

alley south of West Eleventh Avenue) intersect.

Thence easterly along the centerline of said 25 foot alley a distance of 17 feet to a point;

Thence southerly parallel to and 17 feet east of the centerline of Worthington Street a distance of 2.5 feet to the true point of beginning.

Thence continuing southerly parallel to and 17 feet east of the centerline of Worthington Street a distance of 73 feet to a point.

Thence easterly parallel to and 75.5 feet from the centerline of said 25 foot alley a distance of 159 feet to a point.

Thence northerly parallel to the centerline of Worthington Street a distance of 32 feet to the end of the centerline of this 20 foot easement.

Now, therefore, in consideration of the mutual covenants herein contained and the payment of \$1.00 by the Party of the Second Part, and for other good and valuable consideration, the receipt of which is hereby acknowledged, the Party of the First Part hereby grants to the Party of the Second Part, its successors and assigns, the easement hereinafter described, together with the right and privilege to said Second Party, its successors and assigns, to occupy and use said easement for the construction, operation, maintenance, repair and replacement of the improvement described herein for a term of twenty-five years effective this date, and under the conditions and restrictions hereinafter provided, to-wit:

1. This right-of-way easement is granted with the understanding that said improvement shall be operated, maintained, repaired, reconstructed or replaced in accordance with good engineering practice, and the Party of the Second Part agrees, for itself, its successors and assigns, to indemnify and save harmless the Party of the First Part from all damages and claims thereof arising out of any act, omission or neglect by the Party of the Second Part or any of its agents during the period of operation and maintenance as herein authorized.

2. This easement is granted on the condition that no special assessment to pay the direct cost of constructing said improvement shall be made against the Party of the First Part, its successors or assigns, on the within named property, and no cost of any kind shall accrue to said Party of the First Part, its successors or assigns, except such usage charges as are contracted for by the Party of the First Part.

3. The improvement shall be constructed on the line and to the grade and within the easement limits as shown on the plan, Drawing No. EDD-103 of the Ohio State University Utility Services, which is on file in the offices of the Division of Water, City of Columbus.

4. In the event that it should become necessary, in order to operate, enlarge, repair, reconstruct or maintain said improvement, to disturb the surface of the ground, the Party of the Second Part shall restore the same to its former level. It will not be the responsibility of the Party of the Second Part to replace in kind any improvements that might be constructed over the easement area.

5. It is understood and agreed that this agreement shall not be assigned or transferred without the written consent of the Department of Administrative Services.

THE STATE OF OHIO
PARTY OF THE FIRST PART

By JAMES A. RHODES, Governor

By R. L. KRABACH, Director
Department of Administrative Services

CITY OF COLUMBUS, OHIO
PARTY OF THE SECOND PART

By ROBERT C. PARKINSON, Director
Department of Public Service

The foregoing instrument was acknowledged before me this ____ day of _____, 19____.

Title or Rank

Title or Rank

Witnesses as to Signature of Party of the Second Part

APPROVED: _____, 19____

ATTORNEY GENERAL OF OHIO

effect and be in force from and after the earliest period allowed by law.

Passed July 28, 1975.

M. D. PORTMAN,

President of Council.

Approved July 28, 1975.

ROBERT C. PARKINSON, Acting Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1330-75—To grant a variance from the provisions of Section 3331.06 C-4 Commercial District, Columbus City Codes, 1959, to Interstate Brands Corporation, the lessee of property at 2771 South High Street, for the construction of a bakery goods storage and retail sales facility.

Whereas, the premises known at 2771 South High Street are located in a C-4 Commercial District; and,

Whereas, Section 3331.06 of the Columbus City Code prohibits the Division of Zoning from issuing a Certificate of Zoning Clearance for the establishment of a facility for storage as well as retail sale of baked goods on the tract of land located at 2771 South High Street; now, therefore,

Be it ordained by the Council of the City of Columbus:

Section 1. That Interstate Brands Corporation, the lessee of the subject tract at 2771 South High Street, Columbus, Ohio, (and being more particularly described as:

Situate in the State of Ohio, County of Franklin, City of Columbus, being located in Section 9, Township 4, Range 22, United States Military Lands and being part of the 1.374 acre tract conveyed to Standard Life Insurance Company of Indiana, by deed of record in Deed Book 2915, Page 169, also being part of that tract of land conveyed to The Zenith Holding and Trading Corporation, by deed of record in Deed Book 2016, Page 170, all references being to records of the Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point in the centerline of South High Street (U.S. Route 23), said point being located South 2° 35' East, 180.06 feet from the intersection of said centerline with the centerline of Alcott Road;

Thence, along said centerline of South High Street, South 2° 35' East, 125.0 feet to a point;

Thence, North 88° 59' West, 209.85 feet to a point in the easterly line of "SCIOTO VILLAGE", of record in Plat Book 29, Pages 40 and 41;

Thence, along said easterly line of "SCIOTO VILLAGE", North 2° 35' West, 125.0 feet to a point;

Thence, South 88° 59' East, 209.85 feet to the place of beginning, containing 0.859 acre, more or less.)

