

REGULAR MEETING

Monday, February 2, 1942.

7:30 P. M.

The Common Council of the City of Indianapolis met in the Council Chamber at the City Hall, Monday, February 2, 1942, at 7:30 p. m. in regular session. President Deluse in the chair.

The Clerk called the roll.

Present: Ollie A. Bach, Harmon A. Campbell, Dr. Walter E. Hemphill, Ralph F. Moore, F. B. Ransom, Ernest C. Ropkey, Guy O. Ross, Joseph G. Wood, President Deluse.

The reading of the Journal for the previous meeting was dispensed with on motion of Mr. Bach, seconded by Mr. Ross.

COMMUNICATIONS FROM THE MAYOR

January 21, 1942.

To the Honorable President and
Members of the Common Council
of the City of Indianapolis, Indiana.

Gentlemen:

I have this day approved with my signature and delivered to Mr. John M. Layton, City Clerk, the following ordinances:

APPROPRIATION ORDINANCE No. 1, 1942

AN ORDINANCE appropriating the sum of Thirty-five Thousand Dollars (\$35,000) from certain unappropriated and unexpended balances of the Department of Public Parks of the City of Indianapolis, Indiana, and transferring and allocating the same to a certain designated fund in said department of said city; and fixing a time when the same shall take effect.

GENERAL ORDINANCE No. 1, 1942

AN ORDINANCE establishing a certain passenger and/or loading zone in the City of Indianapolis, pursuant to the provisions of Section 26 of General Ordinance No. 96, 1928, as amended by General Ordinance No. 31, 1931, as amended by General Ordinance No. 58, 1931; and fixing a time when the same shall take effect.

Respectfully,

R. H. SULLIVAN,
Mayor.

COMMUNICATIONS FROM CITY OFFICIALS

February 2, 1942.

To the Honorable President and
Members of the Common Council of
the City of Indianapolis, Indiana.

Gentlemen:

Attached please find copies of Appropriation Ordinance No. 2, 1942, appropriating the sum of Eight Hundred Dollars, (\$800.00), from the 1942 anticipated unexpended and unappropriated balance of the Sanitary Maintenance Fund of the Department of Sanitation, to Department of Public Sanitation, Sewage Disposal Fund No. 53—Refunds, Awards and Indemnities.

I respectfully recommend the passage of this ordinance.

Yours very truly,

JAMES E. DEERY,
City Controller.

February 2, 1942.

Honorable President and Members
of the Common Council of the
City of Indianapolis, Indiana.

Gentlemen:

Attached hereto are copies of General Ordinance No. 6, 1942, an ordinance authorizing blackout and air raid protection orders,

rules and regulations, prescribing penalties and declaring an emergency.

A. O. DELUSE,
Councilman.

February 2, 1942.

Honorable President and Members
of the Common Council of the
City of Indianapolis, Indiana.

Gentlemen:

Attached hereto are copies of General Ordinance No. 7, 1942, an ordinance requiring the inspection of motion picture film, providing a penalty for the violation thereof, defining certain duties of the Fire Prevention Bureau and fixing a time when the same shall take effect.

Very truly yours,

OLLIE A. BACH,
Councilman.

February 2, 1942.

Honorable President and Members
of the Common Council of the
City of Indianapolis, Indiana.

Gentlemen:

Attached hereto are eighteen copies of General Ordinance No. 8, 1942, an ordinance to amend General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance.

Very truly yours,

GEORGE F. ROOKER,
Secretary-Engineer,
City Plan Commission.

February 2, 1942.

To the Honorable President and
Members of the Common Council,
City of Indianapolis.

Gentlemen:

Attached find 18 copies of General Ordinance No. 9, 1942, an ordinance ratifying, confirming and approving agreements with the Transcontinental and Western Air, Inc., American Airlines, Inc., and Eastern Airlines, Inc., relative to the leasing by each of said corporations of certain space, facilities, rights, licenses and privileges at the Indianapolis Municipal Airport and fixing a time when the same shall take effect.

Respectfully submitted,

BOARD OF PUBLIC WORKS & SANITATION
M. H. WALPOLE,
Executive Secretary.

Mr. Ross asked for a recess. The motion was seconded by Mr. Bach, and the Council recessed at 7:40 p. m.

The Council reconvened at 8:50 p. m. with the same members present as before.

COMMITTEE REPORTS

Indianapolis, Ind., February 2, 1942.

To the President and Members of the Common Council
of the City of Indianapolis, Indiana.

