

RESOLUTION NO. \_\_\_\_ 1941.

DECLARING IT NECESSARY TO IMPROVE WELLER AVENUE FROM MAIN STREET EAST TO EAST AVENUE BY CONSTRUCTING SAID STREET TO THE GRADE ESTABLISHED BY ORDINANCE NO. 6 - 1941, WHICH CONSTRUCTION SHALL CONSIST OF NOT LESS THAN FOUR (4") INCHES OF THOROUGHLY COMPACTED SLAG, GRAVEL, WATER-BOUND MACADAM, SOIL-CEMENT OR THE EQUIVALENT, AND A TOP DRESSING OF NOT LESS THAN TWO (2") INCHES OF GRAVEL OR CRUSHED STONE SCREENINGS BOUND WITH PENETRATION ASPHALT OR ROAD OIL APPLIED AT THE RATE OF ONE-HALF (1/2) GALLON PER SQUARE YARD; AND IN ADDITION TO CONSTRUCT CONCRETE CURB AND GUTTER IN ACCORDANCE WITH PLANS PREPARED BY THE VILLAGE ENGINEER AND APPROVED ON THE 12TH DAY OF MAY, 1941.

WHEREAS, the owners of sixty (60) per cent or more of the foot frontage of the property on Weller Avenue from Main Street east to East Avenue, have petitioned in writing for the improvement of said street, between the points named, by constructing said street to the grade established by Ordinance No. 6 - 1941, duly passed on the 12th day of May, 1941, which construction shall consist of not less than four (4") inches of thoroughly compacted slag, gravel, water-bound macadam, soil-cement or the equivalent, and a top dressing of not less than two (2") inches of gravel or crushed stone screenings bound with penetration asphalt or road oil applied at the rate of one-half (1/2) gallon per square yard; and in addition to construct concrete curb and gutter in accordance with plans prepared by the Village Engineer and approved on the 12th day of May, 1941, NOW, THEREFORE,

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

Section 1. That it is necessary to improve Weller Avenue from Main Street east to East Avenue in the manner petitioned for as specified above.

Section 2. That the grade of said street as improved shall be the new grade established by Ordinance No. 6 - 1941, duly passed on the 12th day of May, 1941; and that the grade of the curbs shall be as shown by the Village Engineer's plans and profiles, which are made a part hereof.



Section 3. That the plans, specifications, estimates and profiles of the proposed improvement heretofore prepared by the Village Engineer and now on file in the office of the Village Clerk be and the same are hereby approved.

Section 4. That the whole cost of said improvement, less one-fiftieth (1/50) thereof and the cost of intersections shall be assessed by the foot front upon the following described lots and lands, to-wit: all lots and lands bounding and abutting upon the proposed improvement, which said lots and lands are hereby determined to be specially benefited by said improvement; and the cost of said improvement shall include the expense of the preliminary and other surveys and of printing and publishing the notices, resolutions and ordinances required, and 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 all other necessary expenditures.

Section 5. That the assessments so to be levied shall be paid in three 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 assessments in cash within thirty days after the passage of the assessing ordinance.

Section 6. That bonds of the Village of Centerville shall be issued in anticipation of the collection of assessments by installments and in an amount equal thereto; and notes of said Village shall be issued in anticipation of the issue of such bonds.

Section 7. That the remainder of the entire cost of said improvement, not specially assessed, including the cost of intersections, together with the cost of any real estate or interest therein, purchased or appropriated, and the costs

and expenses of any appropriation proceeding therefor, and the damages awarded any owner of adjoining lands and interest thereon, and the costs and expenses of any such award, shall be paid out of the General Fund or by the issuance of bonds in the manner provided by law.

Section 8. This resolution shall take effect and be in force from and after the earliest period allowed by law.

Approved:

Attest:

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Mayor.

\_\_\_\_\_  
Village Clerk.



