

and he is hereby authorized and directed to draw his warrant upon the City Treasurer in the sum of \$125.55 in payment of said claim, upon receipt of voucher approved by the City Attorney, and a release properly executed by the said Cecil G. Hayes and Eula Lee Hayes, of all damages arising out of said construction.

Sec. 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed November 28, 1955.

O. J. FILLINGER,

President of Council.

Approved November 28, 1955.

M. E. SENSENBRENNER, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 1536-55—To ratify and confirm the acceptance of a certain proposed annexation to the City of Columbus by Ordinance No. 1171-55; to accept said annexation insofar as it has not been previously accepted; and to declare an emergency.

Whereas, more than 60 days had elapsed after the proceedings for annexation referred to herein had been certified to the City Clerk, and although an injunction petition had been brought against such annexation, said injunction petition had not been brought by an interested person; and,

Whereas, the state law prohibits the acceptance of an application for annexation if an injunction petition is brought, but said prohibition applies only when said petition is brought by an interested person; and,

Whereas, said application for annexation was accepted by Ordinance No. 1171-55; and,

Whereas, the said petition for injunction has now been dismissed by the Common Pleas Court and a certified copy of the petition forwarded to the City Clerk by the Clerk of Courts of Franklin County; and,

Whereas, certain persons have questioned the legality of the aforesaid acceptance ordinance on the ground of its being premature; and,

Whereas, this Council has full confidence in the legality of its prior acceptance and by this ordinance in no way intends to deny its previous action, yet is of the belief that it would be to the best interest of all concerned were the aforementioned questions made moot by a ratification of the City's prior acceptance and a new acceptance of the application for annexation; and,

Whereas, an emergency exists in the usual daily operation of various departments of the City of Columbus in that it is immediately necessary to ratify and confirm the acceptance of said annexation and to re-accept said application, for the preservation of the public peace, health, safety and welfare; now, therefore

Be it ordained by the council of the city of Columbus:

Section 1. That the acceptance of the application for annexation to the City of Columbus of some 14.262 acres, more or less, in Franklin Township filed by Virginia E. McCarty and others, such acceptance being by Ordinance No. 1171-55, passed September 12, 1955, be and the same is ratified and confirmed.

Sec. 2. That insofar as not accepted by Ordinance No. 1171-55 and/or Section 1 of this ordinance, the application for annexation to the City of Columbus of some 14.262 acres, more or less, in Franklin Township filed by Virginia E. McCarty and others, said area being more particularly and fully described in said Ordinance No. 1171-55, be and the same is hereby accepted.

Sec. 3. That each section of this ordinance and every part of each section is an independent section and part of a section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not affect the validity or constitutionality of any other section or part thereof.

Sec. 4. That for the reasons stated in the preamble hereto, which are hereby made a part hereof, this ordinance is declared to be an emergency meas-

ure and shall take effect and be in force from and after its passage and approval by the mayor.

Passed November 28, 1955.

O. J. FILLINGER,

President of Council.

Approved November 28, 1955.

M. E. SENSENBRENNER, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 1540-55 — To Grant The Beacon Mutual Indemnity company, a corporation, the right and privilege to construct, use and maintain an areaway in the sidewalk space on the north side of Gay street at a point east of Front street.

Whereas, the Beacon Mutual Indemnity company, a corporation, is the owner of the land at the northeast corner of Gay street and Front street and fronting 105' 6" on said Gay street and having a depth of 111' 4" abutting on Front street, and

Whereas, said corporation is planning the construction of a building on said land and has requested the right and privilege to construct, use and maintain an areaway in the sidewalk space on the north side of Gay street, and

Whereas, such construction, use and maintenance will not be detrimental to the interests of the general public; now, therefore,

Be it ordained by the council of the city of Columbus:

Section 1. That the right and privilege of constructing, using and maintaining an areaway in the sidewalk space on the north side of Gay street approximately 29 feet in length parallel to the north line of Gay street and 14 feet in depth from a point 4 feet north of the north line of said street and located and extending eastwardly from a point approximately 30 feet east of the east line of Front street is hereby granted to The Beacon Mutual Indemnity company, its successors and assigns, for the purpose of providing access to said proposed building in connection with the installation of large and heavy equipment and other uses. Said areaway shall have a removable slab and the whole of such installation shall meet with the approval of the chief engineer of the division of engineering and construction and shall in no way interfere with any public or privately owned utilities.