Gentlemen:

We, your Committee on Public Safety, to whom was referred General Ordinance No. 2, 1942, entitled:

AN ORDINANCE establishing loading zones at 108 and
114 West Washington Street;

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed

JOSEPH G. WOOD, Chairman
ERNEST C. ROPKEY
F. B. RANSOM
HARMON A. CAMPBELL
RALPH F. MOORE

Indianapolis, Ind., February 2, 1942.

To the President and Members of the Common Council
of the City of Indianapolis, Indiana.

Gentlemen:

We, your Committee on Public Safety, to whom was referred General Ordinance No. 3, 1942, entitled:

AN ORDINANCE approving a change in taxicab rates;
beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further consideration.

JOSEPH G. WOOD, Chairman
ERNEST C. ROPKEY
F. B. RANSOM
HARMON A. CAMPBELL
RALPH F. MOORE

Indianapolis, Ind., February 2, 1942.

To the President and Members of the Common Council
of the City of Indianapolis, Indiana.

Gentlemen:

We, your Committee on Public Safety, to whom was referred General Ordinance No. 4, 1942, entitled:

AN ORDINANCE authorizing the purchase of coal for
the Fire Department;

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

JOSEPH G. WOOD, Chairman
ERNEST C. ROPKEY
F. B. RANSOM
HARMON A. CAMPBELL
RALPH F. MOORE

Indianapolis, Ind., February 2, 1942.

To the President and Members of the Common Council
of the City of Indianapolis, Indiana.

Gentlemen:

We, your Committee on Public Safety, to whom was referred General Ordinance No. 5, 1942, entitled:

AN ORDINANCE amending Section 25 of General Ordinance No. 96, 1928, as amended;

beg leave to report that we have had said ordinance under consideration, and recommend that the same be held for further consideration.

JOSEPH G. WOOD, Chairman
ERNEST C. ROPKEY
F. B. RANSOM
HARMON A. CAMPBELL
RALPH F. MOORE

Indianapolis, Ind., February 2, 1942.

To the President and Members of the Common Council
of the City of Indianapolis, Indiana.

Gentlemen:

We, your Committee on Public Works, to whom was referred Special Ordinance No. 1, 1942, entitled:

AN ORDINANCE changing the name of a certain street
and also the name of a boulevard;

beg leave to report that we have had said ordinance under consideration, and recommend that the same be passed.

F. B. RANSOM, Chairman
ERNEST C. ROPKEY
JOSEPH G. WOOD
WALTER E. HEMPHILL
H. A. CAMPBELL

INTRODUCTION OF APPROPRIATION ORDINANCES

By the City Controller:

APPROPRIATION ORDINANCE No. 2, 1942

AN ORDINANCE appropriating the sum of Eight Hundred Dollars (\$800.00) from the 1942 anticipated unexpended and unappropriated balance of the Sanitary Maintenance Fund of the Department of Sanitation of the City of Indianapolis, Indiana, to a certain designated fund in said department of said city; and fixing a time when the same shall take effect.

WHEREAS, there exists an emergency for the appropriation of the the sum of Eight Hundred Dollars (\$800.00) to a certain hereinafter designated fund of the Department of Public Sanitation of said city; NOW, THEREFORE,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the sum of Eight Hundred Dollars (\$800.00) is hereby appropriated from the 1942 anticipated unappropriated and unexpended balance of the Sanitary Maintenance Fund of the Department of Sanitation of the City of Indianapolis, Indiana, to the following fund of the Department of Public Sanitation in like sum, as per 1942 budget classification, to-wit:

DEPARTMENT OF PUBLIC SANITATION
SEWAGE DISPOSAL

Fund No. 53—Refunds, Awards and Indemnities.....\$800.00

Section 2. This ordinance shall be in full force and effect from and after its passage and approval by the mayor.

Which was read the first time and referred to the Committee on Finance.

INTRODUCTION OF GENERAL ORDINANCES

By Councilman Deluse:

GENERAL ORDINANCE No. 6, 1942

AN ORDINANCE authorizing Blackout and Air Raid Protection orders, rules and regulations; prescribing penalties for violation thereof; and declaring an emergency.

WHEREAS, a state of war exists between the United States of America and Japan, Germany and Italy, and the defense of the United States of America is in the hands of the Army and Navy; and

WHEREAS, in modern warfare, no city, however distant from the enemy, is free from attack; and

WHEREAS, lights at night are a definite aid to the enemy in reaching military and other objectives; and

WHEREAS, blackouts, when ordered by the Army and Navy are essential to the preservation of life and property in this city, and it is imperative that the City of Indianapolis aid the Army and Navy by all possible co-operation and assistance; and

WHEREAS, failure to extinguish lights when ordered to do so by authorized authorities may result in loss of life by thousands of residents of the City of Indianapolis, as well as the residents of other parts of the Nation when lights in this city are used as a guide to other objectives; and

