

council as follows:

- United States Post Office
- Centerville Village Market
- James General Store
- Shell Oil Station
- Pure Oil Station

Each for the period of fifteen (15) days, commencing on the 26th day of January, 1953.

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ORDINANCE NO. 5-1953

Village of CENTERVILLE

NAME OF STREET Main
 STATE ROUTE NO. 48
 U.S. ROUTE NO. _____

ORDINANCE NO. 5
 RESOLUTION NO. _____
 DATE OF ENACTMENT _____

An emergency ordinance/resolution enacted by the village of Centerville, Montgomery County, Ohio, in the matter of the hereinafter described improvement, under the supervision of the Director of Highways.

SECTION I (CONSENT)

WHEREAS, the Director of Highways is considering the matter of the following improvement under his supervision of the public highway particularly described as follows:

(Description)

Beginning at South Corp. line then in a northerly direction to the north Corp. line, a distance of approximately 1.05 miles there ending for the purpose of applying a Bituminous Surface Course of approximately 1 1/4" in thickness.
 0.41 mile at 20' in width, 0.29 mile at 24' in width, 0.23 mile at 41' in width and 0.12 mile at 45' in width.

and

WHEREAS, it is declared to be in the public interest that the consent of the Village of Centerville, Ohio be given for the above described improvement, under the supervision of the Director of Highways in accordance with plans, specifications and estimates as prepared by said Director.

NOW THEREFORE, such consent be and is hereby given, for the construction of the above described improvement.

SECTION II (COOPERATION)

BE IT RESOLVED, that the Council of the Village of Centerville, Ohio, does hereby propose to cooperate with the State of Ohio, in the cost of the above described improvement, by having contributed one-sixth of the money received for maintenance and repair on Routes 48 and 725; and due to the depletion of the Village maintenance and repair funds, the Village is unable to pay any of the project, inclusive of the cost of engineering, preliminary contingencies and other incidental expenses.

SECTION III (AUTHORITY TO SIGN)

BE IT ORDAINED, that the Mayor of the Village of Centerville, Ohio, be and he is authorized to enter into agreements for the maintenance and parking for Federal projects,

parking regulations for State projects and special contractual obligations.

SECTION III (a) (MAINTENANCE)

BE IT ORDAINED, by the Council of the Village of Centerville, Ohio, that upon completion of the aforementioned project by the Director of Highways, it is hereby understood and agreed that the Village of Centerville, Ohio will maintain the project in a satisfactory manner and make ample provisions each year for such maintenance.

SECTION III (b) (PARKING REGULATIONS)

BE IT ORDAINED by the Council of the Village of Centerville, Ohio, that upon completion of said improvement by the Director of Highways, it is hereby understood and agreed that said Village of Centerville, Ohio, will thereafter

(a) Keep said highway open to traffic at all times, and

(b) Regulate parking in the following manner:

No parking on traveled portion of pavement.

SECTION IV (CERTIFICATION OF AVAILABILITY OF RIGHT OF WAY, UTILITY REARRANGEMENT AND SAVING THE STATE OF OHIO HARMLESS OF DAMAGES.)

BE IT RESOLVED, by the Council of the Village of Centerville, Ohio, that:

(a) The right of way necessary for the construction of the aforesaid improvement is hereby certified as being available therefor.

(b) Arrangements have been made with and agreements obtained from all public utility companies whose lines or structures will be affected by the said improvement and said companies have agreed to make any and all necessary plant removals or rearrangements in such a manner as to be clear of any construction called for by the plans of said improvement and said companies have agreed to make such necessary rearrangements immediately after notification by the city/village or the department.

(c) It is hereby agreed that the city/village shall, at its own expense, make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other municipally owned utilities and/or any appurtenances thereto, as may be necessary to conform to the said improvement and said rearrangements shall be done at such time as requested by the Department of Highways Engineer in such a manner as not to interfere unduly with the operation of the contractor constructing the improvement.

(d) The city/village hereby agrees that the said department of highways of the State of Ohio, shall be and is hereby saved harmless from any and all damages or claims thereof arising from or growing out of the certification or obligations made or agreed to in Sections (a), (b), (c) hereinafter, or by reason of the construction of the improvement.

That this ordinance/resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: April 6, 1953

Attest: (signed) Geo. E. Howe
Clerk

(signed) James L. Kelsey
Mayor

(signed) Kenneth Poff
President of Council

The foregoing is accepted as a basis for proceeding with the construction herein described.

