

RESOLUTION NO. 2 -53

By Mr. Park

Determining it to be necessary to improve the first alley south of Broad Street, from Roosevelt Avenue to Merkle Road, and declaring an emergency.

Whereas a petition has been filed with this Council by three fourths in interest of the owners, or owners of 60% of the foot frontage of the property bounding and abutting upon the proposed improvement of the first alley south of Broad Street, from Roosevelt Avenue to Merkle Road, by grading and paving the roadway thereof with concrete and providing necessary drainage, and therein consenting that the entire cost of said improvement, except only such portion thereof as is by law chargeable against the City, may be assessed and collected in equal installments, proportioned to the whole assessment, in the manner which may be fixed by Council, and consenting that said assessment may be levied and collected without reference to the value of the property of the petitioners, and therein waiving all benefits, or provisions of the General Code limiting assessments to 33-1/3% of the value of property assessed for all purposes within the period of 5 years, and also waiving the provisions of law providing for the service and publication of notices of the proceedings for said construction, and the levying of assessments therefor. Now, Therefore,

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

Three-fourths of all members elected thereto concurring:

Section 1. That Council has determined and hereby does determine that it is necessary to improve the first alley south of Broad Street, from Roosevelt Avenue to Merkle Road, by grading and paving the surface thereof with concrete, and constructing the necessary drains to furnish proper drainage for said improvement, all in accordance with the plans, specifications, estimates and profiles of said improvement heretofore prepared by the engineers and now on file in the office of the Mayor, which are hereby approved.

Section 2. That the grade of said alley as improved shall be as shown by the engineer's plans and profiles which are made a part hereof, and which are on file in the office of the Mayor.

Section 3. That the entire part of the cost of said improvement hereinabove provided to be paid by the city, less 1/50th thereof, and the cost of intersections, shall be assessed in proportion to the benefits which may result from the improvement upon all the 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, of printing and publishing the notices, resolutions and ordinances required, and the serving of said notices, the cost of said materials so to be furnished by the municipality, together with interest on notes and 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 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 assessments by installments, and in an amount equal thereto, and the notes of said City shall be issued in anticipation of the issue of said bonds.