WHEREAS, failure to comply with orders, rules and regulations governing evacuations, traffic movements, congregation of persons in streets and other public places will result in confusion and unnecessary loss of life both during blackouts and during air raids in the daytime; NOW, THEREFORE,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. AUTHORITY TO PROMULGATE NECESSARY ORDERS, RULES AND REGULATIONS FOR BLACKOUTS AND AIR RAIDS. In order to protect life and property in the City of Indianapolis from enemy action, the Mayor is authorized and directed to carry out blackouts and air raid protection measures in said city at such times and for such periods as are authorized or ordered by the Army or Navy, and to promulgate such orders, rules and regulations as may be necessary to insure the success of the blackouts and air raid protection measures and to protect life and property during said periods. Said orders, rules and regulations shall include traffic movements of emergency and other vehicles, evacuation of residents, congregation of persons on public streets, sidewalks, and in public places or buildings, but this enumeration shall not be taken as a limitation on the power to promulgate orders, rules and regulations governing any other subject, persons or property which must be regulated in order to insure the proper carrying out of any duly authorized blackout or air raid protection measure. Practice blackouts and air raid drills may be carried out at such times and for such periods as the Mayor shall in his discretion deem appropriate or necessary, but subject always to the orders and directions of the Army or Navy, and the orders, rules and regulations authorized herein.

Section 2. GENERAL ORDERS, RULES AND REGULATIONS TO BE IN WRITING. All orders, rules and regulations authorized by this ordinance for the conduct of the general public shall be in writing and shall be available for public inspection at the place and during the hours fixed by the Mayor.

Section 3. ORDERS, RULES AND REGULATIONS EFFECTIVE UNTIL REPEALED BY COUNCIL. Any order, rule or regulation promulgated pursuant to the authority conferred by this ordinance shall be in force and effect from the time of promulgation until amended or repealed by the Mayor, or until repealed by the Common Council of the City of Indianapolis.

Section 4. APPOINTMENT OF SPECIAL POLICE—IDENTIFYING EMBLEM. The Mayor may appoint for a specified time, or for the duration of the emergency, as many special police, without pay, from among residents of the City of Indianapolis as may be deemed advisable for service in connection with any blackout or air raid protection measure. During the term of service of such special police, they shall possess all the powers and privileges and perform all the duties of patrolmen in the standing police force of the City of Indianapolis. Said special police must wear such identifying emblem as may be prescribed by the Mayor and it shall be unlawful for any said special policemen to attempt to carry out any order, rule or regulation promulgated under the authority conferred by this ordinance when he is not wearing said identifying emblem.

Section 5. APPOINTMENT OF SPECIAL FIREMEN—IDENTIFYING EMBLEM. The Mayor may appoint for a specified time, or for the duration of the emergency, as many special firemen, without pay, from among the residents of the City of Indianapolis as may be deemed advisable for service in connection with any blackout or air raid protection measure. During the term of service of such special firemen, they shall possess all the powers and privileges and perform all the duties of privates in the standing fire force of the City of Indianapolis. Such special firemen must wear such identifying emblem as may be prescribed by the Mayor and it shall be unlawful for any said special fireman to attempt to carry out any order, rule or regulation promulgated under the authority conferred by this ordinance when he is not wearing said identifying emblem.

Section 6. APPOINTMENT OF AIR RAID WARDENS AND OTHER AUXILIARY FORCES. The Mayor may appoint for a specified time or for the duration of the emergency as many Air Raid Wardens, Auxiliary Firemen, Auxiliary Policemen, Fire Watchers, Nurses' Aids, Emergency Medical Forces, Rescue Squads, Road Repair Units, Demolition and Clearance Squads, Electrical Repair Units, Decontamination Squads, Emergency Food and Housing Units, and all other volunteers for Civilian Defense Work, without pay, from among residents of the City of Indianapolis as may be deemed advisable for service in connection with any blackout or air raid protection measure. Said persons so appointed must wear identifying emblems as may be prescribed by the Mayor, while carrying out any duties under such appointment. The order of appointment in each case shall specify the duties to be performed and an identifying emblem as may be prescribed by the Mayor.

Section 7. REMOVAL OF APPOINTEES. The Mayor may remove at will any person so appointed by him under Sections 4, 5 and 6 of this ordinance.

Section 8. UNAUTHORIZED WARNING OR ALL-CLEAR SIGNALS PROHIBITED. Any unauthorized person who shall operate a siren or other device so as to simulate a blackout signal or air raid, or the termination of a blackout or air raid, shall be deemed guilty of a violation of this ordinance and shall be subject to the penalties imposed by Section 13 of this ordinance.

