

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 notes of the city of Columbus, Ohio, shall be issued in anticipation of the issuance of bonds to 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 he is hereby authorized and directed to make and execute contract for the remainder of 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 May 10, 1948.

JOSEPH R. JONES,
President of Council.

Approved May 10, 1948.

JAMES A. RHODES, Mayor.

Attest:
AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 422-48—Determining to proceed with the improvement of Lockbourne avenue, from Whittier street to corporation line, 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 Lockbourne avenue, from Whittier street to corporation line, by grading, constructing asphaltic leveling course and an asphaltic concrete surface course upon the present foundation, and doing such other things as may be necessary, in the city of Columbus, Ohio, in accordance with the resolution declaring it necessary to improve the same adopted by council March 1, 1948; 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 thirty-five per cent of the whole cost of said improvement, together with interest on notes issued in anticipation of the issuance of bonds and on bonds issued in anticipation of the collection of said improvement and all other necessary expenditures, 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 bounding or abutting upon the proposed improvement, and lot No. 332 of Jacob H. Studer's Subdivision amended 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 \$11,000 be and the same is hereby appropriated from the maintenance and repair No. 65 — new street construction 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 notes of the city of Columbus, Ohio, shall be issued in anticipation of the issuance of bonds to 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 he is hereby authorized and directed to make and execute contract for the remainder of 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 May 10, 1948.

JOSEPH R. JONES,
President of Council.

Approved May 10, 1948.

JAMES A. RHODES, Mayor.

Attest:
AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 423-48—To grant Herman Luckoff the right and privilege to construct, use and maintain two wells in the alley north of Main street, to serve the property known as 60 East Main street.

Whereas, Herman Luckoff is the owner of the property known as 60 East Main street and is desirous of constructing two wells and a well pit in the south side of the alley north of Main street, to serve said property; now, therefore,

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

Section 1. That the right and privilege be and it is hereby granted to Herman Luckoff to construct, use and maintain two wells with connections, and one reinforced concrete well pit, in the alley north of Main street, at the rear of the property known as 60 East Main street, one well to be located at a point 235 feet west of the west curb line of Third street and the other to be located approximately 241 feet west of said point; the well to be used for obtaining water from the ground, to be used for cooling purposes, shall include a reinforced concrete well pit with manhole top and the necessary connections to the building, and the other well shall be used to return water to the ground, provided, however, that such right and privilege is granted subject to the rules and regulations of the Ohio Water Resources Board prescribed under authority of section 408-3f of the general code of Ohio. Said wells, casings, well pit and connections shall be located wholly below the grade of said alley and shall be so placed and constructed as not to interfere with or injure in any way any sewers, water pipes or other structures maintained by the city, or any conduits or underground structures maintained in said alley by any public utility. Said wells, well pit and connections shall be constructed under the supervision and direction of the director of public service, in accordance with the terms and conditions of ordinance No. 331-37, passed July 23, 1937, and the portion of the alley disturbed thereby shall be replaced in good condition, to the satisfaction of said director. Upon completion of construction and before the wells are placed in operation, said owner shall notify the superintendent of the division of water of the city of Columbus in order that necessary inspection can be made.

Sec. 2. That said wells, well pit and connections shall be constructed, used and maintained subject to the further condition that said grantee, his successors and assigns, shall keep and save harmless the city of Columbus from any and all damages or claims for damages which may arise or grow out of the construction, use or maintenance of said wells, well pit and connections, and shall defend at his own cost and expense every suit which may be brought or prosecuted against the city of Columbus for the recovery of damages arising from or growing out of such construction, use or maintenance; that the grantee, upon notice from the city of Columbus, shall forthwith remove said wells, well pit and connections and restore said alley to a condition equal to the remainder thereof, without cost to said city; provided fur-

ther, that said grant is made with the understanding that the occupancy of said alley by said wells, well pit and connections is permitted merely as an accommodation and that no right, title or interest of the public is abridged thereby.

Sec. 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law, upon the filing with the clerk of this council, by the grantee herein, his acceptance, in writing, of each and all of the terms, provisions and requirements of this ordinance, and the payment of the cost of publication hereof; provided, however, that if said grantee shall fail to file said written acceptance hereof or pay said cost of publication within thirty days after the passage hereof, then this ordinance shall be of no force and effect.

Passed May 10, 1948.

JOSEPH R. JONES,
President of Council.

Approved May 10, 1948.

JAMES A. RHODES, Mayor.

Attest:
AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 424-48—To authorize the director of public service to enter into a lease for a parcel of land off the northeast corner of lot No. 167 of 20th Century addition located at the northwest corner of Hosack and Ninth streets, and to appropriate funds to pay the cost thereof.