Sec. 2. That the said The Beacon Mutual Indemnity company, its successors and assigns, shall save the city free and harmless from any and all damages which may arise or grow out of the construction, use or maintenance of said areaway and in the event that such construction interferes with any future improvement, or improvements, to be made by the city of Columbus, said The Beacon Mutual Indemnity company, its successors and assigns, shall remove said areaway without cost or expense of any nature to the city, the occupation of the space in said sidewalk area being permitted merely as an accommodation and no right, title or interest of the general public is abridged thereby; and further said corporation shall pay the cost of publication of this ordinance.

Sec. 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law and upon the filing by The Beacon Mutual Indemnity company with the clerk of this council, its acceptance, in writing, of each and all of the terms, provisions and requirements hereof; provided, however, that if said company shall fail to file such written acceptance within 30 days after the passage hereof, then the same shall be void and of no force and effect.

Passed November 28, 1955.

O. J. FILLINGER,

President of Council.

Approved November 28, 1955.

M. E. SENSENBRENNER, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 1541-55—To establish the grades of Fenton Street, Beaumont road and Walford Street, between specified limits.

Be it ordained by the council of the city of Columbus:

Section 1. That the grades of the following streets be and the same are hereby established as of record in profile book 15, pages shown, on file in the office of the chief engineer:

Street	Page
Fenton street,	
Dresden street	
to Walford street	174;
Beaumont road,	
Dresden street	
to Walford street	167;
Walford street,	
Beaumont road	
to Fenton street	167.

Sec. 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed November 28, 1955.

O. J. FILLINGER,

President of Council.

Approved November 28, 1955.

M. E. SENSENBRENNER, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 1542-55—To establish the grades Brentnell Avenue, Marina drive, Geraldine avenue, Karon drive, Toni street, Jane avenue and Werling place, between specified limits. Be it ordained by the council of the city of Columbus:

Section 1. That the grades of the following streets be and the same are hereby established as of record in profile book 15, pages shown, on file in the office of the chief engineer:

Street	Page
Brentnell avenue,	
pt. 150 plus-minus south of Argyle	
drive to Toni street	170;
Marina drive,	
pt. 170 feet plus-minus feet north	
of Holt avenue to Toni street	172;
Marina drive,	
Toni street	
to Geraldine avenue	172;
Geraldine avenue,	
Woodland avenue	
to Marina drive	172;
Karon drive,	
Geraldine avenue	
to Jane avenue	176;
Toni street,	
Marina drive	
to Brentnell avenue	176;
Jane avenue,	
Geraldine avenue	
to Marina drive	184;
Werling place,	
Jane avenue	
to pt. 260 feet north of Jane ave.	176.

Sec. 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed November 28, 1955.

O. J. FILLINGER,

President of Council.

Approved November 28, 1955.

M. E. SENSENBRENNER, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 1543-55—To vacate Zeller road, from the north line of Cooke road to the south line of the alley north of Cooke road.

Whereas, petition, signed by the owners of all lots and lands abutting upon Zeller road, from Cooke road to the alley north of Cooke road, was duly presented to this council, praying for and consenting to the vacation of said street, between the limits specified, and

Whereas, council, upon hearing, is satisfied that there is good cause for such vacation as prayed for in said petition, that it will not be detrimental to the general interests and ought to be made; now, therefore,

Be it ordained by the council of the city of Columbus:

Section 1. That Zeller road, from the north line of Cooke road to the south line of the alley north of Cooke road, be and the same is hereby vacated.

Sec. 2. That the city of Columbus reserves the right to operate and maintain any and all sewers, water lines and

any other public utilities owned by the city, and that the right is reserved to operate and maintain any other public utilities, if any, now existing on or in said street hereby vacated, and does further reserve unto itself perpetual easement for twenty feet from the center thereof for the purpose of installing or constructing any new utility facilities, either publicly or privately owned, which may become necessary, and shall have the right to enter thereon at any time for the purpose of constructing, installing, replacing, operating and maintaining the same.