Section 9. NO MUNICIPAL OR PRIVATE LIABILITY. This ordinance is an exercise by the City of Indianapolis of its governmental functions for the protection of the public peace, health and safety, and neither the City of Indianapolis, the agents, officers or representatives of said City, or any individual, receiver, firm, partnership, corporation, association, or trustee, or any of the agents thereof, in good faith carrying out, complying with or attempting to comply with any order, rule, or regulation promulgated pursuant to the provisions of this ordinance shall be liable for any damage sustained to person or property as the result of said activity.

Section 10. LIGHTS DURING BLACKOUT DECLARED PUBLIC NUISANCE. Any light displayed contrary to any order, rule or regulation promulgated pursuant to the provisions of this ordinance constitutes a public nuisance, and when deemed necessary in order to protect life or property during a blackout or air raid, the police, or the special police authorized herein, are authorized or directed to enter upon any premises within the City of Indianapolis, using reasonable force, and extinguish lights or take other necessary action to make effective any order, rule or regulation promulgated under the authority conferred by this ordinance.

Section 11. CONFLICTING ORDINANCES, ORDERS, RULES AND REGULATIONS SUSPENDED. At all times when the orders, rules and regulations made and promulgated pursuant to this ordinance shall be in effect, they shall supersede all existing ordinances, orders, rules and regulations in so far as the latter may be inconsistent therewith.

Section 12. NO CONFLICT WITH STATE OR FEDERAL STATUTES. This ordinance shall not be construed so as to conflict with any State or Federal statute or with any Military or Naval order, rule or regulation.

Section 13. PENALTIES FOR VIOLATIONS. Any person, firm or corporation violating any of the provisions of this ordinance or any order, rule or regulation issued pursuant thereto shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding Three Hundred Dollars (\$300.00) or im-

prisonment for not more than one hundred eighty (180) days, or by both said fine and imprisonment.

Section 14. SEPARABILITY OF PROVISIONS. It is the intention of the Common Council that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the Common Council that if any provision of this ordinance be declared to be invalid, all other provisions thereof shall remain valid and enforceable.

Section 15. FINDING OF EMERGENCY. It being determined that a case of urgent necessity exists requiring the immediate operation of this ordinance by virtue of the fact that a state of war exists between the United States of America and Japan, Germany and Italy, and the fact that the President of the United States has declared that an invasion or predatory incursion is threatened, this ordinance shall, therefore, take effect as soon as proclamation is made thereof by the Mayor, and copies are posted in three (3) public places in each of the wards of the City of Indianapolis, as provided by law.

Which was read the first time and referred to the Council as a Committee of the Whole.

By Councilman Bach:

GENERAL ORDINANCE No. 7, 1942

AN ORDINANCE requiring the inspection of moving picture films, providing a penalty for the violation thereof, defining certain duties of the Fire Prevention Bureau of the Fire Department of the City of Indianapolis, Indiana; and fixing a time when the same shall take effect.

WHEREAS, the exhibition of moving picture films within the City of Indianapolis, Indiana, without the same being first properly inspected is deemed to constitute a serious and dangerous fire hazard to said city, NOW, THEREFORE,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That it shall be unlawful for any film distributing agency or booking agency to supply or deliver to any person, firm or corporation a moving picture film for the purpose of exhibiting the same

within the City of Indianapolis, Indiana, to the public and it shall be unlawful for any person, firm or corporation to receive a moving picture film from any film distributing agency or booking agency for the purpose of exhibiting the same within said city to the public unless such moving picture film has first been inspected as hereinafter provided and contains an unbroken inspection seal upon the container enclosing such film, affixed thereon pursuant to the provisions of this ordinance.

Section 2. Before any moving picture film is released to any person, firm or corporation for the purpose of exhibiting the same to the public it shall be the duty of the film distributing agency or booking agency to first cause an inspection to be made of such moving picture film. Such inspection shall be performed by rewinding the entire moving picture film and causing the same to pass under an illuminated magnifying glass while the same is being observed by a competent person for any tears, flaws or conditions in the film that may cause the same to jam or clog in any manner when run in a projector. It shall be the duty of the person inspecting the film to repair and correct any condition in the film which may cause the same to jam or clog when placed in a projector. After a moving picture film has been properly inspected and is in safe condition to run through a projector, an inspection seal shall be affixed thereto as provided for in the next section.

Section 3. An inspection seal as required by this ordinance shall be a paper slip two (2) inches in width and four (4) inches in length with mucilage upon one side and upon the other side there must appear the following information, to-wit: (1) name of film distributing agency or booking agency (2) name of person, firm or corporation to whom film is to be released (3) title of film (4) date of inspection (5) and signature of inspector. After an inspection has been completed upon any moving picture film it shall be placed in a container and an inspection seal as herein provided shall be pasted upon the container in such a manner that the same can not be opened without tearing the inspection seal.

