

May 25, 1929

and assigns, for the use of the city in its municipal fire alarm or police signal service.

Sec. 8. Said The American District Telegraph company of Columbus, Ohio, its successors or assigns, shall, within thirty days after the acceptance of this ordinance, file with the city clerk of said city, a bond, to be approved by the city council, in the sum of ten thousand dollars, conditioned that said company, its successors or assigns, will comply with all of the provisions of this ordinance.

Sec. 9. This ordinance, and the privileges and obligations conferred and imposed therein, shall take effect upon December 19, 1929, provided said The American District Telegraph company of Columbus, Ohio, its successors or assigns, has filed, prior to said date, its unconditional acceptance thereof, and this ordinance shall continue in force and effect from said 19th day of December, 1929, for a period of twenty-five years.

Passed May 20, 1929.

SCOTT WEHE,
President of Council.

Approved May 20, 1929.

JAS. J. THOMAS, Mayor.

Attest: HOWARD S. WILKINS, City Clerk.

AN ORDINANCE No. 371-29—To authorize the director of public service to advertise for bids and to enter into contract for sewerage relief contract No. 20.

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 advertise for bids and to enter into contract for the construction of sewerage relief contract No. 20, sewer in city property west of Short street from Fulton street to the alley south of Fulton street, etc., in accordance with plans, profiles, specifications and estimate of cost therefor on file in the office of the director of public service.

Sec. 2. That the sum of \$10,000, or so much thereof as may be necessary, be and it is hereby appropriated from the sewerage relief No. 101 fund to pay the cost thereof.

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

Passed May 13, 1929.

SCOTT WEHE,
President of Council.

Approved May 15, 1929.

JAS. J. THOMAS, Mayor.

Attest: HOWARD S. WILKINS, City Clerk.

AN ORDINANCE No. 375-29—To authorize the director of public service to advertise for bids and to enter into contract for the construction of hangar at the municipal airport and approve plans for same.

Whereas, an emergency exists in the usual daily operation of the department of public service, division of municipal airport, in that it is necessary to immediately construct a hangar at the municipal airport in order that the same may be ready for service at the earliest possible time; 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 advertise for bids and to contract for the construction of a hangar at the municipal airport, in accordance with the plans and specifications therefor on file in the office of the director of public service, which are hereby approved.

Sec. 2. That the consideration for said contract shall be paid from the municipal airport fund upon appropriation hereafter to be made upon receipt of said bids and the ascertainment of the amount necessary to be appropriated therefor.

Sec. 3. That for the reason stated in the preamble hereto this ordinance is declared to be an emergency measure, and shall be in force from and after its passage and approval by the mayor.

Passed May 13, 1929.

SCOTT WEHE,
President of Council.

Approved May 16, 1929.

JAS. J. THOMAS, Mayor.

Attest: HOWARD S. WILKINS, City Clerk.

AN ORDINANCE No. 376-29—Granting to Norfolk and Western Railway company the right to lay and maintain certain water mains therein mentioned.

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

Section 1. The right to replace with a sixteen-inch water main, and to operate and maintain such replacement, the water main heretofore installed by the Norfolk and Western Railway company from the east side of Nelson road and Long street, thence across said road and along the north side of Long street to the right of way of said Norfolk and Western Railway company; and also to construct, maintain and operate a sixteen-inch water main across Greenway avenue at its intersection with the east right of way line of Norfolk and Western Railway company, (said water mains not being connected with the city's system of water) be and the same are hereby granted to the Norfolk and Western Railway company. The replacement of said water main and the construction of said new main shall be done in accordance with and to the approval of the chief engineer of the city of Columbus. Said Norfolk and Western Railway company shall restore the paving of all roads and highways crossed by said water mains, or any of them, to their original condition, and where not paved, shall restore such streets to their original condition of repair; the occupation of such streets and roads by said water mains shall be at all times subject to removal or relocation in case the same becomes necessary in the construction of any public works by the city of Columbus; and the said Norfolk and Western Railway company shall hold the city of Columbus harmless from all damages to any person or property that may grow out of the construction of such water mains in said streets.

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

Passed May 20, 1929.

SCOTT WEHE,
President of Council.

Approved May 20, 1929.

JAS. J. THOMAS, Mayor.

Attest: HOWARD S. WILKINS, City Clerk.

