

ORDINANCE NO. 37-55.

By Mr. S. J. Altmaier.

Granting permission for removal of curbs and construction of driveways into premises of Matilda Yeakle.

Whereas, Matilda Yeakle has leased her premises at No. 2640 East Main Street to W. T. Swenson for the purpose of constructing thereon a business building and operating a retail business therefrom, and application has been made to council for permission to remove sufficient of the curb on the north side of Main Street for the construction of two 15 foot driveways with turn-ins having 6 foot radii, which will require the removing of approximately 27 feet of curb for each driveway, and

Whereas, Council is of the opinion that said application should be granted, upon the condition, however, that said owner and said lessee shall agree that in the event said premises shall cease to be used for said business, they or either of them shall replace said curb and restore the surface adjacent thereto to the condition existing before such removal, NOW, THEREFORE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, STATE OF OHIO:

Section 1. That subject to the conditions hereafter contained permission be and hereby is given to said Matilda Yeakle and said W. T. Swenson to remove the curb on the north side of Main Street in front of the premises hereinabove described for sufficient distance to construct two driveways into said premises, said driveways each to be of the width of 15 feet with turn-ins having 6 feet radii, said curb so to be removed being approximately 27 feet for each driveway, and that said drives be constructed in accordance with the standard plans and specifications now on file in the office of the Mayor and heretofore approved by council governing the construction of private drives, and the same shall be done under the supervision and to the approval of the Superintendent of Streets. The conditions under which such permission is given are that the said Matilda Yeakle or the said W. T. Swenson shall deposit with the City Auditor the sum of \$50.00, the same to be held as a guarantee that said curbs will be replaced if said premises shall cease to be used for the purpose hereinabove set forth, with the privilege on the part of the City to use said fund for that purpose in the event that said parties shall upon demand refuse or neglect to replace the same; or in lieu of such cash deposit that the said Matilda Yeakle and said W. T. Swenson shall agree in writing hereon to replace said curbs in the event that said premises shall cease to be used for the business hereinabove provided.

Section 2. This ordinance shall go into effect and be in force from and after the earliest period allowed by law, but only in the event of the making of such deposit or entering into such agreement as hereinabove in Section 1 provided.

Passed November 12, 1955.

Attest:

S. J. Altmaier
Clerk

Wm. J. Wheaton
President of Council

Approved November 12, 1955.

W. T. Swenson
Mayor

A G R E E M E N T

The undersigned hereby accept the terms of the foregoing ordinance and agree:

1. ~~To deposit, and hereby do deposit, the sum of \$50.00 subject to the terms set forth in said ordinance, or~~

2. To replace said curbing in the event that said premises shall cease to be used for the business, as hereinabove set forth.
(Strike out inapplicable provision of above)

William Yeakle Trustee

SHABV

