

the centerline of said Linworth Road and with a westerly line of said Parcel II, a distance of 523.09 feet to a northwesterly corner of said Parcel II, the same being the southwesterly corner of that 0.240 acre tract of land referred to as PARCEL NO. 2 and described in a deed to James Retherford and Jean Retherford, of record in Deed Book 3571, Page 559;

Thence S 89 degrees 19' 31" E, with a northerly line of said PARCEL II and with the southerly line of said PARCEL NO. 2, a distance of 31.59 feet to a point;

Thence S 18 degrees 25' 09" W, parallel with and 30.00 feet easterly from, as measured at right angles, the centerline of said Linworth Road, a distance of 531.39 feet to a point;

Thence S 13 degrees 27' 22" W, parallel with and 30.00 feet easterly from, as measured at right angles, the centerline of said Linworth Road, a distance of 118.27 feet to a point in the southerly line of said PARCEL II and in a northerly line of said Phillipswood Subdivision;

Thence N 84 degrees 18' 31" W, with a southerly line of said Parcel II and with said northerly line of Phillipswood Subdivision, a distance of 30.28 feet to the point of beginning and containing 0.446 acres of land, more or less.

Subject to all rights-of-ways, easements and restrictions, if any, of previous record. Also subject to all legal highways.

Section 2. That the premises so deeded and dedicated be and the same are hereby named in Linworth Road.

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

Passed August 1, 1977.

M. D. PORTMAN,

President of Council.

Approved August 1, 1977.

TOM MOODY, Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1414-77—To accept the general warranty deed of Tussing Road Investment Company, dated June 23, 1977; to dedicate the premises therein conveyed for public roads and highway purposes; and to name same Tussing Road.

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

Section 1. That the General Warranty Deed of Tussing Road Investment Company, dated June 23, 1977, for the hereinafter described real estate, be and the same is hereby accepted and the premises so deeded be and the same are hereby dedicated for public roads and highway purposes:

Situated in the State of Ohio, County of Franklin, City of Columbus, and being located in Half Section 42, Section 24, Township 12, Range 21, Refugee Lands and being 0.491 acre of the tract conveyed to Tussing Road Investment Company, by deed of record in Deed Book 3592, Page 603, all references being to records of the Recorder's Office, Franklin County, Ohio, and being more particularly bounded and described as follows:

Beginning at a point in the northerly right-of-way line of Tussing Road at the southeasterly corner of the County of Franklin 28.00 acre tract of record; in Deed Book 3563, Pg. 171;

thence South 86° 28' 29" East (being 40.0 northerly at right angles from the centerline of said Tussing Road), 535.0 feet to a point;

thence South 3° 59' 15" West, 40.0 feet to a point in the centerline of Tussing Road;

thence along the centerline of said Tussing Road, North 86° 28' 29" West, 535.0 feet to a point;

thence North 3° 59' 15" East, 40.0 feet to the place of beginning, containing 0.491 acre, more or less.

Section 2. That the premises so deeded and dedicated be and the same are hereby named Tussing Road.

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

Passed August 1, 1977.

M. D. PORTMAN,

President of Council.

Approved August 1, 1977.

TOM MOODY, Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1415-77—To accept the Right of Entry and easements Deed from John M. Sears and Lillian D. Sears, dated March 24, 1977; and to use the premises

therein conveyed for the purpose of constructing FRA C.R. 75, Cleveland Avenue Improvement Project.

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

Section 1. That the Right of Entry and easements Deed from John M. Sears and Lillian D. Sears, dated March 24, 1977, be and the same is hereby accepted and the premises so deeded that the City of Columbus is granted the right to enter upon and to have exclusive possession of the hereinafter described real estate on and after March 31, 1977, for the purpose of constructing FRA C.R. 75, Cleveland Avenue Improvement Project:

Parcel 21S-WD

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Range 18, Township 1, Quarter Township 1, United States Military Lands, and lying on the right side of the centerline of survey of relocated Cleveland Avenue, of record in Deed Book 3572, Pages 699 through 703, and being more particularly described as follows:

Commencing at the intersection of the centerline of Sale Road and the centerline of Cleveland Avenue; thence North 38° 35' 21" East, 4.46 feet to the grantors' southwest property corner and true point of beginning, said point being Station 93+94.66 in the centerline of the above-mentioned survey; thence along the grantors' westerly property line and the centerline of survey North 36° 35' 21" East, 60.00 feet to Station 94+54.66; thence along the grantors' northerly property line South 87° 09' 09" East, 47.94 feet to a point 40.00 feet right of Station 94+80.39; thence along the proposed Right-of-Way line along an arc to the right 11.74 feet along with a radius of 517.46 feet, the chord of which bears South 35° 56' 25" West, 11.74 feet to a point 40.00 feet right of Station 94+69.55; thence continuing along the proposed Right-of-Way line South 36° 35' 21" West, 48.17 feet to a point 40.00 feet right of Station 94+21.38; thence along the grantors' southerly property line North 87° 09' 09" West, 48.10 feet to the point of beginning, containing 2399 square feet, more or less inclusive of the present road which occupies 1,800 square feet, more or less.

