

## ORDINANCE NO. 33-40

B v Mr. Samuel Betz

Granting permission to Albert B. Shields to remove curb and construct an 18 foot driveway to his premises on East Main Street.

Whereas, Albert B. Shields, being the owner of premises at 2212 East Main Street, in the City of Bexley, said premises being further known as Lot No. 7 of George N. Tussing's Subdivision, has requested permission to remove the necessary curbs and to construct an 18 foot driveway into his said premises, and council being of the opinion that said permission should be granted in accordance with said request, NOW, THEREFORE:

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

Section 1. That permission be and is hereby granted to Albert B. Shields to construct an 18 foot driveway into his above described premises, said driveway to be at or near the East side thereof, and to remove the necessary curbs along the north side of Main Street, a distance of approximately 30 feet, and to construct new curbs at the entrance to said driveway, said curbs to be circular with 6 ft. radii on each side thereof. Said Albert B. Shields shall construct or cause to be constructed, a concrete entrance to said driveway extending from the street pavement to the inside line of the sidewalk, and for that purpose may remove the necessary portions of the present sidewalk so as to make a safe and continuous driveway, as well as concrete sidewalk.

The removing of said curb and the construction of said new curbs and concrete entrance and sidewalk shall be done under the supervision of the engineers and the Superintendent of Streets, and to their satisfaction, in accordance with the plans and specifications on file in the office of the Mayor. The City of Bexley shall remove

the fire hydrant which is now located at the entrance to said driveway, the cost thereof to be borne by said Albert B. Shields. During the progress of said construction the said Albert B. Shields shall place proper warnings and signals to guard the public against danger resulting from said construction.

Section 2. Provided, however, that such permission to remove said curb and to construct said driveway is conditioned upon the said Albert B. Shields agreeing that in the event said premises shall cease to be used for purposes requiring the use of such driveway, he, or his heirs or assigns, will upon request of the council of said city, and at his or their own expense, restore said curb to its former location and elevation, and will also restore the surface of the ground and street adjacent thereto to the level existing prior to the removing of said curb, and upon his further agreeing to pay the expense of the removing of said fire hydrant, which said agreements shall be evidenced by his acceptance in writing of the terms of this ordinance.

Section 3. This ordinance shall take effect and be in force from and after the earliest period allowed by law and the acceptance thereof by said Albert B. Shields as hereinabove provided.

Passed May 14, 1940.

Attest S. W. Roderick  
Clerk

Approved May 14, 1940.

F. H. Bonnet  
President of Council

H. A. Schneider  
Mayor

The undersigned, Albert E. Shields, for himself, his heirs and assigns, hereby accepts the terms and conditions of the foregoing ordinance and agrees to comply in all respects with the provisions thereof, and to pay upon demand the cost of removing the fire hydrant therein provided.

MAY 20 1940, 1940.

Albert E. Shields

I, S. W. Roderick, Auditor of the City of Bexley, Ohio, do hereby certify that there is no newspaper published in said municipality and that publication of the foregoing ordinance was duly made by posting true copies thereof at five of the most public places in said corporation as determined by the Council as follows: Main Street and Parkview Avenue, Main Street and College Avenue, Main Street and Drexel Avenue, Broad Street and Drexel Avenue and Parkview Avenue and Clifton Avenue each for a period of fifteen days commencing on the 15th day of May, 1940.

S. W. Roderick  
S. W. Roderick  
Auditor of the City of  
Bexley, Ohio

ZERO

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