

the north line of which strip runs with the north line of said lot 120 and extends from a point 18 feet east of the northwest corner of said lot 120 to a point 54 feet east thereof.

The above described easement is for the purpose of constructing, using and maintaining a sanitary sewer, including the right of access to easements for said purposes.

Said grantor does also grant and release to the Grantee, its successors and assigns, for and during the period of construction only, a strip of land 40 feet in width off of the north end of lot 120 of John B. Denune's Amended Fourth and Fifth Addition to East Linden, said strip beginning at the west lot line of lot 120 and extending to the east for a distance of 125 feet in length, more or less, excepting therefrom the permanent easement described and referred to hereinbefore.

Sec. 2. That the description of Parcel No. 8, under Section No. 8, of Ordinance No. 1654-65, passed December 6, 1965, be and the same hereby is amended to read as follows:

Parcel No. 8—Permanent and Construction Easements

Situated in Millfin Township, Franklin County, and State of Ohio, being a part of Quarter Township Number Three (3), Township Number One (1) and Range Number Seventeen (17), United States Military Lands.

Said permanent easement shall be 20 feet in width, 10 feet lying on each side of the following described line, extending and shortening the side lines so as to terminate at the property lines.

Beginning at a point in the east lot line of Lot 121 of John B. Denune's Amended Fourth and Fifth Addition to East Linden, said point being 54.51 feet along the east lot line from the southeast corner; thence N 83° 08' 03" W, a distance of 120.49 feet to a point; thence S 55° 53' 27" W, a distance of 99.50 feet to a point in the south lot line of Lot 121 and there terminate, said point being 75.63 feet along the south lot line from the southwest corner of Lot 121.

The above described easement is for the purpose of constructing, using and maintaining a sanitary sewer, including the right of access to easement for said purposes.

Said Grantor does also grant and release to the Grantee, its successors and assigns, for and during the period of construction only, the land between the above described easement and the south lot line and 40 feet abutting to the north of said easement, as described above, terminating at a line 65 feet from the west lot line of Lot 121.

Sec. 3. That existing description of Strip No. 2, of Parcel No. 7, under Section No. 7 of Ordinance No. 1654-65, passed December 6, 1965, and that existing description of Parcel No. 8, under Section No. 8 of Ordinance No. 1654-65, passed December 6, 1965, be and the same hereby is repealed.

Sec. 4. That in all other respects Ordinance No. 1654-65, passed December 6, 1965, shall remain unchanged.

Sec. 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance shall be declared to be an emergency measure, and shall take effect and be in force from and after its passage and approval by the Mayor.

Passed February 7, 1966.

WILLIAM P. HOERMLE,
President of Council.

Approved February 7, 1966.

M. E. SENSENBRENNER, Mayor.

Attest:
JOHN T. GORDON, City Clerk.

ORD. No. 205-66—To vacate certain streets, alleys, and easements existing within the Market-Mohawk Urban Renewal Project UR Ohio R-14, and to declare an emergency.

Whereas, the City of Columbus has undertaken the Market-Mohawk Ur-

ban Renewal Project and has in Ordinance No. 1534-63 passed December 16, 1963, indicated its intention to vacate certain streets and alleys together with all easements within the area as part of the project; and

Whereas, the City has entered into certain agreements to sell land within this project area including the streets and alleys herein described; and

Whereas, the City has prepared certain plats for the project; and

Whereas, the hereinafter described streets and alleys must be vacated before said plats can be recorded at the Franklin County Recorder's Office; and

Whereas, an emergency exists in the usual daily operation of the Department of Urban Renewal in that it is necessary to vacate certain areas of the Market-Mohawk Urban Renewal Project in order to insure that the orderly redevelopment of said project may proceed without delay, all for the immediate preservation of the public health, peace, safety and welfare; now, therefore,

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

Section 1. That all of the streets, alleys, and easements within the areas described below be and the same are hereby vacated:

