

ORDINANCES PASSED

AN ORDINANCE NO. 36,356—To authorize a compromise settlement of the claim of Mrs. F. E. Avery.

Whereas, On April 17, 1925, on North Champion avenue, between Long street and Mt. Vernon avenue, the electric automobile owned and driven by Mrs. F. E. Avery was damaged by reason of running into two holes in the street which circumstance caused the driver to lose control of said automobile, whereby the same was thrown against the curb, and,

Whereas, Said street at said place was full of holes and had the driver escaped the two into which she drove said car she would have ran into other holes of similar character, and,

Whereas, By reason of colliding with said curb said automobile was damaged in the claimed amount of \$146.50, and,

Whereas, Mrs. F. E. Avery has offered to compromise and settle all of said damage claim in consideration of the payment to her by said city of the sum of \$100; now, therefore,

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

Section 1. That the claim of Mrs. F. E. Avery for damages sustained by her electric automobile by reason of being driven into two holes in said north Champion avenue which caused the driver to lose control of the automobile, whereby the same was thrown into the curb, said accident happening on or about April 17, 1925, be and the same is hereby recognized as a moral obligation of the city of Columbus to the extent of \$100, and a compromise settlement of said claim in said amount be and the same is hereby authorized.

Sec. 2. That for the purpose of settling and compromising said claim, there be and there hereby is appropriated from department No. 15—other judicials (city attorney) 010 D-9, judgments and damages fund, the sum of \$100.

Sec. 3. That the city auditor be and he is hereby authorized and directed to draw his warrant upon the city treasurer in the sum of \$100 in full settlement and compromise of said claim upon receipt of a voucher approved by the city attorney and a release properly executed by said Mrs. F. E. Avery of all damages arising out of said accident.

Sec. 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed June 1, 1925.

JOHN M. LEWIS,
President pro tem. of Council.

Approved June 1, 1925.
FRED P. ZIMPFER,
Acting Mayor.

Attest: HARRY H. TURNER, City Clerk.

AN ORDINANCE NO. 36,357—To pay the city's portion for removing building from Dartmouth avenue, between Sunbury and Nelson roads, and to repeal ordinance No. 36,328, passed May 18, 1925.

Whereas, In the platting of Wilshire Place subdivision, as shown on plat book No. 10, page 196, recorder's office, Franklin county, Ohio, which plat was approved and accepted by ordinance No. 28,077, passed July 6, 1914, Dartmouth avenue was dedicated as a public street, and,

Whereas, A certain brick dwelling house, located partly on lot No. 40 of said addition at the time of said dedication and for a long time prior thereto, was so located that it extended over and upon a portion of said Dartmouth avenue, as so dedicated, between Sunbury and Nelson roads, thereby constituting an obstruction in said Dartmouth avenue and preventing the improvement of said avenue as now authorized by council, and,

Whereas, Albert J. Chesser, owner of said lot No. 40 and the balance of said dwelling house, is willing and desirous of co-operating with the city of Columbus in the removal of said house; now, therefore,

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

Section 1. That the director of public service be and he is hereby authorized and directed to enter into an agreement with Albert J. Chesser for the removal of the said dwelling house

located partly on lot No. 40 of Wilshire Place subdivision, and extending over and upon a portion of Dartmouth avenue, between Sunbury and Nelson roads, the city to pay the sum of \$500 as its portion of the cost of said removal.

Sec. 2. That the sum of \$500 be and the same is hereby appropriated from the Dartmouth, Sunbury to Nelson road, fund to pay the city's portion for the removal of said building, as provided in section 1 hereof, which shall be paid upon voucher signed by the director of public service after the removal of said building and the approval by the city attorney of a release properly executed by the said Albert J. Chesser releasing said city from all damages in connection with the removal of said building.

Sec. 3. That ordinance No. 36,328, passed May 18, 1925, be and the same is hereby repealed.

Sec. 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed June 1, 1925.

JOHN M. LEWIS,
President pro tem. of Council.

Approved June 1, 1925.
FRED P. ZIMPFER,
Acting Mayor.

Attest: HARRY H. TURNER, City Clerk.

AN ORDINANCE NO. 36,358—To accept the deed of Raymond V. Jones et al. dated May 21, 1925.

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

Section 1. That the deed of Raymond V. Jones et al., dated May 21, 1925, for certain parcels of land in Ellis O. Jones' plat of Ellsmere, being that part of said plat designated as Ellsmere street, and a 13 and 14 foot alley, as more particularly described in said deed, be and the same is hereby accepted and said parcels so conveyed to the city of Columbus are hereby dedicated to public use for street and alley purposes.