Be and it hereby is granted a variance from the provisions of Section 3331.06 (C-4, Commercial District) of the Columbus City Code, 1959, insofar as said section prohibits the establishment of a storage as well as retail sale facility in a C-4 Commercial District, and therefore prevents Interstate Brands Corporation from establishing a retail sale and storage facility on the subject premises.

Section 2. That this ordinance is conditioned and shall be in effect only for so long as:

1. Said property is used solely for retail sale and storage of baked goods.

2. The retail sale and storage facility is constructed and maintained in accordance with the plans identified as Interstate Brands Corporation—Depot Building and with the plot plan attached thereto, which plans and plot plan are on file with the Office of the Department of Development, Division of Zoning, Columbus, Ohio. The development shall conform to all other Columbus City Codes.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 28, 1975.

M. D. PORTMAN,

President of Council.

Approved July 28, 1975.

ROBERT C. PARKINSON, Acting Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1331-75—To establish the grades of Lone Eagle Street and Krieger Court, between specified limits in Southwest Airport Industrial Park, Section 5, Part II, in connection with the private improvement of the streets; and to approve plan and

Be it ordained by the Council of the City of Columbus:

Section 1. That the grade of the following streets, between the limits specified, be and the same are hereby established as of record and shown on Plan 2718, Drawer D, on file in the Office of the City Engineer, Division of Engineering and Construction, which plan and the specifications therefor are hereby approved:

Lone Eagle Street, from Alkire Road to Service Road South of Georgesville Road; Krieger Court, from Lone Eagle Street to point 541'± East of Lone Eagle Street.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 28, 1975.

M. D. PORTMAN,

President of Council.

Approved July 28, 1975.

ROBERT C. PARKINSON, Acting Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1332-75—To establish the grade of Cobblestone Drive Extension, between specified limits, in connection with the private improvement of the street; and to approve plan and specifications therefor.

Be it ordained by the Council of the City of Columbus:

Section 1. That the grade of Cobblestone Drive Extension, from 301'± North of Country Corner Drive to 400'± North of Country Corner Drive, be and the same is hereby established as of record and shown on Plan 2724, Drawer D, which plan and the specifications therefor, on file in the Office of the City Engineer, Division of Engineering and Construction, are hereby approved.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 28, 1975.

M. D. PORTMAN,

President of Council.

Approved July 28, 1975.

ROBERT C. PARKINSON, Acting Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1333-75—To establish the grades of Coghill Drive, Heaton Road, Brittany Road, Judwick Drive and Dunlap Road, between specified limits in Northland Village East, in connection with the private improvement of the streets; and to approve plan and specifications therefor.

Be it ordained by the Council of the City of Columbus:

Section 1. That the grades of the following streets, between the limits specified, be and the same are hereby established as of record and shown on Plan 2708, Drawer D, on file in the Office of the City Engineer, Division of Engineering and Construction, which plan and the specifications therefor are hereby approved:

Coghill Drive, from a point 290'± East of Lyle Road to Heaton Road;

Heaton Road, from Dandridge Drive to Coghill Drive;

Brittany Road, from Heaton Road to a point 142'± West of Brittany Court West;

Judwick Drive, from a point 353'± East of Lyle Road to Dunlap Road;

Dunlap Road, from Brittany Road to Denise Drive.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 28, 1975.

M. D. PORTMAN,

President of Council.

Approved July 28, 1975.

ROBERT C. PARKINSON, Acting Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1334-75—To vacate Violet Street, from Eureka Avenue 120.50' eastwardly. Whereas, petition, signed by the owners of all lots and lands abutting upon Violet Street, from Eureka Avenue to 120.50' eastwardly, was duly presented to this Council, praying for and consenting to the vacation of said portion of the street, and

Whereas, Council, upon hearing, is satisfied that there is good cause for such vacation as prayed for in said petition, that it will not be detrimental to the general interests and ought to be made; now

Be it ordained by the Council of the City of Columbus:

Section 1. That Violet Street, extending from the east line of Eureka Avenue 120.50' eastwardly, be and the same is hereby vacated.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 28, 1975.

M. D. PORTMAN,
President of Council.

Approved July 28, 1975.

