

nue to a point approximately two hundred feet north, in the city of Columbus, Ohio, which was filed in the office of the city clerk and reported to council by the estimating board on February 7, 1927, be and the same is hereby confirmed and that there be and hereby are levied and assessed upon the lots and lands described in said report the several amounts as therein set forth. It is hereby determined and declared that each of said lots and lands is specially benefited by said improvement and in an amount equal to said assessment.

Sec. 2. That the total assessment shall be payable at the office of the city treasurer of Columbus, Ohio, within thirty days from date of the publication of this ordinance or at the option of the owner in five annual installments with interest upon deferred payments at the same rate as shall be borne by the bonds to be issued in anticipation of the collection of the same at the office of the county treasurer after the same has been certified to the county auditor for collection in the manner provided by law. The said assessment, after being so certified, however, may be paid in full or any number of annual installments may be paid at any tax collection time, with interest on same to semi-annual interest day next ensuing.

Sec. 3. That the said assessment, and all portions thereof, when collected, shall be paid into the sinking fund, and shall be applied to the payment of the bonds issued for said improvement and the interest thereon as the same shall become due, and to no other purpose whatsoever.

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

Passed March 7, 1927.

SCOTT WEHE,

President of Council.

Approved March 7, 1927.

JAS. J. THOMAS, Mayor.

Attest: HARRY H. TURNER, City Clerk.

AN ORDINANCE No. 37885—To levy a special assessment upon the lots and lands benefited by the construction of sanitary sewers in Weldon avenue, from Cleveland avenue to the alley west of Greenwich street, etc.

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

Section 1. That the assessment of the cost and expense of constructing sanitary sewers in Weldon avenue, from Cleveland avenue to the alley west of Greenwich street; in the alley east of Cleveland avenue, from Sarah avenue to Agler road; in an easement east of Cleveland avenue, from the alley south of Sarah avenue to Sarah avenue; in the alleys north of Sarah avenue and Robert street, from the first alley east of Cleveland avenue to the second alley east of Cleveland avenue; in Robert street, from the first alley east of Cleveland avenue to Cleveland avenue; in Cleveland avenue, from Robert street to Weldon avenue, and in the alley west of Cleveland avenue, from Weldon avenue to a point 200 feet north of Weldon avenue, in the city of Columbus, Ohio, which was filed in the office of the city clerk and reported to council by the estimating board on February 7, 1927, be and the same is hereby confirmed and that there be and hereby are levied and assessed upon the lots and lands described in said report the several amounts as therein set forth. It is hereby determined and declared that each of said lots and lands is specially benefited by said improvement and in an amount equal to said assessment.

Sec. 2. That the total assessment shall be payable at the office of the city treasurer of Columbus, Ohio, within thirty days from date of the publication of this ordinance or at the option of the owner in five annual installments with interest upon deferred payments at the same rate as shall be borne by the bonds to be issued in anticipation of the collection of the same at the office of the county treasurer after the same has been certified to the county auditor for collection in the manner provided by law. The said

assessment, after being so certified, however, may be paid in full or any number of annual installments may be paid at any tax collection time, with interest on same to semi-annual interest day next ensuing.

Sec. 3. That the said assessment, and all portions thereof, when collected, shall be paid into the sinking fund, and shall be applied to the payment of the bonds issued for said improvement and the interest thereon as the same shall become due, and to no other purpose whatsoever.

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

Passed March 7, 1927.

SCOTT WEHE,

President of Council.

Approved March 7, 1927.

JAS. J. THOMAS, Mayor.

Attest: HARRY H. TURNER, City Clerk.

AN ORDINANCE No. 37886—To levy a special assessment upon the lots and lands benefited by the construction of sanitary sewers in Woodbine place, from Midgard road to Weber road, etc.

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

Section 1. That the assessment of the cost and expense of constructing sanitary sewers in Woodbine place, from Midgard road to Weber road; in alley west of Indianola avenue, from alley north of Midgard road to Weber road; in alley south of Midgard road, from Woodbine place to alley west of Indianola avenue, and in an easement across the rear of lot 49 Woodbine Place addition, from the alley south of Midgard road to seventy-five feet, more or less, north, in the city of Columbus, Ohio, which was filed in the office of the city clerk and reported to council by the estimating board on February 7, 1927, be and the same is hereby confirmed and that there be and hereby are levied and assessed upon the lots and lands described in said report the several amounts as therein set forth. It is hereby determined and declared that each of said lots and lands is specially benefited by said improvement and in an amount equal to said assessment.

