

FEBRUARY 8, 1904.

AN ORDINANCE, NO. 21,692, Authorizing any person, persons, firm or corporation owning real estate in the city of Columbus, Ohio, to construct covered areas under the sidewalks upon which said real estate bounds and abuts, and to repeal ordinance No. 19,039, passed December 2, 1901.

Be it ordained by the City Council of the city of Columbus, state of Ohio: Section 1. That any person, persons, firm or corporation owning real estate in the city of Columbus, Ohio, may construct covered areas under the sidewalks upon which said real estate bounds and abuts, upon the following conditions:

First—That said owners of real estate shall make an application to the Board of Public Service for said city for a permit to construct said covered areas, and receive a permit from said Board of Public Service to construct said covered areas.

Second—That said owners of real estate shall enter into a contract with the city of Columbus, Ohio, for the construction of said covered areas, which contract shall provide that the said owners of real estate shall covenant and bind themselves, their heirs, executors, administrators and assigns, to save the city of Columbus, Ohio, harmless from any and all damages which may arise from or grow out of the construction and maintenance, or either, of the said covered areas, and which may arise from or grow out of the construction and maintenance, or either, of anything incident or appurtenant thereto; that said owners of real estate shall defend at their own cost every suit in which the city of Columbus, Ohio, shall be made a party, brought and prosecuted for the recovery of any such damages; that any judgment recovered against said city of Columbus, Ohio, for damages arising directly or indirectly, from the construction or maintenance, or either, of the said covered areas, or anything incident or appurtenant thereto, shall be held to be, and shall be, a first lien upon the said real estate; that the permit to construct said covered area shall be accepted by said owners upon condition that the city of Columbus, Ohio, shall have the right at any time to construct, under, over or through said covered areas, water pipes, gas pipes, sewers, conduits, or other pipes, or any underground construction that may be deemed necessary to be placed in such covered areas, and that no compensation shall be paid therefor; that such owners of real estate immediately upon notice from the city of Columbus, Ohio, shall forthwith move any boiler, pipe, wall, beam, machinery, fixed construction, or other thing therein, without cost to said city, so as to leave the space clear and sufficient for the introduction and maintenance of underground construction by said city; and that said owners of real estate will yield all right to occupy such covered areas if the space therein becomes necessary for the use of said city, said city reserving the right to enter upon the premises at any time for the inspection and proper maintenance of anything therein; that boilers, gasoline, gas and steam engines, pumps, plumbing fixtures, urinals, water closets, or any pipe or fixture generating or emitting gas, steam, or offensive odors, shall not be located in such covered areas outside of the building line; that no fan or pipes ejecting vitiated or superheated air from the adjoining buildings, or exhaust pipes causing disagreeable noises shall be located in such covered areas; that in the event the street, roadway or sidewalk is widened, the said covered areas shall be changed to correspond therewith by such owners of real estate, without expense to the city, as directed by the chief engineer of said city; that said permit is accepted by said owners of real estate with the understanding that the occupying of said covered areas is permitted merely as an accommodation

to such owners of real estate, and that no right, title or interest to the public is in any way waived or abridged thereby; and that all things provided for in said contract shall be done under the direction of the chief engineer of said city, according to instructions issued by him, and with the approval of the building inspector of said city, and the decision of said chief engineer and building inspector shall be final.

Third—That said owners of real estate shall pay all the costs and expenses incurred in the issuance of said permit and the recording of said agreement.

Sec. 2. The said Board of Public Service be and is hereby authorized to issue the permit herein provided for, upon such terms and conditions as it shall see fit, and in conformity to the rules of this ordinance. The said Board of Public Service shall determine the size and extent of said covered areas, and the number and size of openings therein.

Sec. 3. That ordinance No. 19,039 providing the conditions under which covered areaways may be constructed under the sidewalks of the city of Columbus, passed December 2, 1901, be and the same is hereby repealed.

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

Passed February 8, 1904.
 GEORGE D. JONES,
 President of Council.
 Approved by the mayor February 9, 1904.
 Attest: JOHN T. BARR, Clerk.
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AN ORDINANCE, No. 21,791, To assess a special tax upon the real estate bounding the first alley west of Neil avenue, from Eighth avenue to Tenth avenue; also the first alley north of Ninth avenue, from the first alley west of Neil avenue to Michigan avenue.