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

Passed June 1, 1925.

JOHN M. LEWIS,
President pro tem. of Council.

Approved June 1, 1925.
FRED P. ZIMPFER,
Acting Mayor.

Attest: HARRY H. TURNER, City Clerk.

AN ORDINANCE NO. 36,359—Determining to proceed with the improvement of alley north of Reinhard avenue, from Jaeger street to Parsons avenue, in the city of Columbus, Ohio.

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

Section 1. That it is hereby determined to proceed with the improvement of alley north of Reinhard avenue, from Jaeger street to Parsons avenue, by grading, draining, paving the roadway with brick or concrete and laying the necessary water services and sewer connections, in the city of Columbus, Ohio, in accordance with the resolution declaring it necessary to improve the same adopted by council March 23, 1925; and in accordance with the plans, profiles, specifications and estimate of cost therefor approved and now on file in the office of the department of public service.

Sec. 2. That all claims for damages resulting therefrom shall be judicially inquired into after completion of the proposed improvement, and the city attorney be and he is hereby authorized and directed to institute proceedings in a court of competent jurisdiction to inquire into such claims.

Sec. 3. That the whole cost of said improvement, together with interest on bonds issued in anticipation of the collection of the assessment to be levied for said improvement and all other necessary expenditures, less one-fiftieth thereof and the cost of intersections, shall be assessed in proportion to the special benefits which may result from the improvement upon the following described lots and lands, to-wit: All lots and lands fronting, bounding or abutting upon the proposed improvement, which said lots and lands are hereby determined to be specially bene-

fited by said improvement and in an amount to be determined.

Sec. 4. That the sum of \$1,000 be and the same is hereby appropriated from the street improvement and intersection fund, to pay the remainder of the cost of said improvement.

Sec. 5. That the assessments so to be levied shall be paid in ten annual installments with interest on deferred payments at a rate not exceeding six per cent per annum; provided that the owner of any property assessed may, at his option, pay such assessment, or any number of installments thereof, at any time after said assessment has been levied, with interest to the semi-annual interest day of said bonds next following date of payment.

Sec. 6. That bonds of the city of Columbus, Ohio, shall be issued in anticipation of the collection of assessments by installments, and in an amount equal thereto.

Sec. 7. That the director of public service be and is hereby authorized and directed to make and execute contract for said improvement with the lowest and best bidder after advertising according to law.

Sec. 8. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed June 1, 1925.

JOHN M. LEWIS,
President pro tem. of Council.

Approved June 1, 1925.
FRED P. ZIMPFER,
Acting Mayor.

Attest: HARRY H. TURNER, City Clerk.

AN ORDINANCE NO. 36,360—Determining to proceed with the improvement of alley west of Wager street, from Swayne street to Jackson street, in the city of Columbus, Ohio.

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

Section 1. That it is hereby determined to proceed with the improvement of alley west of Wager street, from Swayne street to Jackson street, by grading, draining, paving the roadway with brick or concrete and laying the necessary water services and sewer connections, in the city of Columbus, Ohio, in accordance with the resolution declaring it necessary to improve the same adopted by council March 23, 1925; and in accordance with the plans, profiles, specifications and estimate of cost therefor approved and now on file in the office of the department of public service.

Sec. 2. That all claims for damages resulting therefrom shall be judicially inquired into after completion of the proposed improvement, and the city attorney be and he is hereby authorized and directed to institute proceedings in a court of competent jurisdiction to inquire into such claims.

Sec. 3. That the whole cost of said improvement, together with interest on bonds issued in anticipation of the collection of the assessment to be levied for said improvement and all other necessary expenditures, less one-fiftieth thereof and the cost of intersections, shall be assessed in proportion to the special benefits which may result from the improvement upon the following described lots and lands, to-wit: All lots and lands fronting, bounding or abutting upon the proposed improvement, which said lots and lands are hereby determined to be specially benefited by said improvement and in an amount to be determined.

Sec. 4. That the sum of \$75 be and the same is hereby appropriated from the street improvement and intersection fund, to pay the remainder of the cost of said improvement.

Sec. 5. That the assessments so to be levied shall be paid in ten annual installments with interest on deferred payments at a rate not exceeding six per cent per annum; provided that the owner of any property assessed may, at his option, pay such assessment, or any number of installments thereof, at any time after said assessment has been levied, with interest to the semi-annual interest day of said bonds next following date of payment.

Sec. 6. That bonds of the city of Columbus, Ohio, shall be issued in anticipation of the collection of assessments by installments, and in an amount equal thereto.

Sec. 7. That the director of public