

OCTOBER 9, 1899.

AN ORDINANCE, No. 15,835. To provide for the improvement of Wall street from State street to a point opposite inlet No. 145, also from Capital street to a point about 80 feet south of Esand street.

Section 1. Be it ordained by the City Council of the city of Columbus, Ohio, That Wall street, from State street to a point opposite inlet No. 145, also from Capital street to a point about 80 feet south of Esand street, shall be improved by grading and paving the same with hard-burned bricks or blocks or other substantial material, setting five-inch curb and constructing the necessary sub-drains and catch-basins, in accordance with the plat of the chief engineer in that behalf, now on file in the office of said engineer.

Sec. 2. The entire cost and expense of said improvement shall be levied and assessed as a tax upon the several lots and parcels of land bounding or abutting on said improvement, in proportion to their feet front, according to law.

Passed October 9, 1899.

A. E. EVANS,

President of the City Council.

Approved by the mayor October 10, 1899.

Attest: JOHN T. BARR, City Clerk.

AN ORDINANCE, No. 15,792. To vacate Grove street from Neil street to Fifth street, and also the alley between Mt. Vernon avenue and Grove street, extending from Neil street to Fifth street.

Whereas, A petition signed by the owners of property abutting upon and in the immediate vicinity of Grove street, between Neil street and Fifth street, and also the alley between Mt. Vernon avenue and Grove street, extending from Neil street to Fifth street, has been presented to the Council praying for the vacation of the same; and

Whereas, Notice of the pendency of the said petition has been given by publishing the same in the Daily Ohio State Journal, a newspaper published and of general circulation in the corporation, ending on the 24th day of August, 1899; and

Whereas, The Council is satisfied there is good cause for such vacation; that the same will not be detrimental to the general interest and the same should be made; therefore

Section 1. Be it ordained by the Council of the city of Columbus, Ohio, That Grove street, between Neil street and Fifth street, and also the alley between Mt. Vernon avenue and Grove street extending from Neil street to Fifth street be and the same is hereby vacated.

Sec. 2. This ordinance shall take effect and be in force from and after its passage and publication according to law.

Passed October 9, 1899.

A. E. EVANS,

President of the City Council.

Approved by the mayor October 10, 1899.

Attest: JOHN T. BARR, Clerk Clerk.

AN ORDINANCE, No. 15,832. To vacate the first alley south of Percy street, between Perry street and a point two hundred feet west thereof.

Whereas, A petition, signed by the owners of property abutting upon and in the immediate vicinity of the first alley south of Percy street, between Perry street and a point two hundred feet west thereof, has been presented to the Council, praying for the vacation of the same; and

Whereas, Notice of the pendency of the said petition has been given by publishing the same in the Daily Ohio State Journal, a newspaper of general circulation in the corporation, ending on the 28th day of September, 1899; and

Whereas, The Council is satisfied there is good cause for such vacation; that the same will not be detrimental to the general interest and the same should be made; therefore

Section 1. Be it ordained by the Council of the city of Columbus, Ohio, That the first alley south of Percy street, between Perry street and a point two hundred feet west thereof, be and the same is hereby vacated.

Sec. 2. This ordinance shall take effect and be in force from and after its passage and publication according to law, and the payment by the owners of the abutting property of the costs of publication of this ordinance.

Passed October 9, 1899.

A. E. EVANS,

President of the City Council.

Approved by the mayor October 10, 1899.

Attest: JOHN T. BARR, City Clerk.

AN ORDINANCE, No. 15,830. To provide for the improvement of Hickory street from High street to Front street.

Section 1. Be it ordained by the City Council of the city of Columbus, Ohio, That Hickory street, from High street to Front street, shall be improved by grading and paving the same with granite or other stone block, hard-burned bricks or blocks, or other substantial material, setting five-inch curb, and constructing the necessary sub-drains and catch-basins, in accordance with the plat of the chief engineer in that behalf, now on file in the office of said engineer.

Sec. 2. The entire cost and expense of said improvement shall be levied and assessed as a tax upon the several lots and parcels of land bounding or abutting on said improvement, in proportion to their feet front, according to law.

Passed October 9, 1899.

A. E. EVANS,

President of the City Council.

Approved by the mayor October 10, 1899.

Attest: JOHN T. BARR, City Clerk.

AN ORDINANCE, No. 15,831. Granting the right to J. A. McAuley to construct and maintain a coal vault under the sidewalk in the rear of his property, located on the southwest corner of West Goodale street and Armstrong street; and the right to construct and maintain twelve openings in the sidewalk on the east side of his said property.

