

in the alley west of Byron avenue, between the specified limits, for the purpose of installing or constructing any new utility facilities, either publicly or privately owned, which may become necessary, and shall have the right to enter thereon at any time for the purpose of constructing, installing, replacing, operating 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 January 3, 1955.

O. J. FILLINGER,

President of Council.

Approved January 3, 1955.

M. E. SENSENBRENNER, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 7-55—To vacate Hamlet street, extending from the south line of Seventh avenue to the south line of lot No. 15 of Riddle's subdivision, extended; and the alley south of Seventh avenue, extending from the west line of Hamlet street to the east line of the alley west of Hamlet street, and from the west line of lot No. 14 of Thomas Thompson's subdivision to the east line of Hamlet street.

Whereas, petition, signed by the owner of all lots and lands abutting upon Hamlet street and the alley south of Seventh avenue, between specified limits, was duly presented to this council, praying for and consenting to the vacation of the street and alley, and

Whereas, council, upon hearing, is satisfied that there is good cause for such vacations as prayed for in said petition, that they 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 Hamlet street, extending from the south line of Seventh avenue to the south line of lot No. 15 of Riddle's subdivision, extended; and the alley south of Seventh avenue, extending from the west line of Hamlet street to the east line of the alley west of Hamlet street, and from the west line of lot No. 14 of Thomas Thompson's subdivision to the east line of Hamlet street, be and the same are 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 reserved to operate and maintain any other public utilities, if any, now existing on or in said street and alley hereby vacated, and shall have the right to enter thereon at any time for the purpose of constructing, installing, replacing, operating 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 January 3, 1955.

O. J. FILLINGER,

President of Council.

Approved January 3, 1955.

M. E. SENSENBRENNER, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 8-55—To vacate

Duxberry avenue and Cordell avenue, from the west line of Bancroft street (formerly Burwick avenue) to the east line of the alley west of Bancroft street, excluding from the vacation of Duxberry avenue a strip of land twenty feet in width and extending on a line at right angles with the west line of Bancroft street, from said west line of Bancroft street to the east line of the alley west of Bancroft street, the center line of said twenty foot strip being ten feet north of the northeast corner of lot No. 222 of Norlea Park addition, and excluding from the vacation of Cordell avenue a strip of land twenty feet in width, the center line of which is the center line of said Cordell avenue.

Whereas, petition, signed by the

owner of all lots and lands abutting upon Duxberry avenue and Cordell avenue, from the west line of Bancroft street to the east line of the alley west of Bancroft street, was duly presented to this council, praying for and consenting to the vacation of the streets, between the limits specified, and

Whereas, council, upon hearing, is satisfied that there is good cause for such vacations as prayed for in said petition, that they 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 Duxberry avenue and Cordell avenue, from the west line of Bancroft street (formerly Burwick avenue) to the east line of the alley west of Bancroft street, excluding from the vacation of Duxberry avenue a strip of land twenty feet in width and extending on a line at right angles with the west line of Bancroft street, from said west line of Bancroft street to the east line of the alley west of Bancroft street, the center line of said twenty foot strip being ten feet north of the northeast corner of lot No. 222 of Norlea Park addition, and excluding from the vacation of Cordell avenue a strip of land twenty feet in width, the center line of which is the center line of said Cordell avenue, be and the same are hereby vacated.

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

Passed January 3, 1955.

O. J. FILLINGER,

President of Council.

Approved January 3, 1955.

M. E. SENSENBRENNER, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 9-55—To authorize the Director of Public Service to advertise and open bids for main line extensions on Livingston Avenue and locations appurtenant thereto for the Division of Water, Department of Public Service.

Whereas, plans and specifications have been completed for the following main lines:

16-inch Livingston Avenue across Alum Creek; Kenwick Road to James Road; Waverly Street to Shady Lane Drive.

12-inch from Livingston Avenue to existing line in Shady Lane Drive.

8-inch from Livingston Avenue to existing line in Barnett Road and,

Whereas, an emergency exists in the usual daily operation of the Division of Water Department of Public Service, in that bids for the above mentioned main line extensions be received as soon as possible in order that contracts may be awarded due to the building program within the corporate limits of the City of Columbus in newly annexed territory, for the immediate preservation of public health, peace, property and safety; 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 for main line extensions, namely:

16-inch Livingston Avenue across Alum Creek; Kenwick Road to James Road; Waverly Street to Shady Lane Drive.

12-inch from Livingston Avenue to existing line in Shady Lane Drive.

8-inch from Livingston Avenue to existing line in Barnett Road

in accordance with plans and specifications on file in the office of said Director of Public Service.

Sec. 2. That for the reasons 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 January 3, 1955.

O. J. FILLINGER,

President of Council.

Approved January 3, 1955.

M. E. SENSENBRENNER, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE No. 10-55—To ratify and confirm the action of the Superintendent and the Water Distribution Supervisor of the Division of Water, Department of Public Service, in authorizing additional and/or extra work pursuant to Contract No. 3330, between the City of Columbus and the National Water Main Cleaning Company, where unknown obstructions were found to exist in the City's water mains which were to be cleaned pursuant to said contract and to authorize and direct payment for said additional and/or extra work.

Whereas, pursuant to authority granted in Ordinance No. 885-53, passed September 14, 1953, Contract No. 3330 was executed by and between the City of Columbus, Ohio and the National Water Main Cleaning Company, 50 Church Street, New York 7, New York; and

Whereas, during the performance of the work under and pursuant to said Contract No. 3330 unknown obstructions were found to exist in the lines which, in order to maintain adequate water distribution required additional and/or extra work to be performed; and

Whereas, paragraph 5 of the Detailed Specifications, Contract No. 3330, provides that the Contractor in case of encountering unknown obstructions shall immediately, upon authority of the proper city official, provide the necessary labor, equipment and materials to locate and remove such obstructions and that the City shall pay all costs so incurred by the Contractor under the terms of Article 4 of the General Provisions of said Contract; and

Whereas, pursuant to Ordinance No. 300-54, passed March 8, 1954, the Division of Water was authorized to reimburse the National Water Main Cleaning Company in the amount of \$11,919.06, which was the expense incurred by the sub-contractor, The Fishel Company, Inc. of Columbus, Ohio, in connection with extra work caused by unknown obstructions existing in city mains; and

Whereas, the National Water Main Cleaning Company was not reimbursed for the expense of their supervisory personnel and use of equipment involved in the extra work caused by the obstructions in city mains; and

Whereas, all other work with respect to locating and removing obstructions encountered has been completed to the satisfaction of the City of Columbus and all of the costs therein determined and agreed upon as hereinafter set forth; and

Whereas, it is the sense of the Council that the action of the Superintendent and the Water Distribution Supervisor in authorizing and directing the additional and/or extra work due to the unknown obstructions be ratified and confirmed; and

Whereas, an emergency exists in the usual daily operation of the Division of Water, Department of Public Service, in that the additional and/or extra work under the contract was completed in November of 1954 and in order to protect the credit of the City of Columbus, it is necessary, without further delay, to pay for said work, for the immediate preservation of public health, peace, property and safety; now, therefore,

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

Section 1. That the action of the Superintendent and Water Distribution Supervisor of the Division of Water, Department of Public Service, in authorizing additional and/or extra work pursuant to paragraph 5, Detailed Specifications, and Article 4 of the General Provisions of Contract No. 3330 between the City of Columbus, Ohio and the National Water Main