Section 4. It shall be the duty of the Fire Prevention Bureau of the Fire Department of the City of Indianapolis to inspect the film inspection equipment and facilities of the various film distributing agencies and booking agencies supplying films to be exhibited in said city and to periodically inspect the film containers delivered to exhibitors to see whether the same have the proper inspection seal affixed thereto. It shall further be the duty of said Fire Prevention Bureau to enforce the provisions of this ordinance and to cause arrests to be made for violations thereof.

Section 5. Any person violating any provisions of this ordinance shall, upon conviction, be fined in any sum not exceeding Three Hundred Dollars (\$300.00), to which may be added imprisonment not exceeding one hundred eighty (180) days.

Section 6. This ordinance shall be in full force and effect from and after its passage, approval by the mayor, and publication according to law.

Which was read the first time and referred to the Committee on Public Safety.

By the City Plan Commission:

GENERAL ORDINANCE No. 8, 1942

AN ORDINANCE to amend General Ordinance No. 114, 1922, commonly known as the Zoning Ordinance.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That the U-1 or Residential District, the A-3 or 2400 sq. ft. Area District, the H-1 or 50 ft. Height District, be and the same is hereby amended, supplemented, and extended so as to include the following described territory.

Parcel 1. Beginning at a point in the south property line of E. 46th Street, said point being the northwest corner of Block one (1) in Marcy Village; Thence south on and along the west line of Block one (1) and Block two (2) of Marcy Village a distance of 1346.7' to a point, said point being the southwest corner of Block two (2) of Marcy Village; Thence west and parallel to the north line of Section 18, Township 16, North, Range 4 East to the east right-of-way line of the Monon Railroad; Thence north on and along the east right-of-way line of the Monon Railroad to the south property line of E. 46th Street as platted in Allens East 46th Street Addition; Thence east on and along the south property line of E. 46th Street to the point or place of beginning.

Parcel 2. Beginning at the point of intersection of the south property line of W. 49th Street with the west property line of Boulevard Place; Thence south on and along the west

property line of Boulevard Place a distance of ninety three and ninety four hundredths feet (93.94') to the southeast corner of Lot 22 in Blues Overlook; Thence west along the south line of Lot 22 and 31 to the southwest corner of Lot No. 31 in the said Blues Overlook, said point being on the east property line of Cornelius Avenue; Thence north on and along the east property line of Cornelius Avenue a distance of eleven feet (11') to a point; Thence west along the south line of Lots 18 and 23 in Stemples Cream Ridge to the southwest corner of said Lot 23 said lot corner being also on the east property line of Hinesley Avenue; Thence south on and along the east property line of Hinesley Avenue a distance of fourteen and sixty-four hundredths feet (14.64') to a point; Thence west on and along the south lines of Lots 29, 26, 11 and 8 in Hinesley Fairview Park Addition to a point in the east property line of Sunset Avenue, said point being the southwest corner of the said Lot 8; Thence north on and along the east property line of Sunset Avenue a distance of ninety-seven and ninety-four hundredths feet (97.94') to the south property line of 49th Street; Thence east on and along the south property line of 49th Street to the west property line of Boulevard Place, the point or place of beginning.

Section 2. That the U-1 or Residential District, the A-2 or 4800 sq. ft. Area District, the H-1 or 50 ft. Height District be and the same is hereby amended, supplemented and extended so as to include the following described territory.

Parcel 1. Beginning at a point on the west property line of Emerson Avenue said point being one hundred sixty feet (160') north of the north property line of Twenty-First Street; Thence north on and along the west property line of Emerson Avenue to a point on the south right-of-way line of the Indianapolis, New Castle, Toledo Traction Company now abandoned; Thence southwest on and along the said right-of-way line of the Indianapolis, New Castle, Toledo Traction Company a distance of one hundred sixty-one and fourteen hundredths feet (161.14') to a point; Thence south and parallel to the west property line of Emerson Avenue a distance of seven hundred nine and eighteen hundredths feet (709.18') to a point; Thence east and parallel to the north property line of Twenty-First Street a distance of twenty-nine feet (29') to a point; Thence south and parallel to the west property line of Emerson Avenue a distance of one hundred ninety-two and two tenths feet (192.2') to a point; Thence east and parallel to the north property line of

Twenty-First Street a distance of one hundred twenty-eight feet (128') to the point or place of beginning.

