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street, shall be erected on a line distant from those streets respectively, not less than fifteen feet.

SECTION 3. AND BE IT ENACTED AND ORDAINED, That so soon as by the terms of any sales or sales, lease, leases, or contract or contracts of lease, and other circumstances, the Mayor shall be satisfied that the erection is insured of at least four dwelling houses of brick, each of at least twenty-four feet front, and three stories high, on each of the pieces of ground of said James Canby and Samuel Canby, opposite to each side of the square aforesaid, and fronting on Payette, Carey, Lexington and Calhoun streets respectively, the said Mayor shall cause to be forthwith graduated and paved the portion of streets bounding each side of the said square, one half the cost thereof to be at the expense of the said James and Samuel Canby, their heirs or assigns, and to be deducted from the purchase money aforesaid, and also Lexington and Payette streets, from Republican to Carey streets, should the amount of purchase money not be expended by the aforesaid grading and paving, and immediately after such grading shall have been made caused to be graduated and paved such other streets on the property of the said James and Samuel Camby, lying between Gilmor and Republican streets, as will amount to the balance, if any, of the consideration to be given for the public equare.

SECTION 4. AND BE IT ENACTED AND ORDAINED, That so far as the charge of said graduation and paving, shall extend and be claimable of said James and Samuel Canby, their heirs or assigns, as owners of ground which might be chargeable therewith, the same shall be allowed to said James and Samuel, their heirs and assigns, in account of the purchase money aforesaid, of ten thousand dollars.

SECTION 5. AND HE IT EMACTED AND ORDAINED, That if within two years from the date of this ordinance, there shall not have been erected on the grounds bounding said square, at least sixteen dwelling houses of brick, each of at least twenty-four feet front, and three stories high, then this ordinance may, at any time within six months from the expiration of said two years, be by this corporation declared and ordered to be null and void, and thereupon shall so become; and then and in that event, any graduation and paving as aforesaid, that shall have been made, shall be paid and be enforced as charges generally for paving may be enforced; and the deck aforesaid of said James Co. In and Samuel Canby, shall have reference to the provision of this section, so as to declare the resulting liability aforesaid for such paving; and on this

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