

9-1940

# FINAL RESOLUTION

Adopting plans;

Proposing to cooperate;

Requesting Director to proceed;

(Sections 1195 and 1200 G. C.)

NOTE:—Before the adoption of this final resolution the village clerk must make and seal and file with the village council his certificate of funds in strict compliance with sections 5625-33 and 1200 G. C. The village clerk should record his certificate of funds in the council's journal.

Mr. Lucas moved the adoption of the following resolution:

WHEREAS, At a meeting of the village council of Centerville,

Ohio, held in the office of the council of said village, on the 25th day of

June, 1940, a quorum being present, the improvement of the Dayton-

Lebanon-Loveland Road, State Highway No. 64, under the provisions

of section 1178 and related sections inclusive of the General Code of Ohio, came on for further consideration; said portion of road as described in the preliminary application of this council to the state highway

director of Ohio, on the 20th day of May, 1940, being as follows:

Beginning at a point where the concrete pavement stops and the bituminous pavement begins, thence in a southerly direction along said Main Street to the south corporation line, a distance of approximately 0.6 mile.

WHEREAS, The village council of Centerville, Ohio, in said preliminary application, proposes to cooperate with the state highway director of Ohio in the

construction  
reconstruction  
improvement  
widening  
maintenance  
repair

of the above described portion of State Highway No. 64, by assuming and

contributing a lump sum of One Thousand - - - - -

00/100 Dollars (\$1,000.00) of the cost thereof,

inclusive of engineering, preliminary contingencies and other incidental expenses.

WHEREAS, The state highway director has approved said application and has caused a map of the following described section of said highway to be made in outline and profile:

Beginning at a point where the concrete pavement stops and the bituminous pavement begins, thence in a southerly direction along said Main Street to the south corporation line, a distance of approximately 0.6 mile.

WHEREAS, The state highway director has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway, and has transmitted the same to this council, with the certificate of his approval indorsed thereon:

WHEREAS, Funds for the payment of the estimated cost of said improvement other than the proportion and share of said cost that is to be borne by the State have become available, as to which funds the village clerk has made a certificate, now on file with this council and here recorded as follows:

I hereby certify that the money, to-wit: \$ 1,000.00 required for the payment of the cost other than that part thereof assumed by the State, of the improvement known as State Highway No. 64, Section Centerville (Part), County of Montgomery, Ohio, is in the treasury to the credit of, or has been levied, placed on the duplicate and in process of collection for the state and village road improvement fund and not appropriated for any other purpose; or is being obtained by sale of bonds of said village issued on account of said improvement, which bonds are sold and in process of delivery.

I further certify that this certificate was made, sealed and filed with the village council of Centerville, Ohio, before said village council passed the final resolution in connection with the within described project; and that this certificate was forthwith recorded in the record of proceedings of said village council namely: council's journal, volume 1, at page.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal as said village clerk this 7/5th day of June, 1940

*Luella Brown*

(Village Clerk's seal)  
*Hammond*

Village Clerk of Centerville, Ohio.

WHEREAS, This council desires the state highway director to proceed with the aforesaid work;

Therefore Be it

RESOLVED, That the section of highway above described be improved under the provisions of aforesaid law. That said work be done under the charge, care and superintendence of the state highway director and that said maps, plans, specifications and estimates for this improvement as approved by the state highway director, are hereby approved and adopted by this council.

RESOLVED, that this council is still of the opinion the proposed work on the above described section should be constructed; and that the village should cooperate upon the basis set forth in their proposal:

RESOLVED, That the ~~sum~~ lump sum of One Thousand - - - 00/100 Dollars estimated (\$ 1,000.00), being \$8,475.31 less than the total cost and expense of the construction of said improvement which total estimated cost and expense is Nine Thousand Four Hundred Seventy Five - 31/100 Dollars (\$ 9,475.31), be and the same is hereby appropriated

for improving under the provisions of said law, the highway described above; and the village clerk is hereby authorized and directed to issue his order on the village treasurer for said sum or part thereof upon the requisition of the state highway director, to pay the cost and expense of said improvement, as the same may become due under provisions of said law. We hereby agree to assume in the first instance the share of the cost and expense over and above the amount to be paid by the State, and guarantee the state highway director that such money shall be available at such time or times as it may be needed in the construction of said highway.

RESOLVED, That this council hereby requests the state highway director to proceed with the afore-said proposed work.

RESOLVED, That this village council of Centerville, Ohio, enter into a contract with the state highway director of Ohio providing for the payment by said village council of Centerville, Ohio, the ~~sum of~~ lump sum of One Thousand - - - 00/100 Dollars, (\$ 1,000.00), the agreed proportion of the cost and expense to be borne by the village of Centerville, Ohio, for improving Section Centerville (Part) of the Dayton-Lebanon-Loveland Road, State Highway No. 64, in Montgomery County, Ohio.

BE IT FURTHER RESOLVED, That the clerk of this council be, and he is hereby directed to transmit to the state highway director a certified copy of these resolutions.

Thereupon, Mr. Woods seconded the said motion; and upon the roll being called the result of the vote was as follows:

|                              |       |
|------------------------------|-------|
| <u>Walter H. Woods</u>       | , AYE |
| <u>Joseph S. Lucas</u>       | , AYE |
| <u>Grafton E. Shaven</u>     | , AYE |
| <u>Lloyd Hibbard</u>         | , AYE |
| <u>Franklin C. Zimmerman</u> | , AYE |
| .....                        | , AYE |
| .....                        | , AYE |
| .....                        | , AYE |

Village Council of Centerville, Ohio.

IN WITNESS WHEREOF, we sign, in duplicate, and certify to be correct in duplicate the foregoing resolution, and the action of said village council thereon, this 25th day of June, 1940.

|                              |
|------------------------------|
| <u>Walter H. Woods</u>       |
| <u>Joseph S. Lucas</u>       |
| <u>Grafton E. Shaven</u>     |
| <u>Lloyd Hibbard</u>         |
| <u>Franklin C. Zimmerman</u> |
| .....                        |
| .....                        |
| .....                        |

Village Council of Centerville, Ohio.

The State of Ohio,

Village of Centerville

} Office of the Village Council.

This is to certify that we have compared the foregoing copy of resolution with the original record thereof, found in the record of the proceedings of the village council of said Centerville, Ohio, and which resolution was duly passed by the village council of said Centerville, Ohio, on the 25th day of June, 1940, and that the same is a true and correct copy of the record of said resolution and the action of said village council thereon.

We further certify that said resolution and the action of said village council thereon is recorded in the journal of said village council in volume 1, at page....., and under date of June 25, 1940.

IN WITNESS WHEREOF, we have hereunto set our hands, this 25th day of June, 1940.

SEAL

Emory W. Bradstreet  
President.

Attest: Luella Brown  
Clerk (secretary ex-officio)

Village Council of Centerville, Ohio.

NOTE: If the village clerk is secretary ex-officio of the village council, the clerk's seal should be affixed.