Parcel 2. Beginning at the intersection of the south property line of Seventeenth Street with the west property line of Emerson Avenue now located in the City of Indianapolis; Thence west on and along the south property line of Seventeenth Street a distance of one hundred twenty feet (120') to a point; Thence South and parallel to the west property line of Emerson Avenue a distance of one hundred thirty feet (130') to a point; Thence east and parallel to the south property line of Seventeenth Street a distance of one hundred twenty feet (120') to a point on the west property line of Emerson Avenue; Thence north on and along the west property line of Emerson Avenue a distance of one hundred thirty feet (130') to the point or place of beginning.

Parcel 3. Beginning at a point, said point being one hundred ninety-two feet (192') east of the east property line of Emerson Avenue and one hundred seventy-five feet (175') north of the north property line of Sixteenth Street; Thence southeast a distance of three hundred thirteen and ninety-eight hundredths feet (313.98') to a point said point being one hundred feet (100') north of the north property line of Sixteenth Street and also the northwest corner of Lot 208 in Green Lawns Addition; Thence northeast on and along the north line of the said lot 208 a distance of one hundred six and two-tenths feet (106.2') to a point on the west property line of Spencer Avenue; Thence east and parallel to the north property line of sixteenth Street to a point on the east property line of Spencer Avenue said point being also the northwest corner of Lot 134 in Green Lawns Addition; Thence in a Northeasterly direction along a curve to the right said curve having a radius of one hundred feet (100') a chord distance of seventy-four and forty-three hundredths feet (74.43') to a point; Thence deflecting ninety degrees to the left in a Northwesterly direction a distance of fifty feet (50') to a point; Thence in a Southwesterly direction along a curve having a radius of one hundred ninety-two feet (192') to a point, said point being six hundred seventy-one feet (671') east of the centerline of Emerson Avenue and two hundred sixty-eight feet (268') North of the centerline of East Sixteenth Street; Thence north and parallel to and six hundred seventy-one feet (671') East of the centerline of Emerson Avenue a distance of sixteen hundred seventy-four and eighty-five hundredths feet (1674.85') to a point; Thence in a South-

eastwardly direction along a curve to the right, said curve having a radius of one hundred ninety-two feet (192') to a point, said point being six hundred eighty-seven and thirty-six hundredths feet (687.36') East of the centerline of Emerson Avenue; Thence north and parallel to the centerline of Emerson Avenue a distance of fifty feet (50') to a point; Thence in a Southeastwardly direction along a curve to the right, said curve having a radius of two hundred forty-two feet (242') a chord distance of one hundred sixteen and sixty-nine hundredths feet (116.69') to a point; Thence continuing in an eastwardly direction along a curve to the left said curve having a radius of one hundred thirty-three and eleven hundredths feet (133.11') a chord distance of one hundred four and forty-five hundredths feet (104.45') to a point; Thence in a Northwestwardly direction a distance of one hundred seventy-six and fifty-five hundredths feet (176.55') to a point, said point being eight hundred fifty-seven and thirty-six hundredths feet (857.36') East of the centerline of Emerson Avenue; Thence north and parallel to the centerline of Emerson Avenue to a point, said point being two hundred feet (200') south of the south property line of Twenty-First Street; Thence west and parallel to the south property line of Twenty-First Street to a point one hundred seventy-nine feet (179') east of the east property line of Emerson Avenue; Thence south and parallel to the east property line of Emerson Avenue to a point on the north property line of Twentieth Street; Thence east on and along the north property line of Twentieth Street a distance of twelve feet (12') to a point; Thence South and parallel to the east property line of Emerson Avenue to the point or place of beginning.

Parcel 4. Beginning at a point on the north property line of Sixteenth Street, said point being one hundred ninety-two feet (192') east of the east property line of Emerson Avenue; Thence east on and along the north property line of Sixteenth Street to the west property line of Hawthorne Lane; Thence north on and along the west property line of Hawthorn Lane a distance of one hundred seventy-five feet (175') to a point; Thence west and parallel to the north property line of Sixteenth Street a distance of two hundred twenty-seven and forty-one hundredths feet (227.41') to a point; Thence southwest a distance of three hundred nine and twenty-three hundredths feet (309.23') to a point said point being one hundred feet (100') north of the north property line of Sixteenth Street also the northeast corner of Lot 134 in Green Lawns Addition; Thence northwest on and along the north line of the said Lot 134 a

distance of one hundred eleven and two-tenths feet (111.2') to a point on the east property line of Spencer Avenue; Thence west and parallel to the north property line of Sixteenth Street to a point on the west property line of Spencer Avenue said point being the northeast corner of Lot 208 in Green Lawns Addition; Thence southwest on and along the north line of the said Lot 208 a distance of one hundred six and two-tenths feet (106.2') to the northwest corner of said Lot 208; Thence northwest a distance of three hundred thirteen and ninety-eight hundredths feet (313.98') to a point, said point being one hundred seventy-five feet (175') north of the north property line of Sixteenth Street; Thence south and parallel to the east property line of Emerson Avenue a distance of one hundred seventy-five feet (175') to the point or place of beginning.

