

## RESOLUTION NO. 5-40

By Mr. Kurtz

Authorizing expense and application of money received from abutting property owners for improvement of Denver Avenue from Ashbourne Road to Cassady Road.

Whereas, by Ordinance No. 26-39, passed May 9th, 1939, council determined to improve Denver Avenue from Ashbourne Road to Cassady Road in the manner therein described, and therein provided that in accordance with the petitions of the property owners 50% of the entire cost of said improvement, less that portion to be performed and borne by the Works Progress Administration should be assessed in proportion to the benefits upon the abutting lots and lands, and thereafter by Ordinance No. 21-39, provided for the issuing of the notes of the City in anticipation of the issuing of bonds for the special assessments to be levied for said improvement of Denver Avenue and certain other avenues in said city, in which ordinance \$850.00 of said notes were to be applicable to said improvement of Denver Avenue, and whereas, all of the property owners abutting upon said Denver Avenue between said points elected to pay in cash the amounts to be assessed against them respectively for that part of the cost which was so to be specially assessed in order to save the expense of the issuance of bonds therefor and also to clear the title of their respective premises from any assessments for said improvement, and whereas, it has been determined that said amounts so to be assessed against said respective property owners, are as follows:

Herbert Lape, Jr.	\$360.00
Frank W. Harrah	360.00

and,

Whereas, said Herbert Lape, Jr., and Frank W. Harrah have each paid into the Auditor the sum of \$360.00, being a total of \$720.00, which amount represents the entire cost

and expense to be assessed against them for said improvement, NOW, THEREFORE:

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BEXLEY, STATE OF OHIO:

Section 1. That the Auditor be and hereby is authorized to accept the above sums in payment of the amounts so to be assessed against the said Herbert Lape, Jr., and Frank W. Harrah in lieu of any such assessments, and that further proceedings providing for the levying of special assessments for said improvement be dispensed with, and the Auditor be and hereby is authorized to apply said sums in satisfaction of that part of the notes of said city issued in anticipation of said assessments for said improvement, and of any sums advanced from said improvement fund to pay the costs and expenses of said improvement.

Section 2. This resolution shall take effect and be in force from and after the earliest period allowed by law.

Adopted March 26, 1940.

Attest S. W. Roderick  
Clerk

Approved March 26, 1940.

S. J. Altman  
President of Council  
Pro tempore

W. A. Schneider  
Mayor

I, S. W. Roderick, Auditor of the City of Bexley, Ohio do hereby certify that there is no newspaper published in said municipality and that publication of the foregoing resolution 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, Parkview Avenue and Clifton Avenue and Broad Street and Drexel Avenue each for a period of fifteen days commencing on the 27th day of March, 1940.

S. W. Roderick  
Auditor of the City of  
Bexley, Ohio.