Whereas, the proposed sewer relief project in the south end sanitary district contemplates the construction of a relief connection and gauge station, and

Whereas, the most desirable location for such gauge station is on a parcel of land off the northeast corner of lot No. 167 of 20th Century addition, which lot is located at the northwest corner of Hosack and Ninth streets, and is owned by Forest L. and Queen E. Johnson, and

Whereas, the cost of such lease will be approximately \$40.00 per year for a period of ten years, plus certain legal expenses, all payable in advance; now, therefore,

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

Section 1. That, upon the satisfactory negotiation by the city attorney of a lease agreement, covering the leasing of a parcel of land off the northeast corner of lot No. 167 of 20th Century addition, for a period of ten years, and the right to renew such lease for an additional period as may be desired, together with the right and privilege to construct thereon a concrete block gauge house, approximately 7' by 7' in size, including the necessary underground gauge connections and pipes, and the right to use, operate and maintain such gauge house, the director of public service be and he is hereby authorized and directed to enter into such lease agreement.

Sec. 2. That, from the monies now in the fund known as the relief, sanitary and storm sewers fund No. 2, and from any and all monies anticipated to come into said fund during the period ending December 31, 1948, the sum of \$500, or so much thereof as may be needed, be and it is hereby appropriated to the relief, sanitary and storm sewers fund No. 2-C-5 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 10, 1948.

JOSEPH R. JONES,
President of Council.

Approved May 10, 1948.

JAMES A. RHODES, Mayor.

Attest:
AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 425-48—To vacate the alley north of Brownlee avenue, from the west line of James road to the east line of the alley west of James road.

Whereas, petition, signed by the owners of all lots and lands abutting

the alley north of Brownlee avenue, from the west line of James road to the east line of the alley west of James road, praying for and consenting to the vacation of said alley, between the limits named, was duly presented to this council, and

Whereas, council, upon hearing, is satisfied that there is good cause for such vacation as prayed for in said petition, that it will not be detrimental to the general interests and ought to be made; now, therefore,

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

Section 1. That the alley north of Brownlee avenue, from the west line of James road to the east line of the alley west of James road, be and the same is hereby vacated.

Sec. 2. That the city of Columbus reserves the right to operate and maintain any and all sewers, water lines and any other public utilities owned by said city, and that the right is reserved to operate and maintain any and all other public utilities, if any, now existing on or in said alley to be vacated, and shall have the right to enter thereon at any time for the purpose of operating, replacing and maintaining the same.

Sec. 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law, upon the filing with the clerk of this council, by the owners of the abutting property, their acceptance, in writing, of each and all of the terms and provisions of this ordinance, and the payment of the cost of publication hereof.

Passed May 10, 1948.

JOSEPH R. JONES, President of Council.

Approved May 10, 1948.

JAMES A. RHODES, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 426-48—To vacate Wall street, from the north line of Locust street to the south line of Naghten street.

Whereas, a petition, signed by the owner of all lots and lands abutting Wall street, from the north line of Locust street to the south line of Naghten street, praying for and consenting to the vacation of said street, between the limits named, was duly presented to this council, and

Whereas, council, upon hearing, is satisfied that there is good cause for such vacation as prayed for in said petition, that it will not be detrimental to the general interests and ought to be made; now, therefore,

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

Section 1. That Wall street, from the north line of Locust street to the south line of Naghten street, be and the same is hereby vacated.

Sec. 2. That the city of Columbus reserves the right to operate and maintain any and all sewers, water lines and any other public utilities owned by said city, and that the right is reserved to operate and maintain any and all other public utilities, if any, now existing on or in said street to be vacated, and shall have the right to enter thereon at any time for the purpose of operating, replacing and maintaining the same.

Sec. 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law, upon the filing with the clerk of this council, by the owner of the abutting property, its acceptance, in writing, of each and all of the terms and provisions of this ordinance and the payment of the cost of publication hereof.

Passed May 10, 1948.

JOSEPH R. JONES, President of Council.

Approved May 10, 1948.

JAMES A. RHODES, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 427-48—To appropriate additional funds to pay the

cost of repairs and improvements, including plumbing, heating and ventilating, of existing recreational facilities, being recreation houses or centers located in Glenwood Park, of the department of public recreation.