Parcel 5. Beginning at a point in the south property line of Twenty-First Street said point being one hundred seventy-nine feet (179') east of the east property line of Emerson Avenue; Thence east on and along the south property line of Twenty-First Street to the west property line of Hawthorne Lane; Thence south on and along the west property line of Hawthorne Lane a distance of two hundred feet (200') to a point; Thence west and parallel to the south property line of Twenty-First Street to a point one hundred seventy-nine feet (179') east of the east property line of Emerson Avenue; Thence north and parallel to the east property line of Emerson Avenue a distance of two hundred feet (200') to the point or place of beginning.

Section 3. That the U-3 or Business District, the A-2 or 4800 sq. ft. Area District, the H-1 or 50 ft. Height District, be and the same is hereby amended, supplemented and extended so as to include the following described territory:

Parcel 1. Beginning at the intersection of the north property line of Twenty-First Street with the west property line of Emerson Avenue; Thence north on and along the west property line of Emerson Avenue a distance of one hundred sixty feet (160') to a point; Thence west and parallel to the north property line of Twenty-First Street a distance of one hundred twenty-eight feet (128') to a point; Thence south and parallel to the west property line of Emerson Avenue a distance of one hundred sixty feet (160') to a point on the north property line of Twenty-First Street; Thence east on and along the north property line of Twenty-First Street a distance of one hundred

twenty-eight feet (128') to the point or place of beginning. This description embraces Lot No. 15 in Emerson Riley Addition.

Parcel 2. Beginning at the intersection of the south property line of Twenty-First Street with the east property line of Emerson Avenue; Thence east on and along the south property line of Twenty-First Street a distance of one hundred seventy-nine feet (179') to a point; Thence south and parallel to the east property line of Emerson Avenue a distance of two hundred sixty feet (260') to a point; Thence west and parallel to the south property line of Twenty-First Street a distance of one hundred seventy-nine feet (179') to a point on the east property line of Emerson Avenue; Thence north on and along the east property line of Emerson Avenue a distance of two hundred sixty feet (260') to the point or place of beginning. This description embraces Lot 6 in Green Lawns Addition.

Parcel 3. Beginning at the intersection of the east property line of Emerson Avenue with the north property line of Sixteenth Street; Thence north on and along the east property line of Emerson Avenue a distance of one hundred seventy-five feet (175') to a point; Thence east and parallel to the north property line of Sixteenth Street a distance of one hundred ninety-two feet to a point; Thence south and parallel to the east property line of Emerson Avenue a distance of one hundred seventy-five feet (175') to a point on the north property line of Sixteenth Street; Thence west on and along the north property line of Sixteenth Street a distance of one hundred ninety-two feet (192') to the point or place of beginning. This description embraces Lot 217 in Green Lawns Addition.

Section 4. That the U-3 or Business District, the A-3 or 2400 sq. ft. Area District, the H-1 or 50 ft. Height District, be and the same is hereby amended, supplemented, and extended so as to include the following described territory:

Beginning at a point on the north property line of E. Sixteenth Street said point being one hundred twenty feet (120') west of the west property line of Emerson Avenue; Thence West on and along the north property line of E. Sixteenth Street to the east property line of Riley Avenue; Thence north on and along the east property line of Riley Avenue a distance of one hundred nineteen and five-tenths feet (119.5') to a point;

Thence east and parallel to the north property line of E. Sixteenth Street a distance of one hundred thirty-seven and ninety-eight hundredths feet (137.98') to a point; Thence northeastwardly a

distance of twenty-four and seven-tenths feet (24.7') to a point said point being one hundred thirty-six and five-tenths feet (136.5') north of the north property line of Sixteenth Street; Thence east and parallel to the north property line of Sixteenth Street to a point one hundred twenty feet (120') west of the west property line of Emerson Avenue; Thence south and parallel to the West property line of Emerson Avenue a distance of one hundred thirty-six and five-tenths feet to the point or place of beginning.

Section 5. This Ordinance shall be in full force and effect, from and after its passage, approval by the Mayor, and publication according to law.

Which was read the first time and referred to the City Plan Commission.

