

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 24, 1989.

JERRY HAMMOND,  
President of Council.

Approved July 26, 1989.

DANA G. RINEHART, Mayor.

Attest:  
TIMOTHY McSWEENEY, City Clerk.

**ORD. No. 1809-89**—To authorize the Director of the Department of Public Service to execute those documents necessary to transfer, to Edward J. Coughlin, excess right-of-way known as the alley south of 11th Avenue between Essex Avenue and Bonham Avenue, to waive the competitive bidding provisions of Chapter 329, Columbus City Codes (1959) Revised and to declare an emergency.

WHEREAS, The City of Columbus is the owner of the property more fully described in Section 1 of this Ordinance; and

WHEREAS, Edward J. Coughlin desires to acquire said property; and

WHEREAS, after investigation it has been determined there are no objections to the sale of said property; and

WHEREAS, the Department of Law, Real Estate Division, has determined a value of \$11,500.00 for said property; and

WHEREAS, a sewer easement in, over, across, under and through said property must be retained for the benefit of the existing sewer facilities; and

WHEREAS, the Land Review Commission, has voted to recommend the sale of said property to Edward J. Coughlin for \$11,500.00; and

WHEREAS, an emergency exists in the usual daily operation of the Director of the Department of Public Service to execute those documents necessary to transfer said property to Edward J. Coughlin, for the immediate preservation of the public health, peace, property, safety, and welfare; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That the Director of the Department of Public Service be and hereby is authorized to execute those documents, prepared by the Department of Law, Real Estate Division, necessary to transfer to Edward J. Coughlin the following described real property:

Being situated in the State of Ohio, County of Franklin, City of Columbus and being all of the 15 ft. alley adjacent to lots 1 thru 5 and lots 10 thru 14 as shown on the recorded plat of Abram, Dow et al. Centennial Park Place Addition as recorded in P. B. 4, Page 148.

Subject to all road records and easements of record.

**Section 2.** That the \$11,500.00 to be collected by the City as consideration for the transfer of said property be deposited in Fund 07-448, Project 448650.

**Section 3.** That a sewer easement in, over, across, under and through said property be and hereby is retained for the benefit of existing sewer lines.

**Section 4.** That this Council has determined it is in the best interest of the Citizens of the City to waive the competitive bidding provisions of Columbus City Codes, Chapter 329, thereby allowing the transfer of this right-of-way without bids and does hereby so waive the requirements.

**Section 5.** That for reasons stated in the preamble hereto, which is 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 24, 1989.

JERRY HAMMOND,  
President of Council.

Approved July 26, 1989.

DANA G. RINEHART, Mayor.

Attest:  
TIMOTHY McSWEENEY, City Clerk.

**ORD. No. 1810-89**—To authorize the Director of the Department of Public Service to execute those documents necessary to transfer,

to Milk Marketing Inc., excess right-of-way known as the alley south of 11th Avenue between Daugherty Street and Fields Avenue, to waive the competitive bidding provisions of Chapter 329, Columbus City Codes (1959) Revised and to declare an emergency.

WHEREAS, The City of Columbus is the owner of the property more fully described in Section 1 of this Ordinance; and

WHEREAS, Milk Marketing Inc., desires to acquire said property; and

WHEREAS, after investigation it has been determined there are no objections to the sale of said property; and

WHEREAS, the Department of Law, Real Estate Division, has determined a value of \$14,900.00 for said property; and

WHEREAS, the Land Review Commission, has voted to recommend the sale of said property to Milk Marketing, Inc., for \$14,900.00; and

WHEREAS, an emergency exists in the usual daily operation of the Director of the Department of Public Service to execute those documents necessary to transfer said property to Edward J. Coughlin, for the immediate preservation of the public health, peace, property, safety, and welfare; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That the Director of the Department of Public Service be and hereby is authorized to execute those documents, prepared by the Department of Law, Real Estate Division, necessary to transfer to Milk Marketing, Inc., the following described real property:

Being situated in the State of Ohio, County of Franklin, City of Columbus and being a 16 ft. alley adjacent to lots 11 thru 22 and lots 24 thru 36 as shown on the recorded plat of Benjamin J. Monett's State Fair Park Addition as recorded in P. B. 5, Pages 486 and 487.

Subject to all road records and easements of record.

**Section 2.** That the \$14,900.00 to be collected by the City as consideration for the transfer of said property be deposited in Fund 07-448, Project 448650.