AN ORDINANCE No. 377-29—Granting to Gilbert H. Carmack and Warren A. Armstrong the right to construct, maintain and use an areaway under the sidewalk with openings to be covered by iron doors in the sidewalk on the east side of Loeffler avenue north of Main street by the side of property located at the northeast corner of Main street and Loeffler avenue.

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

Section 1. That Gilbert H. Carmack and Warren A. Armstrong be and they are hereby granted the right and privilege to construct, maintain and use an areaway in connection with a building now located at the northeast corner of Main street and Loeffler avenue, said areaway to be under the sidewalk on Loeffler avenue by the side of said building and to have one opening in said sidewalk to said areaway, said opening to be 4 feet by 4 feet in size; the east side of said opening to be on the building and lot line and the south side of said opening to be 40 feet from the north line of Main street, and to be covered by iron doors; also to construct, maintain and use an opening in said sidewalk for the purpose of a chute into the basement, said opening to be 2½ feet parallel with and on the building and lot line and extending out 2 feet; the south side of said opening to be 61 feet from the north line of East Main street and to be covered with a single iron door. Both of said coverings and the construction thereof to be in accordance with plans and specifications to be approved by the engineer of the city of Columbus. The maintenance and use of said openings to be subject to the following terms and conditions:

That said grantees, their successors and assigns, shall at all times maintain and keep in good repair the sidewalk coverings over said openings and

shall save the city of Columbus harmless from any and all damages which may arise from or grow out of the use and maintenance of said areaway openings and coverings and shall defend, at their own cost, every suit in which the city of Columbus, shall be made a part, brought and prosecuted for the recovery of any such damage; any judgment recovered against the city of Columbus for damages arising directly or indirectly from the construction, maintenance or use of said areaway or said openings and coverings or anything incident or appurtenant thereto, shall be held to be and shall be a first lien upon the real estate in connection with which said areaway, openings and coverings are constructed; that the use of the same shall be subject to the conditions that the said city of Columbus shall have the right at any time to construct under, over or through said areaway water pipes, gas pipes, sewers, conduits or other pipes or any other underground construction that may be deemed necessary to be placed in said areaway and that no compensation shall be paid by said city of Columbus therefor; that said grantees, their successors and assigns, immediately upon notice from said city of Columbus, shall forthwith fill said areaway and remove said coverings and restore said sidewalk to a safe condition without cost to said city and said grantees, their successors and assigns, shall yield all rights to occupy said space whenever the city of Columbus shall declare the same to be necessary; said city reserving the right to enter upon the premises at any time for inspection and proper maintenance of anything therein; provided further that this grant is made with the understanding that the occupying and use of said space underneath the sidewalk by said grantees, their successors and assigns, is permitted merely as an accommodation to said grantees and that no right, title or interest of the public is in any way waived or abridged thereby; provided that said openings in said sidewalk shall not be left uncovered by said iron doors at any time except when in actual use and then to be properly lighted and guarded and protected and that the doors shall not be opened between the hours of seven o'clock a. m. and six o'clock p. m. of any day; provided also that the grantees shall pay all cost and expenses incurred by the publication of this ordinance.

Sec. 2. 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 said Gilbert H. Carmack and Warren A. Armstrong with the clerk of this council, their acceptance in writing of each and all of the terms, provisions and requirements of this ordinance, provided, however, that if said grantees shall fail to file said written acceptance and shall fail to pay the cost and expense of the publication of this ordinance within thirty days after the passage thereof, then the same shall be void and of no force and effect.

Passed May 20, 1929.

SCOTT WEHE,
President of Council.

Approved May 20, 1929.

JAS. J. THOMAS, Mayor.

Attest: HOWARD S. WILKINS, City Clerk.

AN ORDINANCE No. 378-29—To accept dedication of parts of lots Nos. 1 to 13, both inclusive, Nelson Park addition, and of a parcel between lots Nos. 5 and 6 of said addition for park purposes, and of a strip of ground 30 feet wide off of the south side of lot No. 13 in said addition, for the extension of Maryland avenue.

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

Section 1. That the parcel of ground outlined in red on the plat attached to a certain deed of dedication from C. & L. Incorporated to the city of Columbus, dated May 20, 1929, and more specifically therein described, be and the same is hereby accepted for the purposes therein set forth, and said deed is hereby approved.