Sec. 2. That the total assessment shall be payable at the office of the city treasurer of Columbus, Ohio, within thirty days from date of the publication of this ordinance or at the option of the owner in five annual installments with interest upon deferred payments at the same rate as shall be borne by the bonds to be issued in anticipation of the collection of the same at the office of the county treasurer after the same has been certified to the county auditor for collection in the manner provided by law. The said assessment, after being so certified, however, may be paid in full or any number of annual installments may be paid at any tax collection time, with interest on same to semi-annual interest day next ensuing.

Sec. 3. That the said assessment, and all portions thereof, when collected, shall be paid into the sinking fund, and shall be applied to the payment of the bonds issued for said improvement and the interest thereon as the same shall become due, and to no other purpose whatsoever.

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

Passed March 7, 1927.

SCOTT WEHE,

President of Council.

Approved March 7, 1927.

JAS. J. THOMAS, Mayor.

Attest: HARRY H. TURNER, City Clerk.

AN ORDINANCE No. 37887—Authorizing the board of purchase to advertise for bids and enter into contract or contracts for the purchase of insulators, wire and cable for the municipal electric light plant.

Whereas, An emergency exists in the usual daily operation of the municipal light plant in that certain insulators, wire and cable are necessary for the proper conduct of the business of said division; 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 contract or contracts for the purchase of insulators, wire and cable.

Sec. 2. That the sum of \$4,500, or so much thereof as may be necessary, be and the same is hereby appropriated from 711 fund and \$210, or so much thereof as may be necessary, be and the same is hereby appropriated from 712 fund to pay the cost of same.

Sec. 3. That for the reason 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 March 7, 1927.

SCOTT WEHE,

President of Council.

Approved March 7, 1927.

JAS. J. THOMAS, Mayor.

Attest: HARRY H. TURNER, City Clerk.

AN ORDINANCE No. 37888—To change the zoning map attached to ordinance No. 34010, passed August 6, 1923, as herein provided.

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

Section 1. That the zoning map attached to ordinance No. 34010, passed August 6, 1923, be and the same is hereby revised by changing the zoning of the property at the northeast corner of Whittier street and Ohio avenue (157 feet on Whittier and 125½ feet on Ohio) from a C-1 apartment house district to a C-1 business district, and the engineer of the planning commission be and he is hereby authorized and directed to make the said change on the said original zoning map in the office of the city clerk.

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

Passed March 7, 1927.

SCOTT WEHE,

President of Council.

Returned without action by the mayor

March 7, 1927.

Attest: HARRY H. TURNER, City Clerk.

AN ORDINANCE No. 37890—To accept the quit claim deed of Francess H. Trogus et al., dated March 1, 1927, and dedicate the premises therein conveyed to public use for street purposes.

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

Section 1. That the quit claim deed of Francess H. Trogus et al., dated March 1, 1927, for a strip or parcel of land 40 feet wide and 905.5 feet, more or less, long, described as follows:

Beginning at a point where the west line of Ellsworth avenue intersects the south line of E. Ray Evans subdivision, as of record in plat book 15, page 20, Franklin county plat records, said point being the present south terminus of Ellsworth avenue, and is located 232.50 feet eastwardly (measured along the south line of said E. Ray Evans subdivision) from the east line of Miller avenue; thence southwardly, parallel to the east line of Miller avenue, and 232.50 feet distant eastwardly therefrom, 905.5 feet, more or less, to the south line of E. J. Spencer's subdivision (as of record in plat book 7, page 278, Franklin county plat records), said point being also in the present south corporation line of Columbus; thence eastwardly along said south line of Spencer's subdivision and corporation line, 40 feet; thence northwardly, parallel to the first described line and 40 feet distant therefrom, 905.5 feet, more or less, to the south line of E. Ray Evans subdivision above mentioned, said line being also the south line of the north half of lot 36 Spencer's subdivision; thence westwardly along the last described line, 40 feet to the place of beginning;

be and the same is hereby accepted and the premises therein conveyed are hereby dedicated to public use for the opening and extending of Ellsworth avenue.

Sec. 2. That this ordinance shall

take effect and be in force from and after the earliest period allowed by law.

Passed March 7, 1927.

SCOTT WEHE,

President of Council.

Approved March 7, 1927.

JAS. J. THOMAS, Mayor.

Attest: HARRY H. TURNER, City Clerk.

