

ORDINANCE NO. 862.

By Mr. Manly.

Determining to proceed with the construction of a trunk sanitary sewer in part of Sanitary Sewer District No. 5 and to connect same with the sewers in Franklin County, Sewer District Truro No. 1, and to pay the Village's part of the cost thereof in accordance with the plans and estimates prepared by the engineer of the Village of Bexley, Ohio.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BEXLEY, STATE OF OHIO:

Section 1. That for the preservation and promotion of public health and welfare, it is hereby determined to proceed with the construction of a certain part hereinafter described of the sanitary sewers provided for in a general plan for in a general plan for a system of sewerage for the Village of Bexley embraced within Sanitary Sewer District No. 5, which general plan is on file in the office of the Clerk of said Village; that the portion of work provided for in said general plan which it is hereby determined to construct, is as follows, to-wit: The trunk sewer shown upon the plan of said Sewer District No. 5:

Being in the alley east of Chelsea Avenue, in Gould Road and the extension thereof, from Charles Street to the north corporation line.

That part of said Sewer District No. 5 so to be improved being bounded and described as follows:

Beginning at a point in the present north corporation line of the Village of Bexley, Ohio, said beginning point being the north-east corner of Sanitary Sewer District No. 3; thence with the present corporation line easterly; thence southerly; thence easterly; thence southerly and thence easterly to the intersection of the corporation line with the Marion-Truro Township line; thence southerly with said township line (the same being the east corporation line) to a point in the center line of Main Street; thence westerly with the center line of Main Street to a point where the same is intersected by the east boundary line of Sanitary Sewer District No. 4; thence northerly with the east boundary line of Sanitary Sewer Districts Nos. 4 and 3 to the place of beginning.

Also the following portion of said District No. 5:

Beginning at a point in the east boundary line of said district, said point being the intersection of said boundary line with the center line of the first alley north of Livingston Avenue; thence westerly with the center line of said alley to the center line of Chelsea Avenue; thence northerly with the center line of Chelsea Avenue to the center line of the first alley south of Main Street; thence easterly with the center line of said alley to the east boundary line of said district (the same being the east corporation line); thence southerly with the east boundary line of said district to the place of beginning.

Be it further ordained that said sewer, together with necessary

for each lot fronting and abutting upon said improvement, to be constructed pursuant to Resolution No. 483, adopted June 23rd, 1925, in accordance with the plans and specifications on file in the office of the Clerk of said Village, which have been heretofore approved; and that the same shall be twelve (12), fifteen (15) and eight (18) inches in diameter and shall be of vitrified pipe.

Section 2. Whereas, it is proposed by the Board of Commissioners of Franklin County, Ohio, that in consideration that said Village of Bexley prepare all necessary plans and estimates of cost to connect the sewers of Franklin County Sewer District Truro No. 1, with the above mentioned sewer and grant to said Franklin County the joint use of said sewer for sanitary sewage only, that said Board of Commissioners of Franklin County, Ohio, will pay to said Village of Bexley the sum of 50% of the cost of construction of said sewer as hereinabove described, including engineering and inspection, necessary real estate and easements and all legitimate items incident to such construction as soon as such costs can be determined, and to advance to said Village of Bexley a sum equal to 50% of the estimated cost of such sewer before the same is advertised for bids, and on completion of such sewer, settlement to be made by the payment to or by said Board of County Commissioners of Franklin County, Ohio, by or to said Village of Bexley, Ohio, of an amount equal to the difference between 50% of the estimated cost and 50% of the actual cost, so that the actual net payment of said Board of County Commissioners to said Village shall equal 50% of the actual cost, and proposing and agreeing as a further consideration for the joint use of such sewer, to pay to said Village on or before the 1st day of February of each year, 50% of the cost of maintenance and operation of such sewer for the preceding year, said Village to retain full control and management of the construction, maintenance and repair and operation of said sewer; and

WHEREAS, Council is of the opinion that said proposed sewer is necessary for the drainage of the above described part of said Sanitary Sewer District No. 5, within the Village, and is necessary as an outlet for the sewers in said Franklin County Sewer District Truro No. 1 to be connected therewith, and that said proposal of the Board of County Commissioners for the payment of the cost construction, maintenance, repair and operation, should be accepted and a contract therefor entered into.

Be it further ordained that the Mayor and Clerk be authorized, in the name of and on behalf of the Village, to enter into a contract to be approved by the Solicitor, with said Board of County Commissioners of Franklin County, Ohio, containing the above terms, and such other terms and conditions as may be necessary and proper and as may be mutually agreed upon, for the preparation of all necessary plans and estimates of cost, to connect said sewer to to be constructed with the sewers in said Franklin County Sewer District Truro No. 1, and providing for the joint use thereof by said Village and County, which said contract shall supersede the contract heretofore entered into with said Board of County Commissioners on the 11th day of November, 1925; all of which improvement, proceedings and contract are had and made pursuant to the provisions of Sections 3817 to 3879, inclusive, and Sections 6602-10 to 6602-15, inclusive, of the General Code of Ohio, so far as same may be applicable and subject to all such sections as may be applicable, which contract, before going into effect, shall be approved by the Ohio State Department of Health.

Section 3. That the entire cost of said improvement so to be apportioned to the Village of Bexley (being 50% of the entire cost thereof), less 2% of said apportionment, shall be assessed in proportion to the benefits which may result from said improvement upon all the lots and lands lying within said part of Sanitary Sewer District No. 5 in said Village which is hereinabove described, which said lots and lands are hereby determined to be specially benefitted by said improvement in the amount of the cost thereof, said cost to include the expense of preliminary and other engineering services, surveys, printing and publishing of all required notices, resolutions, ordinances, the serving of notices, interest on 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 five 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 so assessed may, at its option, pay such assessments in cash within thirty days after the passage of the assessing ordinance.

Section 5. That said Village may borrow money and issue notes due and payable not later than two years from date of issue, in anticipation of

the levy of said assessments and of the issuance of bonds, in anticipation of the collection of said special assessments as provided in Section 3914 of the General Code of Ohio; said notes shall not exceed in amount that portion of the estimated cost of the improvement for which said assessments are to be levied.

Section 6. That bonds of said Village shall be issued in anticipation of the collection of said assessments in an amount sufficient to pay that portion of the estimated cost of said improvement hereinbefore determined to be assessed upon the property hereinabove described.

Section 7. That the remainder of that portion of the cost of said improvement to be paid by the Village, estimated in the sum of Five Hundred Four Dollars and Twenty-two Cents (\$504.22), shall be paid from the proceeds of bonds of said Village heretofore issued and now in the sewer fund, which amount is hereby appropriated for that purpose.

Section 8. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

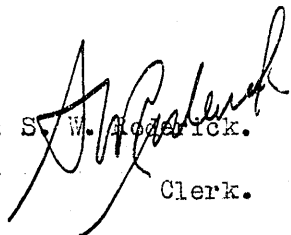
Passed May 24, 1927.



S. E. Ludwig.

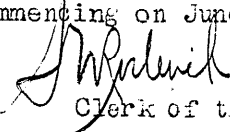
Mayor.

Attest: S. W. Roderick.



Clerk.

I, S. W. Roderick, Clerk of the Village of Bexley, Ohio, do hereby certify that there is no newspaper published in said municipality and that publication of the foregoing ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by the Council, as follows: Main Street and Parkview Avenue, Main Street and College Avenue, Main Street and Drexel Avenue, Broad Street and Drexel Avenue and Parkview Avenue and Platte Avenue, each for a period of fifteen days commencing on June 2nd, 1927.



Clerk of the Village of Bexley,
Ohio.