and the said village, in no case shall said price be less than the rate herein agreed upon. It being further provided that in case of the annexation of said village to said city before the expiration of said contract then and in that event the contract shall not necessarily be longer binding on the contracting parties. And

Whereas, said city of Columbus, Ohio, believing said contract to be for its own benefit and the proper

to be made, now therefore,

Be it ordained by the Council of the City of Columbus,
State of Ohio:

Section 1

That the director of public service of the city, he and he hereby is authorized and directed to enter into and execute the necessary contract or contracts in such detail as he deems necessary in accordance with the general uses and purposes specified in the preamble hereof.

Sec. 2

That the Council of the village of Bexley as a condition of the passage of this ordinance, hereby agrees to submit to the electors of said village the question of annexation of said village to the city of Columbus, Ohio, at some time within the life of the contract entered into in accordance with this ordinance.

Sec. 3

This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed May 12 1913

David T. Logan

President of Council.

approved May 12-1913

George J. Karb. Mayor.

Attest: John T. Barr. Clerk.

And inasmuch as said ordinance and the said contract therein provided for and for the joint and mutual benefit of the said City of Columbus and the Said Village of Bexley and the inhabitants of each now therein in consideration of the benefits and advantages arising to said Village provided for in Said Ordinance and the contract therein mentioned Be it Resolved by the Council of the Village of Bexley State of Ohio, two thirds of the whole number of members elected thereto concurring that said ordinance and contract authorized as therein provided is by said village of Bexley State of Ohio, hereby accepted, ratified and approved upon the terms and conditions therein specified.

Passed May 27-1913

Attest:

Geo. E. Fry
Clerk.

Frank St. Hamilton
Pres. of Council & Mayor.