Sec. 2. That the 30-foot strip off of the south side of lot No. 13 in Nelson Park addition described in a deed from

C. & L. Incorporated to the city of Columbus, dated May 20, 1929, and designated in red on the plat thereto attached, be and the same is hereby accepted for street purposes and dedicated to public use as such forever.

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

Passed May 20, 1929.

SCOTT WEHE,
President of Council.

Approved May 20, 1929.

JAS. J. THOMAS, Mayor.

Attest: HOWARD S. WILKINS, City Clerk.

AN ORDINANCE No. 379-29—To authorize the purchase of the property therein described for the storage of water and for the preservation of the water supply of the city of Columbus, and appropriating the money therefor.

Whereas, an emergency exists in the usual daily operation of the division of water, in that it is necessary to acquire a certain tract of land hereinafter described for the storage of water and for the protection of the water supply of the city of Columbus, and is immediately necessary for the preservation of public health; 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 purchase in fee simple the following described property for the storage of water and for the preservation of the water supply of the city of Columbus, to-wit:

Being a tract of land located in Norwich township, Franklin county, Ohio, and being part of Virginia military survey No. 547, bounded and described as follows:

Beginning at a point at the northwest corner of said tract, this point being the southwest corner of city property known as Duranceau park; thence S. 88° 40' E. 529 feet to a point; thence S. 7° 00' W. 378 feet to a point; thence N. 88° 45' W. 490 feet to a point; thence in a northerly direction 594 feet to the place of beginning, containing 4.6 acres, more or less; from Sidney Elliott and heirs of Daniel Elliott, and any other person or persons having an interest therein, for the sum of \$4000, the same to be free and clear from all incumbrances whatsoever except taxes due and payable December, 1929 and thereafter; as a further consideration the city of Columbus to remove the stone fence along the east line of said tract and replace and rebuild it along the west line thereof and maintain same during the ownership of the balance of said Elliott farm, abutting on the west, by the present owners or heirs of their body; the city to also pay the tenant for the plowing of said tract of ground.

Sec. 2. That the sum of \$4005, or so much thereof as may be necessary, be and the same is hereby appropriated from outlay land fund No. 90-501 for the payment of the purchase price of said property, which shall be paid on voucher signed by the director of public service after approval by the city attorney of the title and deed therefor; for the transferring and recording of said deed which shall be paid on voucher signed by the city clerk; and for the payment of taxes assumed by the city, which shall be paid on voucher signed by the city attorney.

Sec. 3. That for the reasons stated in the preamble hereto 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 May 20, 1929.

SCOTT WEHE,
President of Council.

Approved May 20, 1929.

JAS. J. THOMAS, Mayor.

Attest: HOWARD S. WILKINS, City Clerk.

AN ORDINANCE No. 381-29—Authorizing the board of purchase to advertise for bids and enter into contract for solid tires for heavy trucks, to be used by the municipal garage for the six months ending December 31, 1929, and making the necessary appropriation therefor.

Whereas, an emergency exists in the daily operation of the municipal garage in that the present contract expires June 30, 1929 and that immediately thereafter solid tires will be needed for the operation of the city motor trucks; therefore,

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

Section 1. That the board of purchase be and the same is hereby authorized to advertise for bids and enter into contract for the purchase of solid tires for six months ending December 31, 1929, for the division of municipal garage as follows:

6—34 x 5
2—34 x 7
12—36 x 5
16—36 x 6
2—36 x 10
2—36 x 14
20—40 x 14

That the sum of \$5300, or as much thereof as may be needed, be and the same is hereby appropriated from the municipal garage No. 83 stores fund.

Sec. 2. That for the reasons stated in the preamble 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 May 20, 1929.

SCOTT WEHE,
President of Council.

Approved May 20, 1929.

JAS. J. THOMAS, Mayor.

Attest: HOWARD S. WILKINS, City Clerk.

AN ORDINANCE No. 382-29—To authorize the purchase of the property therein described for municipal airport site, and appropriating the money therefor.

Whereas, an emergency exists in the usual daily operation of the department of public lands and buildings in that it is immediately necessary to acquire and equip the property hereinafter described for a landing field for aircraft in order that existing opportunities for its profitable use may not be lost; 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 purchase in fee simple the following described property for a landing field for aircraft, to-wit:

Parcel 11

Situated in the county of Franklin, state of Ohio, Mifflin township, Jefferson township school district, section 4, township 1, range 17, United States military lands.