Area 1

All of the streets, alleys and easements existing within the area bounded by the southerly right-of-way line of Town Street; the easterly right-of-way line of Third Street; the northerly right-of-way line of Rich Street; and the westerly right-of-way line of Fourth Street, such vacation of streets, alleys and easements to include but not be limited to all of Walnut Street beginning from an extension of the easterly right-of-way line of Third Street; thence in an easterly direction approximately 378.50 feet to an extension of the westerly property line of Franklin County Parcel No. 66773; all of Lazelle Street beginning from an extension of the northerly right-of-way line of Rich Street; thence in a northerly direction to an extension of the southerly right-of-way line of Town Street; all of Market Street beginning from an extension of the northerly right-of-way line of Walnut Street; thence in a northerly direction to an extension of the southerly right-of-way line of Town Street; all of Anderson Alley beginning from an extension of the easterly right-of-way line of Lazelle Street; thence in an easterly direction to an extension of the westerly right-of-way line of Market Street; and all of an unnamed alley, said alley being located 113 feet east of the easterly right-of-way line of Lazelle Street and extending from an extension of the northerly right-of-way line of Rich Street; thence in a northerly direction to an extension of the southerly right-of-way line of Walnut Street.

Area 2

All of the streets, alleys and easements existing within the area bounded by the southerly right-of-way line of Town Street; the easterly right-of-way line of vacated Sixth Street; the northerly right-of-way line of Rich Street; and the westerly right-of-way line of Grant Avenue, such vacation of streets, alleys and easements to include, but not be limited to all of Walnut Street beginning from an extension of the easterly right-of-way line of Sixth Street; thence in an easterly direction to an extension of the westerly right-of-way line of Grant Avenue; all of Ridgeway Alley beginning from an extension of the southerly right-of-way line of Town Street; thence in a southerly direction to an extension of the northerly right-of-way line of Rich Street; and all of Hubbell Alley beginning from an extension of the southerly right-of-way line of Town Street; thence in a southerly direction to an extension of the northerly right-of-way line of Rich Street.

Area 3

All of Fifth Street beginning from an extension of the southerly right-of-way line of Chapel Street; thence in a southerly direction to an extension of the northerly right-of-way line of Town Street.

Sec. 2. That the relocation or abandonment of all conduits, cables, wires, towers, poles, sewer lines, steam lines, gas and water lines, pipe lines, tracks or other equipment or appliances of any railroad or public utility, whether owned privately or by any governmental authority, located on, over or under the said vacated street and alley is required by the City of Columbus for urban renewal purposes and all such facilities shall be relocated or abandoned and no said affected railroad or public utility shall have an easement of any nature whatsoever in such vacated street and alley.

Sec. 3. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor.

Passed February 7, 1966.

WILLIAM P. HOERMLE,
President of Council.

Approved February 7, 1966.

M. E. SENSENBRENNER, Mayor.

Attest:
JOHN T. GORDON, City Clerk;

ORD. No. 206-66—To authorize the payment as a moral obligation of the claim of the Bates & Rogers Construction Corporation for services rendered in installing 4" galvanized steel conduit on the St. Clair Avenue Viaduct; and to declare an emergency.

Whereas, pursuant to proper authority of Council, Contract No. 8939 was entered into with Bates & Rogers Construction Corporation, for Reconstruction of the St. Clair Avenue Viaduct, and \$421,089.99 was appropriated to pay the cost thereof, and

Whereas, the contract required the installation of a special alloy 4" diameter galvanized conduit to carry electrical circuits across the bridge, for which the contractor bid a unit price of \$5.25, and

Whereas, certificates to verify compliance with the specifications were not available at the time of installation and in the interests of expediting the overall construction the material shipped was permitted to be installed, and

Whereas, when certificates were furnished, it was discovered the pipe material failed to meet the special alloy specified but was a less expensive product normally acceptable for the use intended, and

Whereas, it is necessary to adjust the unit price to cover the material furnished, and

Whereas, the contractor by acceptance letter, under date of January 4, 1966, agreed to accept a reduction in unit price bid of \$0.91 per foot, resulting in a unit price of \$4.34, and

Whereas, an emergency exists in the usual daily operation of the Department of Public Service, Division of Engineering and Construction, in that it is immediately necessary to pay for this item which was installed by the contractor for the immediate preservation of the public peace, property, health and safety; now, therefore,

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

Section 1. That it is the finding of this Council that Bates & Rogers Construction Corporation has provided the Division of Engineering and Construction services and has installed 4" galvanized steel conduit under Item 57 of the Contract No. 8939 and seeks to be reimbursed therefore.

Sec. 2. That it is the finding of the Council as follows:

(a) That the material furnished by Bates & Rogers Construction Corporation under Item 57 of the Contract No. 8939 was not as specified, certificates to verify compliance with the specifications not being available at the time of installation.