

ter line of said survey; thence north 2 degrees 27 minutes east parallel to and 75 feet distant from said center line of survey a distance of 2059.1 feet to the center of Sawyer road, said point being 75 feet westerly from station 74 plus 37.7 in the center line of said survey; thence south 86 degrees 45 minutes east a distance of 83.5 feet to a point in the aforementioned original center line of the Gahanna-Southern road, said point being 8.5 feet easterly from station 74 plus 36.56 in the center line of said survey; thence south 2 degrees 27 minutes west along said original center line of the Gahanna-Southern road a distance of 3349.36 feet to the place of beginning; containing 7.937 acres, more or less, of which the present road occupies 3.345 acres, more or less.

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

Passed July 30, 1945.

JOSEPH R. JONES,
President of Council.

Approved July 30, 1945.

JAMES A. RHODES, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 277-45—To accept the deed of James A. Grady, trustee, dedicate the premises so conveyed to public use for alley purposes, and to name said alley.

Whereas, James A. Grady, trustee, has submitted for acceptance a warranty deed conveying to the city of Columbus a strip of land 15 feet in width south of Fifth avenue and extending from Cassady avenue to the alley east of Cassady avenue, to be dedicated for alley purposes, and

Whereas, it is the sense of this council that said deed should be accepted; now, therefore,

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

Section 1. That the deed, dated July 23, 1945, of James A. Grady, trustee, for a strip of land 15 feet in width south of Fifth avenue and extending from Cassady avenue to the alley east of Cassady avenue, and being more particularly described as follows:

Situated in the city of Columbus, county of Franklin, state of Ohio, and being a strip of land fifteen (15) feet in width conveyed to James A. Grady, trustee, by John Schmidt, as the same is recorded in deed book 1261, page 335, recorder's office, Franklin county, Ohio, and more particularly described as follows:

Beginning at a point in the east line of Cassady avenue, said point being 120.25 feet southerly of the intersection of the east line of Cassady avenue and the south line of Fifth avenue; thence eastwardly with a line parallel to the south line of Fifth avenue and 120 feet distant therefrom (measured at right angles) a distance of 370.6 feet to a point in the west line of the first alley east of Cassady avenue; thence southwardly with the said west line of said alley, a distance of 15 feet to a point, said point being the northeast corner of a tract of land owned by the Ralston Steel Car company; thence westwardly with a line parallel to the first described line and 15 feet distant therefrom a distance of 371.00 feet, more or less, to a point in the east line of Cassady avenue; thence northwardly with the said east line of Cassady avenue to the place of beginning;

be and the same is hereby accepted and dedicated to public use for alley purposes.

Sec. 2. That the alley so conveyed and dedicated be and it is hereby named Blaw-Knox alley.

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

law.

Passed July 30, 1945.

JOSEPH R. JONES,
President of Council.

Approved July 30, 1945.

JAMES A. RHODES, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 278-45—To amend sections 563 and 569 of sub-division 1-B-Sewers of the Columbus code of 1930, and to repeal said original sections 563 and 569.

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

Section 1. That sections 563 and 569 of sub-division 1-B-Sewers of the Columbus code of 1930 be and they are hereby amended to read as follows:

Section 563

That all persons desiring to build or repair house sewers in paved public streets, alleys or ways of the city of Columbus, Ohio, shall apply in person or by agent at the office of the chief engineer of the division of engineering and construction of the department of public service of the said city. Except as otherwise hereinafter provided, they shall upon such application pay to the city of Columbus such amount of money as the director of public service shall designate to cover the cost of constructing or repairing said house sewer from the main or lateral sewer to the lot line of the property to be sewer, or to such other point outside the paved portion as the said chief engineer may designate, together with the restoration of all pavements opened for such purpose. Thereupon the director of public service shall cause said house sewer to be constructed or repaired under the direction and supervision of the said chief engineer.