Be it ordained by the Council of the city of Columbus, state of Ohio:

Section 1. That the sum of one dollar, eighteen cents, eight and three tenths mills (\$1.1883) be and the same is hereby levied and assessed upon each foot front of the several lots of land bounding and abutting upon the first alley west of Neil avenue from Eighth avenue to Tenth avenue; also the first alley north of Ninth avenue, from the first alley west of Neil avenue to Michigan avenue; exempt from said assessment lots Nos. 15, 16, 17, 18 and 19 of McMillen's Homestead addition; lot No. 23 of King's Neil Avenue addition; assess lot No. 22 of King's Neil Avenue addition with 53.38 feet; lot No. 8, same addition, with 30.63 feet; as the same is designated upon the plat of said improvement on file in the office of the chief engineer, for the cost and expense of constructing an 18, 15 and 12-inch pipe sewer along the same.

Sec. 2. That the owners of the several lots of land assessed as aforesaid, shall pay the amounts by them severally due in that behalf to the city treasurer within thirty (30) days from the date of the first publication of this ordinance, with interest at the rate of 4 1/2 per cent per annum added from the first day of March, 1904.

Passed February 8, 1904.
 GEORGE D. JONES,
 President of Council.
 Approved by the mayor February 9, 1904.
 Attest: JOHN T. BARR, Clerk.
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City Clerk's Office,
 Columbus, Ohio, February 11, 1904.
 NETTIE B. ROEHM, Elias A. White,
 Michael Ray, Bertha M. Davis, Annie Miller, Daniel J. Gilbert, Harry Bell, Rosella Gluth, William L. Miller, Lyman Gardner, W. E. Smith, George B. Ditrick, Walter L. Hall, Laura B. Anderson, Charles L. Stroedter, Emma W. Stroedter, Joseph Wengeler, A. G. Waterman, M. E. Waterman, Emma L. Waterman, Samuel G. Garvin, A. L. Stevens, Dixon Fullerton, Harriet G.

Lake, John McGuire, Berguner
 ers & Co., Ellie L. Henry, Wil
 Jewett, George E. Ide, Emm
 Frederick Torr, John E. Eberl
 F. Bellinger, Augusta Chamber
 Taggart, Harriet C. Selby, C
 Landers, Thresa Landers and
 Thompson will take notice that,
 10th day of August, 1903, the
 Council of the city of Columbus
 passed an ordinance, No. 21,601,
 struct an eight-inch sanitary
 together with the necessary
 tanks and manholes, in the city
 lumbus, Ohio, as follows:

- Plain alley, from Davis ave
- Plato alley,
- Cherry alley, from Davis ave
- Plato alley,
- Plato alley, from Cherry a
- Plain alley,
- Alley west of Green stree
- Cherry alley to Plain alley,
- Walnut alley, from Davis ave
- Plato alley,
- Green alley, from Theos al
- Chapel street,
- Ash street, from Green alley
- vis avenue,
- Nicholas alley, from Green a
- alley east of Green alley,
- State street, from Sandusky st
- the west line of lot 157, Fran
- addition,
- Sandusky street, from Chapel
- to Sullivant avenue,
- Sandusky street, from Chapel
- to Broad street,
- Grubb street, from Chapel st.
- Sullivant avenue,
- Grubb street, from Chapel st:
- Shepherd street,
- Skidmore street, from Chapel
- to Sullivant avenue,
- Skidmore street, from Chapel
- to Shepherd street,
- Gift street, from Chapel street
- lyvant avenue,
- Gift street, from Chapel str
- Shepherd street,
- Alley north of Sullivant avenue
- Gift street to McDowell street,
- Olive street, from Rich street,
- first alley north of Sullivant av
- Alley first north of Sullivant e
- from Olive street to first alley e
- Rich street, from the first alle
- of McDowell street to Gift stree
- Rich street, from the first alle
- of McDowell street to McDowell
- McDowell street, from Rich str
- Sullivant avenue,
- Alley north of Walnut street,
- the first alley west of McDowell
- to Gift street,
- Alley north of Town street,
- Mead alley to its western termin
- Alley west of McDowell street,
- the first alley north of State str
- Capital street,
- Alley north of State street, fro
- alley west of McDowell street i
- alley west of May avenue,
- Alley west of May avenue, fro
- first alley north of State street to
- ital alley,

In accordance with the plans, specifications, estimates and profiles, proposed sewer heretofore prepar the chief engineer and now on the office of the department of service.

That the whole cost and expense said sewer, less one-fiftieth thereof the cost of intersections, shall be assessed by the foot front upon the following described lots and lands. All lots and lands bounding and abutting upon the line of said sewer, which said lots and land hereby determined to be especially affected by said sewer, and the cost said sewer shall include the expense of printing and publishing the resolutions and ordinances requiring the cost of construction, together interest on bonds issued in anticipation of the collection of the assessment and all other necessary expenditure.

By order of the Council of the city of Columbus, Ohio.
 JOHN T. BARR, Cle
 [Columbus Citizen and Express
 Westbote not to publish.]
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