AN ORDINANCE No. 37892—To strike off certain street cleaning assessments that were made in error for the year 1925.

Whereas, Assessments for street cleaning were made against all the lots on Genessee, Minnesota, Manchester and Aberdeen avenues, from Cleveland avenue to the west terminus, and the assessment should have been from Cleveland avenue to the west terminus of the improvement; now, therefore,

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

Section 1. That the assessment for street cleaning hereinafter designated and described, be and the same are hereby ordered stricken from the duplicate:

Genessee avenue, Cleveland avenue to west terminus—lots 765 to 798 and 827 to 860, inclusive, Linden addition, at 43 cents each; lots 799 to 826, inclusive, Linden addition, at 44 cents each.

Minnesota avenue, Cleveland avenue to west terminus—lots 562 to 595 and 624 to 657, inclusive, Linden addition, at 33 cents each; lots 596 to 623, inclusive, Linden addition, at 34 cents each.

Manchester avenue, Cleveland avenue to west terminus—lots 156 to 189 and 218 to 251, inclusive, Linden addition, at 43 cents each; lots 190 to 217, inclusive, Linden addition, at 44 cents each.

Aberdeen avenue, Cleveland avenue to west terminus—lots 359 to 406, 421 to 437 and 440 to 457, inclusive, Linden addition, at 57 cents each; lots 407 to 420, inclusive, Linden addition, at 58 cents each; lot 438, Linden addition, at 85 cents, and lot 439, Linden addition, at 28 cents.

Sec. 2. That the clerk of this council be and is hereby ordered to certify a copy of this ordinance to the auditor of Franklin county, and said auditor is hereby ordered to strike said assessments from the duplicate.

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

Passed March 7, 1927.

SCOTT WEHE,

President of Council.

Approved March 7, 1927.

JAS. J. THOMAS, Mayor.

Attest: HARRY H. TURNER, City Clerk.

AN ORDINANCE No. 37893—Granting to the Pennsylvania Oil company, its successors and assigns, the right to lay, construct, maintain, renew and operate a single switch track in, upon and across a portion of the first alley west of the Hocking Valley Railway company right-of-way, said alley being twelve feet wide and extending from King avenue to Fleniken pike, in the city of Columbus, Ohio.

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

Section 1. That the Pennsylvania Oil company, its successors and assigns, be and it is hereby granted the permission to lay, construct, maintain, renew and operate a single switch track in, upon and across the first alley west of the right-of-way of the Hocking Valley Railway company, said alley being twelve feet wide and running northerly from King avenue to Fleniken pike, in the city of Columbus, at the grade thereof, about one hundred feet north of the north line of King avenue; said proposed switch beginning at what is known as team track, approximately nine feet north of King avenue, and extending in a northwesterly direction to a point approximately fifty feet west of the main line of the said Hocking Valley tracks at the south line of the first alley north of King avenue, crossing said alley on an angle as particularly shown by blue print thereof hereto attached and marked B-6351, said tracks being so

located as to conform to the grade of said alley as may be established by the chief engineer of said city, and to be laid, constructed, maintained, renewed and operated upon the following express conditions and not otherwise:

(a) The portion of said alley included within and between and a reasonable distance outside of the rails of said switch shall be graded and planked, cindered or graveled by said oil company and at all times so maintained by it, subject to the approval of the chief engineer of said city.

(b) Said track shall be constructed and operated in such manner as to in no wise injure, interfere with or disturb any sewer, water or gas pipe or mains, or any other public works in said alley or below the surface thereof.

(c) Said oil company shall, at its own expense, in the event said alley shall hereafter be paved, improve that portion of said alley lying between and one foot outside of the rails with like material as that used in other portions of said alley, subject to the approval of the chief engineer of said city.

(d) Said oil company shall, whenever required by ordinance passed by this council, remove said track and restore the portion of said alley occupied by it to a condition equal to the then balance thereof, within thirty days after the passage of said ordinance.

(e) Said oil company shall, at all times, save and keep the city of Columbus free and harmless from all loss or damage which may accrue to it by reason of any privilege herein granted, and shall save said city harmless from any and all judgments and claims which may be rendered in favor of or made by any person whomsoever against said city on account of the construction, operation and maintenance of said track and the operation of cars and locomotives thereon.