Parcel 166-WD

Being in Lot 139 of Elmore Addition, and lying on the right side of the centerline of survey of relocated Cleveland Avenue and being more fully described as follows:

Beginning at the southwest corner of Lot 139, said point being 30.00 feet right of Station 73+03.24 in the centerline of the above-mentioned survey; thence along the grantors' westerly property line North 36° 35' 21" East 70.31 feet to a point 30.00 feet right of Station 73+73.55; thence along the grantors' northerly property line South 86° 23' 43" East 11.92 feet to a point 40.00 feet right of Station 73+80.04; thence along the proposed Right-of-Way line South 36° 35' 21" West 70.31 feet to a point 40.00 feet right of Station 73+09.73; thence along the grantors' southerly property line North 86° 23' 53" West 11.92 feet to the point of beginning, containing 703 square feet, more or less.

Parcel 165-T

Being in Lot 139 of Elmore Addition, and lying on the right side of the centerline of survey of relocated Cleveland Avenue and being more fully described as follows:

Beginning at a point in the grantors' southerly property line, said point being 40.00 feet right of Station 73+09.73 in the centerline of the above-mentioned survey; thence along the proposed right-of-way line northerly to a point 40.00 feet right of Station 73+80.04; thence, along the grantors' northerly property line easterly to a point 45.00 feet right of Station 73+83.28; thence along the proposed easement line southerly to a point 45.00 feet right of Station 73+12.97; thence along the grantors' southerly property line westerly to the point of beginning, containing 332 square feet, more or less.

Parcel 234-WD

Situated in the City of Columbus, County of Franklin, and State of Ohio, and being in Lot 324 of North Linden Addition No. 2, and lying on the left side of the centerline of survey of relocated Cleveland Avenue, and being more particularly described as follows:

Beginning at a point in the grantors' southerly property line, said point being 40.00 feet left of Station 97+78.39; thence along the proposed Right-of-Way line 51° 17' 17" East 26.15 feet to a point 40.00 feet left of Station 97+93.00; thence along the grantors' easterly property line South 63° 43' 41" West 16.48 feet to the point of beginning, containing 163 square feet, more or less.

Parcel 234-T—Construction Easement

Also a construction easement to be used during the period of construction only, which period shall commence when construction begins on said project, and being in Lots 324 and 325 of North Linden Addition No. 2, and lying on the left side of the centerline of survey of relocated Cleveland Avenue, and being more particularly described as follows:

Beginning at the grantors' northeast property corner, said point being 40.00 feet left of Station 99+25.24 in the centerline of the above-mentioned survey; thence along the grantors' easterly property line southerly to a point 40.00 feet left of Station 97+95.00; thence along the proposed Right-of-Way line southwesterly to a point 44.00 feet left of Station 97+91.71; thence along the proposed easement line the following five courses: northerly to a point 44.00 feet left of Station 98+20.00; thence northwesterly to a point 49.00 feet left of Station 98+25.00; thence northerly to a point 49.00 feet left of Station 98+55.00; thence northeasterly to a point 44.00 feet left of Station 98+60.00; thence northerly to a point 44.00 feet left of Station 99+25.21; thence along the grantors' northerly property line easterly to the point of beginning, containing 702 square feet, more or less, to be used for the purpose of constructing a drive and slopes.

Section 2. That the premises so deeded be subject to the following conditions:

Grantors retain the right of ingress and egress to and from any residual area.

Owners hereby covenant with the City of Columbus that they, the true and lawful owners of the above described real estate, and they are lawfully seized of the same in fee simple and have good right and full power to grant this right of entry.

The City of Columbus shall either (1) complete negotiations by reaching agreement with respect to the conveyance of the necessary interest in the above described real estate, or (2) commence an action to appropriate said interest in the said real estate on or before October 31, 1977.

Owners will not charge the City of Columbus rent or other compensation during the period of time the City occupies the said real estate for the purposes aforesaid under the provisions of this right of entry.

Owners, by granting this right of entry, are not relinquishing any rights whatsoever for value of land taken and damages to the residue, if any, as provided by law.

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

Passed August 1, 1977.

M. D. PORTMAN,

President of Council.

Approved August 1, 1977.

TOM MOODY, Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1416-77—To accept the Deed of Easement from Planned Communities, Inc., dated March 30, 1977; and to dedicate the premises therein conveyed for the purpose of constructing, operating, maintaining or replacing a storm sewer.

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

Section 1. That the Deed of Easement from Planned Communities, Inc., dated March 30, 1977, for the hereinafter described real estate, be and the same is hereby accepted and the premises so deeded be and the same are hereby dedicated for the purpose of constructing, using and maintaining a sanitary sewer and appurtenant works in said strip, including the right to clean, repair and care for said sewer together with the right of access to said strip for said purpose:

Situated in the State of Ohio, County of Franklin, City of Columbus, being a strip of land 10 feet in width along the entire west boundary of Lot #165, Olentangy Highlands Section #3, and recorded in Deed Book 3574, Page 647, Recorder's Office, Franklin County, Ohio.

Section 2. That this ordinance shall take effect and be in force from and after the