

ORDINANCE NO. 17-52

By Mr. Seyler

Determining to proceed with the improvement of Maryland Avenue, from Stanwood Road to Gould Road, by grading and paving the roadway with concrete base, with bituminous surface, constructing concrete curbs and gutters, necessary drains to provide drainage for said improvement, a water main at the intersection with Merkle Road, installing water taps, and constructing sidewalks on each side thereof, and declaring an emergency.

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

Section 1. That it is hereby determined to proceed with the improvement of Maryland Avenue from Stanwood Road to Gould Road, by grading and paving the roadway thereof with concrete, with bituminous surface, constructing concrete curbs and gutters, necessary drainage to provide drainage for said improvement, a water main at the intersection with Merkle Road, installing water taps, and constructing sidewalks on both sides thereof, in accordance with the plans, specifications, estimates and profiles of the proposed improvement heretofore prepared by the engineers and now on file in the Office of the Mayor.

Section 2. That all claims for damages resulting therefrom shall be judicially inquired into after the completion of the proposed improvement, and that the Mayor 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 entire cost of said improvement less 40% thereof, which 40% is inclusive of the 1/50th 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 said proposed improvement, which said lots and lands are hereby determined to be specially benefitted by said improvement, in an amount not less than the cost thereof, and the cost of said improvement shall include the expense of the preliminary and other surveys, and of the printing and publishing of notices, resolutions and ordinances required, the serving of said notices, the cost of construction, together with interest on notes and bonds issued in anticipation of the collection of deferred assessments, and of all other necessary expenditures.

Section 4. That the assessments so to be levied shall be paid in 10 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 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 the assessments by installments and in an amount equal thereto, and notes of said City shall be issued in anticipation of the issuance of such bonds.

Section 6. That the remainder of the entire cost of said improvement, not specially assessed, including the cost of intersections, and any damages any owner of adjoining lands and interest thereon and costs of any such award, shall be paid by the issuance of bonds in the manner provided by law.

Section 7. That the Mayor and Auditor be and they are hereby authorized and directed to enter into a contract for the making of said improvement after advertisement according to law.

Section 8. This ordinance is an emergency measure, necessary for the immediate preservation of the public peace, health and safety, said emergency being

that said street is in a condition dangerous to public traffic and should be immediately improved, and said ordinance shall go into immediate force and effect.

Passed 26 Feby, 1952

C. J. Kirtz
President of Council

Approved 26 Feby, 1952

J. H. Johnson
Mayor

Attest: E. D. Stashhouse
Clerk