

Passed May 28, 1951.

HENRY A. KOONTZ,
President of Council.

Approved May 29, 1951.

JAMES A. RHODES, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 535-51—Determining to proceed with the improvement of 26th avenue, from Cleveland avenue to Hamilton avenue, in the city of Columbus, Ohio, and to repeal ordinance No. 436-51, passed May 7, 1951.

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

Section 1. That it is hereby determined to proceed with the improvement of 26th avenue, from Cleveland avenue to Hamilton avenue, by grading, draining, constructing combined curb and gutter, Portland cement concrete foundation with asphaltic concrete surface course, installing water services, fire hydrants, 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 26, 1951; 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 notes issued in anticipation of the issuance of bonds and 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 bounding or abutting upon the proposed improvement, and lots 1, 2 and 5 of Homestead Heights No. 2 addition, 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 \$11,250 be and the same is hereby appropriated from the maintenance and repair No. 65-602 to pay the remainder of the cost of said improvement.

Sec. 5. That the assessments so to be levied shall be paid in twenty semi-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.

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 said improvement with the lowest and best bidder after advertising according to law.

Sec. 8. That ordinance No. 436-51, passed May 7, 1951, be and it is hereby repealed.

Sec. 9. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed May 28, 1951.

HENRY A. KOONTZ,
President of Council.

Approved May 29, 1951.

JAMES A. RHODES, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 536-51—To accept the warranty deed of William J. and Ethel H. Smelosky, dated May 21, 1951, and to dedicate the premises so conveyed to public use.

Whereas, city council by ordinance No. 537-51, passed May 28, 1951, vacated the first alley west of Walcutt avenue, from Willamont avenue to the first alley north of Willamont avenue, contiguous upon William J. and Ethel H. Smelosky deeding to the city of Columbus a parcel out of the northwest corner of lot No. 108, of Hayden Park Place addition, and

Whereas, William J. and Ethel H. Smelosky have submitted for acceptance a warranty deed conveying said premises to the city of Columbus; now, therefore,

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

Section 1. That the warranty deed of William J. and Ethel H. Smelosky, dated May 21, 1951, for a parcel of land described as follows:

Being a parcel out of the northwest corner of lot No. 108, of Hayden Park Place addition, as the same is of record in plat book 12, page 11, recorder's office, Franklin county, Ohio, and described as follows:

Beginning at a point in the west line of said lot No. 108, said point being 25.0 feet southerly of the northwest corner of said lot; thence northwardly with said west line, a distance of 25.0 feet to said northwest corner; thence eastwardly with the north line of said lot, a distance of 20.8 feet to a point; thence southwestwardly with a straight line a distance of 33.9 feet, more or less, to the place of beginning; be and the same is hereby accepted and the premises so conveyed are hereby dedicated to public use for alley purposes.

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

Passed May 28, 1951.

HENRY A. KOONTZ,
President of Council.

Approved May 29, 1951.

JAMES A. RHODES, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 537-51—To vacate the first alley west of Walcutt avenue, from Willamont avenue to the first alley north of Willamont avenue.

Whereas, petition, signed by the owners of all lots and lands abutting upon the alley west of Walcutt avenue, from Willamont avenue to the first alley north of Willamont avenue, was duly presented to this council, praying for and consenting to the vacation of said alley, between the limits named, and

Whereas, two of the owners have agreed, in lieu of such vacation, to convey to the city, for alley purposes, a parcel out of the northwest corner of lot No. 108, of Hayden Park Place addition, 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, upon the acceptance by the city of Columbus of a deed conveying to said city a parcel out of the northwest corner of lot No. 108, of Hayden Park Place addition, and upon the dedication thereof by the city of Columbus of said land to public use for alley purposes, the first alley west of Walcutt avenue, from Willamont avenue to the first alley north of Willamont avenue, 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 the city, and that the right is re-

served to operate and maintain any other public utilities, if any, now existing on or in said alley hereby 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.

Passed May 28, 1951.

HENRY A. KOONTZ,
President of Council.

Approved May 29, 1951.

JAMES A. RHODES, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

RESOLUTIONS

To transfer funds.

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

That the following transfer of funds within the division of street cleaning, No. 91, be and the same is hereby authorized and approved:—

| | |
|--|-----------|
| From 91-201 Maintenance of fixed assets to — 91-C-44 | |
| Other contractual services.... | \$ 206.75 |
| From 91-700 Outlay for new equipment to—91-C-44 Other contractual services | 382.63 |
| From 91-700 Outlay for new equipment to—91-B Materials and supplies | 617.37 |
| From 91-601 Outlay for buildings to—91-B Materials and supplies | 1,000.00 |

Adopted May 28, 1951.

HENRY A. KOONTZ,
President of Council.

Approved May 29, 1951.

JAMES A. RHODES, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

To transfer funds.

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

That the following transfer of funds be and the same is hereby authorized and approved:

From department No. 100, judgment fund,

To department No. 21-G, bond issue expense, the sum of \$2,000.

This transfer is necessary to provide for expenses in connection with various bond and note transcripts.

Adopted May 28, 1951.

HENRY A. KOONTZ,
President of Council.

Approved May 29, 1951.

JAMES A. RHODES, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

To issue special permit to Harry and Mabel Jackson, 122 N. Central avenue.

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

That the director of public safety be and he is hereby requested to direct the chief inspector of the division of building regulation to issue a permit to Harry and Mabel Jackson, 122 N. Central avenue, to convert the two-story, concrete block studio and garage at the rear of said address into a dwelling unit, in that yard area requirements be waived.

Be it further resolved that the said director of public safety and the chief inspector of the division of building regulation be and they are hereby absolved of all responsibility for this digression from the established law.

Adopted May 28, 1951.

HENRY A. KOONTZ,
President of Council.

Approved May 29, 1951.

JAMES A. RHODES, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.