ROBERT C. PARKINSON, Acting Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1335-75—To vacate Meek Avenue and the alley south of John Street, between specified limits.

Whereas, petition, signed by the owners of all lots and lands abutting upon Meek Avenue, from John Street to alley south of John Street, and the alley south of John Street, from Meek Avenue to western terminus, was duly presented to this Council, praying for and consenting to the vacation of said street and alley, between the points mentioned, and

Whereas, Council, upon hearing, is satisfied that there is good cause for such vacations as prayed for in said petition, that they will not be detrimental to the general interests and ought to be made; now, therefore,

Be it ordained by the Council of the City of Columbus:

Section 1. That Meek Avenue, extending from the south line of John Street, to the south line of the

First alley south of John Street, extending from the west line of Meek Avenue to western terminus, be and the same are hereby vacated.

Section 2. That the City of Columbus reserves the right to operate and maintain any and all sewers, water lines and any other public utilities owned by the City, and that the right is reserved to operate and maintain any other public utilities, if any, now existing on or in said street and alley hereby vacated, and shall have the right to enter thereon at any time for the purpose of replacing, operating and maintaining the same.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 28, 1975.

M. D. PORTMAN,
President of Council.

Approved July 28, 1975.

ROBERT C. PARKINSON, Acting Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1337-75—To grant a variance from Section 3369.01(a), Rear Yard Setbacks, of the Columbus City Codes, to Sue H. Larsen, the owner of 540 South Fifth Street, for the establishment of a frame addition to the rear of the existing brick structure at said address, and to declare an emergency.

Whereas, Section 3369.01(a), Columbus City Codes, sets forth requirements for back yard set backs; and

Whereas, Sue H. Larsen, the owner of 540 So. Fifth St. is now requesting permission to construct an addition which will occupy 436 square feet of lot area, which will not comply with Section 3369.01(a), Columbus City Codes; and

Whereas, an emergency exists within the Division in that it is necessary that this Ordinance take effect and be in force immediately, thereby preserving the public peace, health, safety and welfare; now, therefore,

Be it ordained by the Council of the City of Columbus:

Section 1. That Sue H. Larsen, the owner of 540 So. Fifth St., (a/k/a being a part of the South one-half of Lot No. 24 of Samuel Parson's Addition, as the same is numbered and delineated upon the recorded plat, of record in Plat Book 1, Pages 48 and 49, Recorder's Office, Franklin County, Ohio, be and hereby is granted a variance from the provisions of Section 3369.01(a) of the Columbus City Codes, insofar as said section prohibits the construction of an addition to the existing brick structure on said property, which addition will occupy 436 square feet of lot area.

Section 2. That for the reasons stated in the preamble hereto, which are hereby made a part hereof, this Ordinance is declared to be an emergency measure and

shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.

Passed July 28, 1975.

M. D. PORTMAN,

President of Council.

Approved July 28, 1975.

ROBERT C. PARKINSON, Acting Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1338-75—To authorize and direct the Director of Finance to extend the Police and Professional Liability contract for a one year period with options to renew the following two years at the same premium rate and to authorize the expenditure of \$90,000 or so much thereof as may be necessary from Fund No. 0100, Department No. 218, Code 300 to pay premium for the period September 1, 1975 through August 31, 1976. (\$90,000).

Whereas, the City of Columbus did enter into a one year agreement with the American Home Assurance Company for group liability insurance for eligible City employees and this agreement expires August 31, 1975; and

Whereas, it is necessary to continue to provide this group liability insurance protection for eligible City employees, thereby preserving the public safety, property, health and welfare of the City of Columbus, now, therefore

Be it ordained by the Council of the City of Columbus:

Section 1. That the Director of Finance is hereby authorized and directed to extend Contract No. 304984 with American Home Assurance Company for a one year period September 1, 1975 through August 31, 1976 with two one year options to renew.

Section 2. That the expenditure of \$90,000 or so much thereof as may be necessary from Fund 0100, Department No. 218, Code 300 to the premium costs for the group liability insurance for the period September 1, 1975 through August 31, 1975, is hereby authorized and directed.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed July 28, 1975.

M. D. PORTMAN,

President of Council.

Approved July 28, 1975.