Sec. 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed November 28, 1955.
 O. J. FILLINGER,
 President of Council.
 Approved November 28, 1955.
 M. E. SENSENBRENNER, Mayor.
 Attest:
 AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 1544-55—To accept certain quit claim deeds; dedicate the premises therein conveyed as portions of a street; and to name the same.

Be it ordained by the council of the city of Columbus:

Section 1. That the deeds of Walter W. Sims and Jane Sims, husband and wife, of the city of Columbus, county of Franklin and state of Ohio, dated April 21, 1955; and of Sara S. Ratchford and R. L. Ratchford, her husband, of the township of Plain, county of Franklin and state of Ohio; Ann S. Rosemurgy and Richard J. Rosemurgy, husband and wife, of the village of Mercer Island, county of King and state of Washington; Dan W. Sims and Carol Sims, husband and wife, of the city of Columbus, county of Franklin and state of Ohio; and Ray Sims and Helen W. Sims, husband and wife, of the township of Clinton, county of Franklin and state of Ohio, all dated November 30, 1954, be and the same are hereby accepted and the premises so conveyed are hereby dedicated as portions of High street for public use, being undivided interests (15/100 for all except Ray Sims and Helen W. Sims, which is 40/100) in premises described in each of the deeds, as follows:

Being a strip of land 45.00 feet in width off the east end of a tract of land located south of and adjacent to Webster Estate addition to the city of Columbus, said tract being the same, with exceptions, as the 36.2 acre tract conveyed to Walter Sims and described in deed book 546, page 245, recorder's office, Franklin county, Ohio, the boundaries of said 45.00 foot strip being described as follows:

Beginning at a point in the center line of North High street (formerly Columbus and Worthington Turnpike), said point being the point of intersection of said center line and the south line of said 36.20 acre tract; thence northwardly with said center line of High street, a distance of 443.69 feet, more or less, to the point of intersection with the north line of said 36.20 acre tract; thence westwardly with said north line, a distance of 46.6 feet, more or less, to a point, said point being 45.00 feet, measured perpendicularly, west of said center line of High street; thence southeastwardly and parallel to said center line of High street, a distance of 443.69 feet, more or less, to a point in the south line of said 36.20 acre tract; thence eastwardly with said south line, a distance of 46.6 feet, more or less, to the place of beginning.

Sec. 2. That the premises so conveyed and dedicated are hereby named High street.

Sec. 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed November 28, 1955.
 O. J. FILLINGER,
 President of Council.
 Approved November 28, 1955.
 M. E. SENSENBRENNER, Mayor.
 Attest:
 AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 1545-55—To authorize the director of public service to advertise for bids and enter into a contract for the construction of relief, sanitary and storm sewers fund No. 2, contract No. 40, Sullivant Avenue and Belvidere Avenue Storm Sewer and Wheatland Avenue Storm Sewer from Mound Street to a Point South, and to appropriate funds to pay the cost thereof.

Whereas, an emergency exists in the usual daily operation of the department of public service, division of sewerage and drainage, in that it is immediately necessary to construct the above mentioned improvement, which improvement directly affects badly needed storm drainage, thereby preserving and protecting the public peace, health, property and safety; now, therefore,

Be it ordained by the council of the city of Columbus:

Section 1. That the director of public service be and is hereby authorized and directed to advertise for bids and to enter into a contract for the construction of relief, sanitary and storm sewers, fund No. 2 contract No. 40, Sullivant Avenue and Belvidere Avenue storm sewer and Wheatland Avenue Storm Sewer from Mound Street to a Point South in accordance with plans therefor marked MM-558, and the specifications therefor, on file in the office of the said director, which are hereby approved.

Sec. 2. That the sum of \$117,000.00 or so much thereof as may be needed, be and it is hereby appropriated from the relief, sanitary and storm sewers fund No. 2, code 602 to pay the cost thereof.

Sec. 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the mayor.