By the Board of Public Works and Sanitation:

GENERAL ORDINANCE No. 9, 1942

AN ORDINANCE ratifying, confirming and approving three (3) certain Agreements, each made and entered into by the City of Indianapolis, acting by and through its Board of Public Works and Sanitation and its Mayor, with each of the following corporations respectively, namely: (1) Transcontinental & Western Air, Inc.; (2) American Airlines, Inc.; and (3) Eastern Airlines, Inc., relative to the leasing by each of said corporations of certain space, facilities and certain rights, licenses and privileges at the Indianapolis Municipal Airport for a period of twenty (20) years, all as set out with particularity in each of said respective agreements; and fixing a time when the same shall take effect.

WHEREAS, heretofore, to-wit: as of the 1st day of February, 1942, the City of Indianapolis, acting by and through its Board of Public Works and Sanitation and with the approval of its Mayor, entered into a certain separate agreement in writing with each of the following corporations respectively, to-wit:

ITEM 1. Transcontinental & Western Air, Inc., a Corporation organized and existing under the laws of the State of Delaware, with its principal place of business at 10 Richards Road, Kansas City, Missouri;

ITEM 2. American Airlines, Inc., a corporation organized and existing under the laws of the State of Delaware, with its principal place of business at New York Municipal Airport, New York City, New York;

ITEM 3. Eastern Airlines, Inc., a corporation organized and existing under the laws of the State of Delaware, with its principal place of business at 10 Rockefeller Plaza, New York City, New York; and

WHEREAS, an executed original copy of each of the aforesaid Agreements has been placed on file in the office of the Board of Public Works and Sanitation of the City of Indianapolis and the same has been copied and placed of record in the minutes of said Board under date of February 2, 1942, in Minute Record "F", commencing at page 343; and

WHEREAS, each of the aforesaid Agreements, together with Exhibits "A" and "B" attached thereto, is too voluminous to set out at length herein, but it is the desire of the Common Council to incorporate each such Agreement in this ordinance by reference, and accordingly by this reference thereto each agreement with said exhibits is hereby made a part hereof, (H. I.); NOW THEREFORE,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

Section 1. That in consideration of the premises mentioned in each of the above described Agreements with each of the respective corporations listed and enumerated in the preamble hereof as Items 1, 2 and 3, each such contract and agreement should be and hereby is in all things ratified, confirmed and approved in accordance with all the provisions, terms and conditions thereof.

Section 2. That as stated in the preamble hereof, an executed original copy of each of the above described Agreements has been placed on file in the office of the Board of Public Works and Sanitation of the City of Indianapolis, and the same has been copied and placed of record in the minutes of said Board in Minute Record "F", commencing at page 343; that each such Agreement consists of the following documents, to-wit:

1. The Agreement proper, pages 1 to 21, both inclusive.
2. Exhibit "A"; consisting of 2 blueprints prepared by McGuire & Shook, Architects, viz.:

Sheet 1: showing the exterior elevation of the proposed addition to the Administration Building at the Airport; and

Sheet 2: showing the ground floor plans of said building, its lobby, the restaurant, et cetera, and the amount of floor space to be occupied and leased by each airline respectively.

3. Exhibit "B"; the "Interline Agreement" executed by and between the three (3) Airlines and McGuire & Shook, Architects, relative to the construction of an addition to the Administration Building.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Which was read the first time and referred to the Committee on Public Works.

ORDINANCES ON SECOND READING

Mr. Wood called for General Ordinance No. 2, 1942, for second reading. It was read a second time.

On motion of Mr. Wood, seconded by Mr. Campbell, General Ordinance No. 2, 1942, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 2, 1942, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bach, Mr. Campbell, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross, Mr. Wood, President Deluse.

Mr. Wood called for General Ordinance No. 4, 1942, for second reading. It was read a second time.

On motion of Mr. Wood, seconded by Mr. Moore, General Ordinance No. 4, 1942, was ordered engrossed, read a third time and placed upon its passage.

General Ordinance No. 4, 1942, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bach, Mr. Campbell, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross, Mr. Wood, President Deluse.

Mr. Ransom called for Special Ordinance No. 1, 1942, for second reading. It was read a second time.

On motion of Mr. Ransom, seconded by Mr. Ross, Special Ordinance No. 1, 1942, was ordered engrossed, read a third time and placed upon its passage.

Special Ordinance No. 1, 1942, was read a third time by the Clerk and passed by the following roll call vote:

Ayes, 9, viz: Mr. Bach, Mr. Campbell, Dr. Hemphill, Mr. Moore, Mr. Ransom, Mr. Ropkey, Mr. Ross, Mr. Wood, President Deluse.

General Ordinance No. 3, 1942, and General Ordinance No. 5, 1942, were held for further consideration by the Committees to which they were referred.

On motion of Mr. Moore, seconded by Mr. Wood, the Common Council adjourned at 9:00 p. m.



Attest:

President.



City Clerk.

(SEAL)