Sec. 2. Provided, always, and the authority herein granted to locate, maintain and operate said switch track in, upon and across said alley is given and shall be on the express condition that if the council or any other duly authorized authority of said city shall at any time determine that the interests of the said city require the separation of grades of the crossing of said switch track and said alley, and shall proceed to cause said separation to be made, then and in that event, any and all cost and expense caused by and resulting from the separation of the grades of said alley and said switch track shall be borne by said oil company, instead of in proportion provided therefor by statute; or said company may, at its option, within a period of thirty days after such determination to separate grades, or within an extension of said thirty day period granted by the chief engineer of said city, which extension shall not exceed six months, remove said switch track, and this grant and agreement shall thereupon cease and determine and said oil company shall restore the portion of said alley occupied by said track as stipulated in paragraph (d) of this ordinance.

Sec. 3. The rights and privileges hereby granted shall not take effect until said oil company, for itself, its successors and assigns, shall file its written consent with the clerk of this city to conform to and abide by each and all of the conditions herein mentioned, and should said oil company, its successors and assigns, fail to file said written agreement before entering into or upon any portion of said alley hereinbefore mentioned, or fail to do or perform any of the conditions or stipulations to be by it done or performed hereunder, or violate any of the conditions or stipulations hereinbefore provided, then and in such event the said oil company, its successors and assigns, shall thereupon forfeit all rights and privileges under this franchise and the same shall be void and of no force or effect. Said oil company shall also pay for the legal publication of this ordinance.

Sec. 4. That this ordinance shall take effect and be in force from and

after the earliest period allowed by law.

Passed March 7, 1927.

SCOTT WEHE,

President of Council.

Approved March 7, 1927.

JAS. J. THOMAS, Mayor.

Attest: HARRY H. TURNER, City Clerk.

AN ORDINANCE No. 37894—Granting to E. E. Follmer the right to construct, maintain and operate a spur track across Dublin avenue, in the city of Columbus, Ohio.

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

Section 1. That E. E. Follmer, his successors and assigns, be and is hereby granted permission to construct, maintain and operate a spur track upon and across Dublin avenue, in the city of Columbus, Ohio, the center line of said spur track to be one hundred feet west of the west line of Hanover street, upon the following express conditions and not otherwise:

(a) Said track shall be constructed and laid so as to conform to the grade of Dublin avenue that now is or may hereafter be established, and where said track is located in said Dublin avenue, it shall be laid with nine-inch grooved rail, section 263 of the Pennsylvania Steel company, upon approved wooden ties, and that portion of Dublin avenue lying between and one foot outside of the rails shall be paved, all in accordance with and in the manner as shown on the plan on file in the city engineer's office, marked "alternative plan of standard track for interurban railways on paved streets," under the direction and to the acceptance of the city engineer of the department of public service, and at the sole cost and expense of the said E. E. Follmer.

(b) If, by reason of the construction of said track, the flow of water in any gutter should be obstructed, then there shall be constructed by the said E. E. Follmer, at his own cost and expense, a sufficient number of catch basins, with leadoffs therefor to the sewer, to carry such obstructed flow. Said E. E. Follmer shall further keep and maintain the portion of said pavement so laid by him, and all of such catch basins and leadoffs, in good condition and repair, so long as said track shall occupy or cross said Dublin avenue.

(c) No car or locomotive shall move on said track at a rate of speed exceeding four miles an hour, and no car or locomotive shall at any time be permitted to remain standing upon Dublin avenue.

(d) Said track shall be constructed and operated in such a manner as in no wise to injure, interfere with or disturb any sewers, water or gas pipes or mains, or any other public works in any street or below the surface thereof.

(e) Said E. E. Follmer, his successors and assigns, shall, whenever required by ordinance passed by this council, remove said track and restore the portion of highway occupied by it to a condition equal to the balance thereof, within thirty days after the passage of said ordinance.

(f) Said E. E. Follmer, his successors and assigns, shall give due and proper notice, by flagman or otherwise, of the approach of any car or locomotive to Dublin avenue.

Sec. 2. Said E. E. Follmer, his successors and assigns, shall at all times save and keep the city of Columbus free and harmless from all loss or damage which may accrue to it by reason of any privilege herein granted, and shall save said city harmless from any and all judgments and claims which may be brought by any person whomsoever against said city on account of the construction and maintenance of said track and the operation of cars and locomotives thereon, or on account of any failure to keep and maintain the portion of the pavement, catch basins or leadoffs, hereinbefore mentioned, in good repair.

Sec. 3. Provided, always, however, and the right herein granted to locate, maintain and operate said track in and across Dublin avenue is given and shall be upon the express condition that if