

ORDINANCE No. 10-55

By Mr. Sayre

Determining to proceed with the improvement of Livingston Avenue from College Avenue to the east corporation line of this City by grading and paving the roadway with concrete base, with asphaltic concrete wearing course, constructing concrete curbs and gutters, and declaring an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, STATE OF OHIO, three-fourths of all members elected thereto concurring:

Section 1. That it is hereby determined to proceed with the improvement of Livingston Avenue from College Avenue to the east corporation line of this City by grading and paving the roadway with concrete base, with asphaltic concrete wearing course, constructing concrete curbs and gutters and do such other things as may be necessary to complete the improvement, in accordance with Resolution No. 1-55 passed on the 12th day of April, 1955, and in accordance with the plans, specifications, estimates and profiles heretofore approved and now on file in the office of the Mayor of Bexley.

Section 2. That all claims for damages resulting therefrom shall be judicially inquired into after the completion of the proposed improvement and the Solicitor 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 whole cost of said improvement less 2 per cent 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 the northerly side of Livingston Avenue from College Avenue to the east corporation line of this City which said lots and lands are hereby determined to be specifically benefited by said improvement; 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 printing bonds and notes, legal services, the cost of construction, 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 ten 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 30 days after the passing 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 to pay the city portion of the cost of such improvement, and notes of said City shall be issued in anticipation of the issuance of such bonds.

Section 6. That 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: May 24, 1955

C. Hartley
President of Council

Attest: R. O. Smith
Clerk of Council

J. H. Schaus
Mayor

Approved May 24, 1955