**Section 3.** That this Council has determined it is in the best interest of the Citizens of the City to waive the competitive bidding provisions of Columbus City Codes, Chapter 329, thereby allowing the transfer of this right-of-way without bids and does hereby so waive the requirements.

**Section 4.** That for reasons stated in the preamble hereto, which is 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 24, 1989.

JERRY HAMMOND,  
President of Council.

Approved July 26, 1989.

DANA G. RINEHART, Mayor.

Attest:  
TIMOTHY McSWEENEY, City Clerk.

**ORD. No. 1811-89**—To authorize the Director of the Department of Public Service to execute those documents necessary to transfer excess City right-of-way in the vicinity of James and Stelzer Roads to Dale Property Company, to waive the competitive bidding provisions of Columbus City Code (1959) Revised and to declare an emergency.

WHEREAS, the City of Columbus is the owner of the real estate more fully described in Section 1 of this Ordinance; and

WHEREAS, Dale Property Company desires to acquire said property; and

WHEREAS, after investigation it has been determined there are no objections to a transfer of said property; and

WHEREAS, the Department of Law, Real Estate Division, has established a value of \$15,500.00 and underlying fee interest in the \$15,500.00 and underlying fee interest in the adjacent James Road and Stelzer Road rights-of-way to be a fair value for the City to receive as compensation for this transfer; and

WHEREAS, Land Review Commission has voted to recommend the transfer of said City owned property for the recommended consideration; and

WHEREAS, an emergency exists in the usual daily operation of the Director of the Department of Public Service to execute those documents necessary to transfer excess City owned right-of-way to Dale Property Company for the immediate preservation of the public health, peace, property, safety, and welfare; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That the Director of the Department of Public Service be and hereby is authorized to execute those documents, approved by the Department of Law, Real Estate Division, necessary to transfer, to Dale Property Company, the following described real property:

Situated in the State of Ohio, County of Franklin, City of Columbus, in Section 6, Township 12 North, Range 21 West, Refugee Lands, and being a portion of a 2.118 acre tract of land conveyed to Immke Circle Leasing, Inc., by deed of record in Deed Book 3550, Page 847, Recorder's Office, Franklin County, Ohio, said portion also being a portion of a 5.892 acre tract of land conveyed as Description Parcel No. 1 — Highway Easement as a relinquishment of James Road Grade Separation Project from the State of Ohio to the City of Columbus, Ohio, by deed of record in Deed Book 3167, Page 440, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point in the east line of Stelzer Road and at a corner of said 5.892 acre tract, said point being 65.00 feet right of centerline station 31 + 00.00 of the centerline of survey for Relocated James Road, as said stationing is shown of record in Plat Book 17, Page 329, Recorder's Office, Franklin County, Ohio;

Thence S 71° 41' 44" E along a line of said 5.892 acre tract a distance of 149.10 feet to a point at a corner of said 5.892 acre tract, said point being 35.00 feet left of centerline station A—3+00.00 for the approach intersection;

Thence N 25° 21' 00" E along a line of said 5.892 acre tract a distance of 54.00 feet to a point at a corner of said 5.892 acre tract, said point being 35.00 feet left of centerline station A—3+54.00 for the approach intersection;

Thence S 64° 39' 00" E along a portion of a line of said 5.892 acre tract a distance of 7.57 feet to a point in the west line of James Road;

Thence S 25° 21' 00" W along the west line of James Road a distance of 177.42 feet to a point of curvature;

Thence southwesterly along the curved northwest line of James Road and with a curve to the right, data of which is: radius = 87.16 feet and delta = 56° 24' 00", a chord distance of 82.38 feet bearing S 53° 33' 00" W to the point of tangency;

Thence S 81° 45' 00" W along the northwest line of James Road a distance of 9.98 feet to a point at the intersection of the northwest line of James Road with the east line of Stelzer Road;

Thence N 5° 14' 01" W along the east line of Stelzer Road a distance of 212.87 feet to the place of beginning;

Containing 0.445 acre of land more or less and being subject to all easements and restrictions of record.

The above description was prepared by Richard J. Bull, Ohio Surveyor No. 4723, of C. F. Bird and R. J. Bull, Ltd., Consulting Engineers & Surveyors, Worthington, Ohio, from best available Court House records in May, 1987, and not from an actual field survey. Basis of bearings is Deed Book 3550, Page 847.

**Section 2.** That a general utility easement in, over, across, under and through said property be and hereby is retained for the benefit of all utilities currently located within the boundaries of said property.

**Section 3.** That the \$15,500.00 cash consideration to be received by the City upon transfer of said property, be deposited in