

ORD. No. 1688-72—To accept the special warranty deed of Colony Bazaar-Joint Venture, dated October 16, 1972; to dedicate the premises therein conveyed to public use; and to name same Kenny Road.

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

Section 1. That the special warranty deed of Colony Bazaar-Joint Venture, dated October 16, 1972, for the following described real estate, be and the same is hereby accepted and the premises so deeded be and the same are hereby dedicated to public use for street and roadway purposes:

Situated in the State of Ohio, County of Franklin, City of Columbus, being in Section 1, Township 7, Range 19, United States Military Lands, containing 0.432 acres of land, more or less, said 0.432 acres being out of that 27.797 acre tract of land described in a deed to The Colony of Columbus, of record in Deed Book 2940, Page 491, Recorder's Office, Franklin County, Ohio, said 0.432 acre tract being more particularly described as follows:

Beginning at a point in the centerline of Kenny Road, the same being in the westerly line of said 27.797 acre tract, the same also being the southwesterly corner of that 0.498 acre tract of land referred to as Parcel 1 and described in a deed to the trustees of C. I. Realty Investors, of record in Deed Book 3238, Page 156, Recorder's Office, Franklin County, Ohio, said beginning point being located S 4° 33' 00" W, a distance of 542.94 feet from the northwesterly corner of said 27.797 acre tract;

Thence, from said point of beginning, S 85° 27' 00" E, with the southerly line of said 0.498 acre tract and, in part, with a southerly line of that 15.700 acre tract of land described in said deed to the trustees of C. I. Realty Investors, of record in Deed Book 3238, Page 156, a distance of 51.63 feet to a point;

Thence S 1° 20' 49" E, a distance of 173.89 feet to a point;

Thence S 3° 32' 27" W, a distance of 129.99 feet to a point;

Thence N 67° 19' 43" W, a distance of 75.54 feet to a point in the centerline of said Kenny Road, the same being in the westerly line of said 27.797 acre tract;

Thence N 4° 33' 00" E, with the centerline of said Kenny Road and with the westerly line of said 27.797 acre tract, a distance of 279.45 feet to the point of beginning and containing 0.432 acres of land, more or less.

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

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

Passed November 20, 1972.

M. D. PORTMAN,

President of Council.
Approved November 20, 1972.

TOM MOODY, Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1689-72—To accept instruments recorded in the Franklin County Recorder's Office for land acquired for various improvements; to dedicate premises therein conveyed to public use; and to name same Frank-Refugee Road, Brice Road and Frebis Avenue.

Whereas, various instruments vesting title in the name of the City of Columbus have been secured by the Land Acquisition Division, and

Whereas, such instrument should be accepted by the City of Columbus, Ohio; now, therefore,

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

Section 1. That the following instruments recorded in the Franklin County Recorder's Office, for land acquired for various improvements, be and the same are hereby accepted and the premises so deeded be and the same are hereby dedicated to public use for street and highway purposes:

FRANK-REFUGEE ROAD

No. 21500, Volume 3261, Pages 512-513, entry, Parcels 6-WL, 9-WL, Eber Wears, et al.;

No. 21501, Volume 3261, Pages 514-515, entry, Parcel 126-WL, Clair O'Hara, et al.;

No. 26916, Volume 3276, Pages 589-590-591, entry, Parcel 88A-WD, Peter Hartung, Jr., et al.;

BRICE-GENDER-WRIGHT INTERCONNECTOR

No. 28547, Volume 3281, Pages 264-265-266, warranty deed, Parcel 34, The Standard Oil Company;

No. 28548, Volume 3281, Pages 267-268-269, warranty deed, Parcel 34B, Hospitality Motor Inns;

FREBIS AVENUE GRADE SEPARATION
No. 24224, Volume 3269, Pages 263-264, warranty deed, Parcel 14, Ray E. Wimer, et al.

Section 2. That the premises so deeded and dedicated be and the same are hereby named Frank-Refugee Road, Brice Road, Frebis Avenue.

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

Passed November 20, 1972.

M. D. PORTMAN,

President of Council.
Approved November 20, 1972.