Whereas, council by ordinances Nos. 526-47 passed September 29, 1947, and 339-48 passed April 19, 1948, authorized the recreation commission to advertise for bids and to enter into contract for repairs and improvements, including plumbing, heating and ventilating of existing recreational facilities, being recreation houses or centers located in Glenwood Park and has appropriated funds to pay the cost thereof, and

Whereas, in the appropriation of the funds to pay the cost thereof, appropriated the sum of \$7,998 when the amount of the appropriation should have been \$9,998, and

Whereas, an emergency exists in the usual daily operation of the department of public recreation, in that it is immediately necessary to make an additional appropriation of \$2000 in order that said contract may be legally and properly entered into in accordance with the bid and award therefor; now, therefore

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

Section 1. That an additional sum of \$2000 be and the same is hereby appropriated from the PARKS, PLAY-GROUNDS, RECREATIONAL BUILDINGS, FACILITIES AND EQUIPMENT FUND NO. 10, for the purpose of providing sufficient funds to pay the costs of the contract provided for in Section 1 of said ordinance 239-48.

Sec. 2. That for the reason stated in the preamble hereto, which is made a part hereof, 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 10, 1948.

JOSEPH R. JONES, President of Council.

Approved May 10, 1948.

JAMES A. RHODES, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE NO. 428-48—Authorizing the board of purchase to advertise for bids and enter into contract for automobile pneumatic tires and inner tubes to be used by the division of fire and making the necessary appropriation therefor.

Whereas, an emergency exists in the daily operation of the division of fire in that insufficient tires (pneumatic) and inner tubes are on hand to properly operate the department's motor equipment, 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 automobile tires and inner tubes, necessary for the operation of the division of fire.

Sec. 2. That the sum of two thousand two hundred and fifty dollars, or as much thereof as may be needed, be and the same is hereby appropriated from the division of fire No. 37, 300 fund.

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

Passed May 10, 1948.

JOSEPH R. JONES, President of Council.

Approved May 10, 1948.

JAMES A. RHODES, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 429-48—To authorize and direct the board of purchase to purchase on the open market approximately twelve steel traffic light poles, and appropriate the money to pay the cost thereof.

Whereas, the critical shortage of steel products makes it impractical to advertise for bids and,

Whereas, an emergency exists in the usual daily operation of the division of traffic regulation and engineering in that it is necessary to obtain steel traffic light poles for the immediate preservation of public property, health and safety; now, 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 purchase, without advertising for bids therefor, approximately twelve steel traffic light poles for use in the division of traffic regulation and engineering.

Sec. 2. That the sum of \$1200, or so much thereof as may be necessary, be and the same is hereby appropriated from department 65-L-1, 700 fund, to pay the purchase price of said traffic light poles.

Sec. 3. That for the reason hereinabove set forth, this council deems it to be to the interest of the public to purchase said traffic light poles without advertising for bids therefor.

Sec. 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is 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 10, 1948.

JOSEPH R. JONES, President of Council.

Approved May 10, 1948.

JAMES A. RHODES, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 430-48—To appropriate property for airport purposes. Be it ordained by the council of the city of Columbus:

(Two-thirds of all members elected thereto concurring)

Section 1. That the following described property be and the same is hereby appropriated in fee simple to public use for airport purposes, to-wit:

Situate in the state of Ohio, county of Franklin, township of Mifflin, and in Quarter Township 4, Township 1, Range 17, United States Military Lands, and being part of that tract conveyed by deed of Marie V. Halman to Elmer J. and Florice Reeb, as the same is shown of record in D.B. 1211, page 269, recorder's office, Franklin county, Ohio, and being more particularly described as follows:

Beginning at a spike in the center of James road at its intersection with the center line of Goshen Lane; thence N. 4° 23' E. 1439.42 ft. to an iron stake at an angle in said lane; thence continuing with the center of Goshen Lane, N. 85° 52' W. 211.5 ft. to a spike at the southeast corner of land of Iola Walcutt; thence with the east line of Walcutt's land, N. 4° 04½' E. 1663.44 ft. to a limestone at the northeast corner of said Walcutt land and in the south line of Mary C. and Thelma Emig land; thence with the south line of said Emig land, S. 85° 47' E. 693.31 ft. to a limestone at the northwest corner of Elmer J. Reeb's 55 acre tract; thence with the west line of said tract, S. 4° 12½' W. 2582.46 ft. to a point at the southwest corner of a one-half acre tract formerly used for school purposes; thence N. 81° 10' W. 35.35 ft. to a point at the intersection of tangents on the center line of James Road; thence with the southwesterly tangent and along the center line of James Road S. 44° 45' W. 688.04 ft. to the place of beginning, containing 39.163 acres, subject to all legal highways and easements shown of record.

Situate in the state of Ohio, county of Franklin, township of Mifflin, and in Quarter Township 4, Township 1, Range 17, United States Military Lands, and being part of the land conveyed by Probate Court No. 118169 in the Matter of the Estate of Della P. Souder, deceased, to Elmer J. Reeb, as the same is shown of record in Deed Book 1339, page 8, recorder's office, Franklin county, Ohio, and being more particularly described as