When conditions are such, however, that construction or repair of such house sewers by city forces within a reasonable period of time is not feasible, the director of public service may, upon recommendation of the said chief engineer, permit the construction of the work, at the expense of the person or persons desiring to build or repair such house sewer, by a licensed sewer builder or tapper in the same manner and under the same requirements as provided in other sections of the Columbus code of 1930 for such work in other than paved streets and alleys; provided, however, that such licensed sewer builder or tapper shall backfill the trench as directed by the said chief engineer and upon completion thereof shall install such temporary surface as the said chief engineer may require, which temporary surface will be maintained by the city pending the installation of permanent repaving. Permanent repaving shall, however, be installed by the city and the licensed sewer builder or tapper or the person or persons desiring to build or repair such house sewer shall pay to the city, prior to the issuance of such permit, such amount of money as the said chief engineer may designate to cover the cost of maintenance of the temporary surface and the installation of the permanent repaving. If upon installation of the permanent repaving the cost thereof together with the cost of maintenance of the temporary surface is found to be less than the amount of money paid to the city as above set forth, the difference between the actual cost of the work and the amount so paid shall be refunded by the city to the person or persons making such payment and if the actual cost is more than the amount paid then the person or persons making such payment shall, upon demand, pay to the city such additional amount as may be needed to fully cover the actual cost of the work.

Section 569. Private Sewers

For the purpose of this code, the expression "private sewer" shall be construed to mean a sewer, other than a house sewer as defined in the Columbus code of 1930, not less than eight inches in diameter, connecting with and discharging directly into the sewerage system of the city of Columbus or indirectly into such system, through an authorized extension

thereof, the construction of which is financed entirely or in part with other than public funds and which is designed to provide local service for property abutting the sewer or which may in the future abut an extension thereof.

The director of public service is hereby authorized and directed for and on behalf of the city of Columbus, Ohio, to enter into agreements with any person, persons or corporation, hereinafter referred to as the owner, providing for the construction of private sewers by a licensed sewer builder or tapper, employed by such owner, in the public streets, alleys and other public places or in easements across private property in the city of Columbus, Ohio, or outside said city in cases where such private sewer directly or indirectly connects with or discharges into a sewer owned by the city of Columbus but located outside the city, provided proper authorization is first secured from the political subdivision involved, for the purpose of providing sewer service for property for which such service is not and cannot otherwise be made available, is not adequate or is inaccessible, subject, however, to the following conditions:

- 1). Plans and specifications for such sewers shall conform to the current standards for similar work performed by or for the city of Columbus, Ohio, and shall carry the approval of the chief engineer of the division of engineering and construction of the said city as a prerequisite to the construction of the work. Such plans and specifications may be prepared by the said division of engineering and construction provided the work involved in preparing them is not so extensive as to interfere with or seriously delay the regular work of the division.
- 2). That portion of such sewers which extends under the paved part of any public street, alley, other public place or easement in the city of Columbus, Ohio, shall be constructed by the city for and at the expense of the owner; provided, however, that when conditions are such that construction of such portion of the work within a reasonable period of time, by city forces, is not feasible, the director of public service may extend the scope of the agreement with the owner to include such portion except that the pavement disturbed or destroyed during the construction of the work shall, as and when directed by the said chief engineer, be replaced by a temporary surface to be installed by and at the expense of the owner. Such temporary surface shall be maintained by the city at the expense of the owner and the permanent repaving shall be installed by the city at the expense of the owner, for both of which purposes the owner shall pay to the city as hereinafter provided such sum of money as the said chief engineer may designate.
- 3). Such sewer shall be built in accordance with the approved plans and specifications by a sewer builder or tapper licensed by the city of Columbus, Ohio, to lines and grades established by the said chief engineer and under such inspection as said chief engineer may require, provided that the cost of inspection shall be at the expense of the owner.
- 4). Upon completion of the construction of such private sewer the owner thereof shall file with the said chief engineer, on a form provided by the city, a statement setting forth the entire cost of such sewer to the owner and describing that part of abutting property which may connect to the sewer without further permission of the owner, as well as that part of abutting property which must obtain the permission of the owner for such connection, in which case the amount of the consideration