Passed November 28, 1955.
 O. J. FILLINGER,
 President of Council.
 Approved November 28, 1955.
 M. E. SENSENBRENNER, Mayor.
 Attest:
 AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 1546-55—To authorize the board of purchase to advertise for bids and to enter into contract for the purchase of traffic lights and controller accessories for use in the division of traffic regulation and engineering, department of public safety, and to appropriate funds to pay the cost thereof.

Whereas, an emergency exists in the usual daily operation of the division of traffic regulation and engineering, department of public safety, in that the purchase of traffic lights and controller accessories is immediately necessary in order to carry on the work of the aforesaid department, for the preservation of the public peace, safety and property; now, therefore,

Be it ordained by the council of the city of Columbus:

Section 1. That the board of purchase be and it is hereby authorized and directed to advertise for bids and enter into a contract for the purchase of traffic lights and controller accessories for use in the division of traffic regulation and engineering, in accordance with specifications on file in the office of the said board of purchase.

Sec. 2. That the sum of \$5,600.00, or so much thereof as may be necessary, be and the same is hereby appropriated from department 65-L, 700 fund, to pay the cost thereof.

Sec. 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the mayor.

Passed November 28, 1955.
 O. J. FILLINGER,
 President of Council.
 Approved November 28, 1955.
 M. E. SENSENBRENNER, Mayor.
 Attest:
 AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 1547-55—To supplement Chapter I, Parking Prohibited at Anytime, as created and established by Ordinance No. 573-53, passed June 15, 1953.

Be it ordained by the council of the city of Columbus:

Section 1. That Chapter I, Parking Prohibited at Anytime, as created and established by Ordinance No. 573-53, passed June 15, 1953, be and the same is hereby supplemented by the enactment of new sections 679 and 680, which shall read as follows:

Section 679. Ashburton Road, from Dale Avenue to a point approximately 200 feet south of Elbern Avenue, east side.

Section 680. Fifth Street, from Donaldson Street to a point 103 feet north thereof, west side.

Sec. 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed November 28, 1955.
 O. J. FILLINGER,
 President of Council.
 Approved November 28, 1955.
 M. E. SENSENBRENNER, Mayor.
 Attest:
 AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 1552-55—To appropriate \$7600.00 for the purpose of paying the amount of compensation assessed for property appropriated by the City of Columbus for recreation purposes: THE DENNISON HUNTER RECREATION CENTER.

Whereas, City Council appropriated for recreation purposes, THE DENNISON HUNTER RECREATION CENTER premises.

Situated in the City of Columbus, County of Franklin, State of Ohio, and

Being Lot 4 of William Mickle's Subdivision, as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 3, page 116, Recorder's Office, Franklin County, Ohio.

Known as 1213 Dennison Avenue. Known also as Tract 14 of Dennison Hunter Recreation Center.

To Irene M. Schlereth, in Deed Book 1187, page 418, dated May 29, 1944.

by Ordinance 1202-55, duly passed on September 12, 1955, and directed The City Attorney to apply to a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for such property, and the City Attorney having filed an application pursuant to such ordinance in the case styled "City of Columbus vs. Irene M. Schlereth, et al., No. 193462, in the Common Pleas Court of Franklin County, Ohio," and the jury having assessed compensation to be paid for such property at \$7600.00, said verdict having been confirmed by said Court, and

Whereas, the immediate possession of this property is necessary in order that THE DENNISON HUNTER RECREATION CENTER may proceed without delay, for the immediate preservation of the public health and safety; now, therefore

Be it ordained by the council of the city of Columbus:

Section 1. That the sum of \$7600.00 be and the same is hereby appropriated from the PERMANENT IMPROVEMENT FUND for the payment of said compensation so assessed in said case, which shall be paid on a voucher signed by the City Attorney, and the City Auditor is hereby authorized and directed to honor a voucher for the payment of the amount determined to be due in the above case when properly signed by the City Attorney and to issue his warrant on the City Treasurer to the Clerk of said Court of Common Pleas, for distribution under orders of said court, to the various persons entitled to compensation for the property involved.

Sec. 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take affect and be in force