For the Village of Centerville, Ohio.

Attest: _____ (signed) James L. Kelsey Date 4-6-53
Contractual Officer

For the State of Ohio.

Attest: _____ Date _____
Director, Ohio Department
of Highways

CERTIFICATE OF COPY

STATE OF OHIO

Village of Centerville SS

County Montgomery

I, Geo. E. Howe, as clerk of the village of Centerville, Ohio, do hereby certify that

the foregoing is a true and correct copy of ordinance/resolution adopted by the council of the said village on the 6th day of April, 1953, that the publication of such ordinance/resolution has been made and certified of record according to law; that no proceedings looking to a referendum upon such ordinance/resolution have been taken; and that such ordinance/resolution and certificate of publication thereof are of record in ordinance/resolution Record No. 5, Page _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this 6th day of April, 1953.

(signed) Geo. E. Howe
Clerk

Village of Centerville, Ohio.

ORDINANCE NO. 6-1953

AN ORDINANCE FIXING THE PRICE WHICH THE DAYTON POWER AND LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, MAY CHARGE FOR ELECTRIC ENERGY FURNISHED FOR MUNICIPAL PUMPING PURPOSES IN THE VILLAGE OF CENTERVILLE, OHIO, FOR A PERIOD OF FIVE (5) YEARS, COMMENCING ON THE 13TH DAY OF MAY, 1953, AND DETERMINING THE MANNER IN WHICH SAID ELECTRICITY MAY BE FURNISHED, PROVIDED AND PAID FOR.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CENTERVILLE, STATE OF OHIO:

SECTION 1: That The Dayton Power and Light Company, an Ohio corporation, hereinafter referred to as the "Power Company", shall furnish and supply to the Village of Centerville, Ohio, at the price and under the terms and conditions herein provided such electric energy as may be needed in and for municipal water pumping purposes by said Village, for and during the period of five (5) years, commencing on the 13th day of May, 1953.

SECTION 2: That the point of delivery of all such energy so to be supplied hereunder for the purposes aforesaid shall be at the point of termination of the said Power Company's service wires at the service entrance of the Village Pumping Station, located near the quarry approximately one-half mile east of the corporation line. The point of measurement of all such energy shall be at the meterboard located on the inside of the Village Pumping Station.

The Power Company shall furnish, supply, operate and maintain all transformers, service wires and meters necessary in and for the proper delivery and measurement of such electric energy so to be supplied hereunder. Any and all property, apparatus and devices furnished by the Power Company shall be and remain its property regardless of the mode or manner of affixation or attachment to property of the Village of Centerville, Ohio.

The Village of Centerville shall furnish, operate and maintain all apparatus, fixtures, devices and appliances necessary to receive and utilize such energy at and after the point of delivery, herein above specified, except meters which are to be furnished by the Power Company.

SECTION 3: That electric energy so to be supplied hereunder shall be what is known commercially as alternating current at approximately 120-240 volts, and at a frequency of approximately 60 cycles per second.

SECTION 4: That the rate to be charged for all electric energy supplied under the terms of this ordinance shall be Three Cents (\$0.03) per kilowatt-hour by meter, provided, however, that if the usage and consumption of electric energy is such that a rate lower than Three Cents (\$0.03) per kilowatt-hour would be earned under the otherwise applicable rates of the Power Company, duly published and on file with The Public Utilities Commission of Ohio, then, and in that event, the Village shall be privileged to apply to the Power Company for such rate for service, and, thereafter, the energy so to be supplied by The Dayton Power and Light Company shall be supplied under and in conformity with such applicable rate.

The Power Company may make and shall receive a minimum monthly charge of Seventy-five Cents (\$0.75) per meter per month for the meter installation established for the measurement of energy so to be supplied.

SECTION 5: That all meters installed by virtue of the provisions of this ordinance shall be read monthly and as nearly as possible on the same day of each month, and the said Village agrees to pay said bills for electric energy as they are rendered.

SECTION 6: That all responsibility of the Power Company in regard to the electric energy supplied hereunder shall cease after the same has been delivered to the location mentioned above, in accordance with the provisions of this ordinance, and the Village agrees to indemnify, exonerate and hold harmless the Power Company for all loss, damage or expense growing out of or in any way connected with the claims of any person,