

RESOLUTION NO. 10 - 1942.

Recorded

AUTHORIZING SETTLEMENT OF CLAIM OF C. A. HETZEL ON ACCOUNT OF CONSTRUCTION OF CURB AND GUTTER AND STORM SEWER ON WELER AVENUE BETWEEN MAIN STREET AND EAST AVENUE, AND RELEASING HIM FROM HIS CONTRACT.

WHEREAS, an agreement was entered into between the Village of Centerville and the property owners abutting Weller Avenue between Main Street and East Avenue for the improvement of Weller Avenue between said points by constructing said street to the grade established by Ordinance No. 6 - 1941, by surface treating said street and by constructing curb and gutter on both sides of said street, the expense of the curb and gutter to be borne by the property and the expense of the other street work to be borne by the village; and,

WHEREAS, in pursuance of said agreement a contract was entered into by and between the Village of Centerville and C. A. Hetzel for the construction of the curb and gutter and installation of a storm sewer; and,

WHEREAS, the property owners on the north side of the street have repudiated said agreement on the alleged ground that the improvement was not being constructed according to the representations made to them by the Village Engineer; and,

WHEREAS, the said C. A. Hetzel has presented a bill for \$1568.05 for labor and materials furnished to date.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Centerville, in the County of Montgomery and State of Ohio, that:

Section 1. The sum of \$1,000 be immediately paid to the said C. A. Hetzel on account of his said bill.

Section 2. The balance of said bill, to-wit: \$568.05, will be paid within ninety (90) days.

Section 3. The certified check of the said C. A. Hetzel in the sum of \$75.00 be indorsed back and returned to him, and that he be released from his contract.

Section 4. This resolution shall take effect from and after the earliest period allowed by law.

Passed this 14th day of September, 1942.

Attest:

Approved:

Leulla Brown
Clerk.

Emory H. Bradstreet
Mayor. ~~XXXXXX~~