Beginning at a stone in the southwest corner of a 69-acre tract of land now or formerly owned by Jacob Reeb and in the north line of a 63.85 acre tract of land now or formerly owned by Jacob and Emma Reeb; thence along the north line of said 63.85 acre tract N. 86° 10' W. 135.24 feet (passing a stone at 133.64 feet) to an iron pin, northwest corner of said 63.85 acre tract; thence N. 4° 41½' E. 618.63 feet to a point in the center line of James pike; thence along the center line of James pike N. 44° 44' E. 32.60 feet to a point; thence continuing along the center line of said James pike N. 56° 09' E. 141.33 feet to a point in the west line of the aforesaid 69 acre Jacob Reeb tract; thence along the west line of said 69 acre tract, S. 4° 24' W. 729.64 feet to the place of beginning, containing 2.08 acres, more or less, and being a part of the 5.825 acre tract of land conveyed to Lawrence V. Edgar by Frederick and Mary Stangle, of record in D. B. 201, page 370, recorder's office, Franklin county, Ohio; from the heirs and devisees of Lawrence V. Edgar, or any other person or persons having an interest therein, for the sum of \$4037.50, the same to be free and clear from all incumbrances whatsoever except taxes and assessments due December, 1929 and thereafter.

Sec. 2. That the sum of \$4057.50, or so much thereof as may be necessary, be and the same is hereby appropriated from the municipal airport fund for the payment of the purchase price of said property, which shall be paid on

voucher signed by the director of public service after approval by the city attorney of the title and deed therefor; for the transferring and recording of said deed which shall be paid on voucher signed by the city clerk; and for the payment of taxes and assessments assumed by the city, which shall be paid on voucher signed by the city attorney.

Sec. 3. That for the reasons stated in the preamble hereto 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 May 20, 1929.

SCOTT WEHE,
President of Council.

Approved May 20, 1929.

JAS. J. THOMAS, Mayor.

Attest: HOWARD S. WILKINS, City Clerk.

AN ORDINANCE No. 383-29—To authorize the purchase of the property therein described for municipal airport site, and appropriating the money therefor.

Whereas, an emergency exists in the usual daily operation of the department of public lands and buildings in that it is immediately necessary to acquire and equip the property hereinafter described for a landing field for aircraft in order that existing opportunities for its profitable use may not be lost; 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 purchase in fee simple the following described property for a landing field for aircraft, to-wit:

Parcel 17

Situated in the county of Franklin, state of Ohio, Mifflin township, Jefferson township school district, section 4, township 1, range 17, United States military lands.

Beginning at an iron pin in the center line of Sawyer road located 446.0 feet east of an iron pin at the intersection of the James pike with said Sawyer road; thence easterly along the center line of said Sawyer road 437.75 feet to a point, being the southwest corner of a tract of land now or formerly owned by Olive Emig; thence N. 5° 06' E. 691 feet to a point, being the northwest corner of said Emig tract; thence N. 86° 19' W. 230.8 feet to an iron pin in the center line of Price road; thence along the center line of said Price road S. 40° 41' W. 371 feet to a point; thence S. 5° 19' W. 391.86 feet to an iron pin in the center line of Sawyer road and place of beginning, passing a stake at 371.86 feet, containing 6 acres, more or less, and being a part of a tract of land conveyed by deed to Harry Luft of record in D. B. 769, page 383, recorder's office, Franklin county, Ohio; from Harry Luft and any other person or persons having an interest therein, for the sum of \$10,500, the same to be free and clear from all incumbrances whatsoever except taxes and assessments due December, 1929 and thereafter; owners reserving the right to occupy said premises until October 1, 1929.

Sec. 2. That the sum of \$10,550, or so much thereof as may be necessary, be and the same is hereby appropriated from the municipal airport fund for the payment of the purchase price of said property, which shall be paid on voucher signed by the director of public service after approval by the city attorney of the title and deed therefor; for the transferring and recording of said deed which shall be paid on voucher signed by the city clerk; and for the payment of taxes and assessments assumed by the city, which shall be paid on voucher signed by the city attorney.

Sec. 3. That for the reasons stated in the preamble hereto 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 May 20, 1929.

SCOTT WEHE,
President of Council.

Approved May 20, 1929.

JAS. J. THOMAS, Mayor.

Attest: HOWARD S. WILKINS, City Clerk.