TOM MOODY, Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1690-72—To give City consent to the Director of Highways of the State of Ohio, for the improvement of Grandview Avenue, between specified limits, a portion of which lies within the Corporate Limits of the City of Columbus.

Whereas, the Director of Highways is considering improving a portion of the public highway which is described as follows:

Grandview Avenue between Dublin Road and Goodale Boulevard by widening the existing pavement to four 12 foot lanes with turning lanes at Dublin Road and Goodale Boulevard, and resurfacing entire project.

In particular that portion of the project within the corporate limits of the City of Columbus along Grandview Avenue, and

Whereas, City consent to the improvement should be given; now, therefore,

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

Section 1 (Consent). That it is declared to be in the public interest that the consent of said City be and such consent is hereby given to the Director of Highways to construct the above described improvement, in accordance with plans, specifications and estimates as approved by the Director, and the City further consents that funds provided for by Amended Senate Bill No. 428, passed by the 108th General Assembly of Ohio shall be used to finance said improvement in accordance with the provisions of Ohio Department of Highways, "Procedure Manual, State Issue I Funds".

Section 2 (Cooperation). That said City hereby proposes to cooperate with the State of Ohio, in the cost of the above described improvement as follows: No participation requested.

Section 3 (Authority to Sign). That the Director of Public Service of said City is hereby empowered and directed on behalf of the City to enter into agreements with the Director of Highways necessary to complete the planning and construction of this improvement.

Section 4 (Traffic Control Signals and Devices). That traffic control signals will not be installed on the project without prior approval by the State.

Section 5 (Maintenance and Parking). That upon completion of said improvement, said City will thereafter keep said highway open to traffic at all times, and (a) Maintain the improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provisions for such maintenance; and (b) Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the State of Ohio and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits; and (c) Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and (d) Regulate parking in the following manner: Prohibit parking at all times.

Section 6 (Right-of-Way, Utility Rearrangement and Saving the State of Ohio Harmless of Damages):

(a) That all existing street and public way right-of-way within the City which is necessary for the aforesaid improvement, shall be made available therefor.

(b) That the Municipality will acquire any additional right-of-way required for

the construction of the aforesaid improvement.

(c) That arrangements have been or will be made with and agreements obtained from all public utility companies whose lines or structures will be affected by the said improvement and said companies have agreed to make any and all necessary plant removals or rearrangements in such a manner as to be clear of any construction called for by the plans of said improvement and said companies have agreed to make such necessary rearrangements immediately after notification by said City or the Department of Highways.

(d) That it is hereby agreed that the City shall at its own expense, make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other municipally owned utilities and/or any appurtenances thereto, whether inside or outside the corporate limits as may be necessary to conform to the said improvement and said rearrangements shall be done at such time as requested by the Department of Highways Engineer.

(e) That the construction, reconstruction, and/or rearrangement of both publicly and privately owned utilities, referred to in subsections (c) and (d) above, shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the improvement and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provisions of the Ohio Department of Highways Construction and Material Specifications and shall be subject to approval by the State.

(f) That the installation of all utility facilities on the right of way shall conform with the requirements of the Federal Highway Administration Policy and Procedure Memorandum 30-4 "Utility Relocations and Adjustments".

(g) That said City hereby agrees that the said Department of Highways of the State of Ohio shall be and is hereby saved harmless from any and all damages or claims thereof arising from or growing out of the certification or obligations made or agreed to in Sections (a), (b), (c), (d) and (e) hereinabove.

Section 7 (Enactment Clause). That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed November 20, 1972.

M. D. PORTMAN,

President of Council.
Approved November 20, 1972.

TOM MOODY, Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 1691-72—To vacate Edward Street, from Washington Avenue to the Fort Hayes Interchange.

Whereas, petition, signed by the owners of all lots and lands abutting upon Edward Street, from Washington Avenue to the Fort Hayes Interchange, was duly presented to this Council, praying for and consenting to the vacation of said street, between the limits specified, 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, therefore,

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

Section 1. That Edward Street, extending from the east line of Washington Avenue eastwardly to the Fort Hayes Interchange, be and the same is 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 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 November 20, 1972.

M. D. PORTMAN,

President of Council.
Approved November 20, 1972.

TOM MOODY, Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.