Be it ordained by the Council of the city of Columbus, Ohio, as follows:

Section 1. That J. A. McAuley, the owner of lots Nos. 41 and 42 of Goodale's addition to the city of Columbus, Ohio, the said premises being located on the southwest corner of Goodale street and Armstrong street, be and he is hereby granted the right to construct and maintain a coal vault under the sidewalk in the rear of said premises, that is to say under the sidewalk on the north side of North alley adjacent to the said premises; the said coal vault to open on the sidewalk by two manholes, to be covered by iron lids. The said coal vault shall be built under the direction of the chief engineer of Columbus, Ohio, according to instructions issued by him.

Sec. 2. That J. A. McAuley be, and he is hereby granted the further right to construct and maintain twelve openings in the sidewalk on the east side of the above described premises, the said openings to be used for window lights for the basement of the building to be erected upon the said premises, and to be covered by iron gratings. The said openings to be constructed under the direction of the chief engineer of Columbus, Ohio, according to instructions issued by him.

Sec. 3. This ordinance shall take effect and be in force from and after (1) the payment by said J. A. McAuley of all the costs and expenses necessary to publish this ordinance according to law, and to record the instrument of writing provided for herein; and (2) upon the removal and replacing, under the direction of the chief engineer and at his own expense, of any water pipes or mains now within the space desired for said coal vault or said openings; and (3) upon the execution and delivery by the said J. A. McAuley to said the city of Colum-

bus, Ohio, of a good and sufficient instrument of writing to be approved by the director of law of Columbus, Ohio, wherein J. A. McAuley, for himself, his heirs, executors and assigns, shall agree and bind himself, his heirs, executors and assigns, to save the city of Columbus, Ohio, harmless from any and all damages arising from or growing out of the construction and maintenance, or either, of said coal vault and openings, and arising from or growing out of the construction and maintenance, or either, of anything incident or pertinent thereto, whether such damages result from the negligence of said the City of Columbus, Ohio, or of any of its officers, employes or agents, or otherwise; and wherein it shall be stipulated that said agreement shall be considered as running with said land, and that any damage recovered against the said the city of Columbus, Ohio, for damages arising directly or indirectly from the construction and maintenance, or either, of the said coal vault or of the said openings, shall be held to be and shall be a first lien upon said premises; and which instrument of writing shall be filed with the recorder of Franklin county, Ohio, for record; and (4) upon the passage, approval by the mayor and publication of said ordinance according to law.

Passed October 9, 1899.

A. E. EVANS,

President of the City Council.

Approved by the mayor October 10, 1899.

Attest: JOHN T. BARR, City Clerk.

AN ORDINANCE, No. 15,838. Granting the right to Harvey Cockell to construct and maintain thirteen (13) openings in the sidewalks on the north and east sides of his property, located on the southwest corner of West Gay street and Park alley.

Be it ordained by the Council of the City of Columbus, Ohio, as follows:

Section 1. That Harvey Cockell, the owner of lot No. 1 of Ridgway's subdivision in the city of Columbus, Ohio, be and he is hereby granted the right to construct and maintain thirteen openings in the sidewalks on the north and east sides of said premises, the same being located on the corner of West Gay street and Park alley, under the direction of the chief engineer of Columbus, Ohio, according to instructions issued by him, four of said openings to be located in the sidewalk on the north side of said premises to be used for window lights for the basement of the building erected upon the said premises and to be covered by iron gratings; eight of said openings to be located in the sidewalk on the east side of said premises to be used for window lights for the basement of the said building erected upon said premises and to be covered by iron gratings; and one of said openings to be constructed in the sidewalk on the east side of said premises, to communicate with the said basement of said building to be covered and protected by an iron trap door.

Sec. 2. This ordinance shall take effect and be in force from and after (1) the payment by said Harvey Cockell of all the costs and expenses necessary to publish this ordinance according to law, and to record the instrument of writing provided for herein; and (2) upon the removal and replacing, under the direction of the Chief Engineer and at his own expense, of any water pipes or mains now within the space desired for said openings; and (3) upon the execution and delivery by said Harvey Cockell to said the city of Columbus of a good and sufficient instrument of writing, to be approved by the director of law of Columbus, Ohio, wherein said Harvey Cockell, for himself, his heirs, executors, successors and assigns, shall agree and bind himself, his heirs, executors, successors and assigns, to save the city of Columbus, Ohio, harmless from any and all damages arising from or growing out of the construction and maintenance, or either, of said openings, and arising from or growing out of the construction and maintenance, or either, of anything incident or pertinent thereto,