ROBERT C. PARKINSON, Acting Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1344-75—To provide for the renewal of Street Lighting Improvement Note Series No. 240 in the principal sum of \$27,083.53, and to declare an emergency. (\$27,083.53)

Whereas, pursuant to Ordinance No. 1257-74 passed July 22, 1974, this Council authorized and issued a note in the principal amount of \$27,083.53 designated "Street Lighting Improvement Note Series No. 240," dated August 26, 1974 and maturing August 26, 1975; and

Whereas, it is necessary to renew said note for an additional term; and

Whereas, the City Auditor has issued his certificate as to the estimated life of the improvements proposed to be made from the proceeds hereinafter referred to as exceeding five (5) years and has further certified the maximum maturity of such notes as five (5) years; and

Whereas, an emergency exists in the usual daily operation of the Department of Finance in that it is necessary to renew said Note No. 240 when the same matures and thereby protect the credit of the City and protect the public health, peace, and safety; now, therefore,

Be it ordained by the Council of the City of Columbus:

Section 1. That it is deemed necessary to issue bonds of the City of Columbus in anticipation of the collection of special assessments, in the principal sum of \$27,083.53, in order to provide funds for the improvement of South Hague Avenue from Vanderberg Avenue to Briggs Road by installing lighting poles and fixtures, installing power cables, constructing control facilities, and doing such other things as may be necessary.

Said bonds shall be of the denomination of \$1,000 each except Bond No. 1; shall be dated September 1, 1976; shall bear interest at a rate of not more than eight (8) per cent per annum, payable semi-annually; and shall mature in ten

(10) equal installments after the date of their issuance.

Section 2. That for the purpose of raising money in anticipation of the levy of special assessments, and in anticipation of the issuance of bonds in anticipation of the collection of special assessments for the improvement of the above-named street, in accordance with the legislation heretofore passed by the City Council with respect thereto, to pay the property owners share of the cost and expense of said improvement and to renew the outstanding note issued for said purpose, a note of the said City shall be issued in the amount of Twenty-Seven Thousand Eighty-Three Dollars and Fifty-Three Cents (\$27,033.53), which shall be placed to the credit of the appropriate fund.

Provided, however, that the appropriation hereinabove made for the improvement of the street above listed is subject to the qualifications that interest at the rate of eight (8) per cent per annum for the period of twelve (12) months, cost of printing notes and bonds, advertising and legal fees, have been included in said amount and the amount necessary to pay said costs is hereby appropriated for the payment thereof and for no other purpose, and the amount above set forth shall be reduced by its proportionate amount for the payment of said costs.

Section 3. That said note shall state upon its face the purpose for which it is issued and that it is issued pursuant to this Ordinance and pursuant to Section 133.01 to 133.48, inclusive, of the Revised Code of Ohio; that said note shall bear date of August 26, 1975, and be due and payable on or before August 26, 1976.

Said note shall bear interest at the rate of 5.70 per cent per annum, payable at maturity. Principal and interest shall be payable at the office of the Treasurer of the City of Columbus, Ohio.

Section 4. Said note shall be executed by the Mayor and City Auditor or City Finance Director and bear the seal of the corporation; shall be designated "Street Lighting Improvement Note Series No. 240".

Section 5. Subject to the rejection of said note by the officers of the Sinking Fund, said note shall be and hereby is awarded and sold to THE HUNTINGTON NATIONAL BANK OF COLUMBUS at the par value thereof, plus the premium offered and bearing the aforesaid rate of interest, and the Finance Director is hereby authorized and directed to deliver said note, when executed, to said purchaser upon payment of such purchase price and accrued interest to the date of delivery. The proceeds of such sale shall be deposited in the City Treasury in the proper fund to be designated by the City Auditor.

Section 6. After said improvements are completed and the costs thereof ascertained, Council shall by ordinance assess upon the benefited property in the manner provided in the legislation, referring to said improvements and heretofore adopted by this Council, the entire cost and expense thereof, except the portion to be paid by the City in accordance with the provisions of the Revised Code of Ohio, and with Section 176 of the Charter of the City, and shall authorize the issuance of bonds in anticipation of the collection of said assessments in amount substantially equal thereto under the provisions of Section 133.31 of the Ohio Revised Code and Section 189 of the Charter. The proceeds from the sale of such bonds and any unexpended balance in the improvement fund remaining after the completion of said improvements shall be used for the payment of the note authorized by this Ordinance and for no other purpose.

Section 7. All assessments collected for the improvements and unexpended balances remaining in the funds, after the cost and expense of the improvements have been paid, shall be applied to the payment of the note and the interest thereon until both are fully provided for. Thereafter said assessments shall be applied to the payment of said bonds and interest thereon. In the event that said assessments are not levied or said bonds are not issued, then there shall be levied upon all the taxable property in the City of Columbus a general ad valorem tax sufficient to pay said note and the interest thereon. A certified copy of this Ordinance shall be certified to the County Auditor as required by Sections 133.01 to 133.48, inclusive, of the Revised Code.

Section 8. Said note shall be the full general obligation of the City of Columbus, Ohio, and the full faith, credit and