

## ORDINANCES PASSED

**ORD. No. 209-75**—To accept the application for the annexation of certain territory containing 1.661± acres in Franklin Township.

Whereas, a petition for the annexation of certain territory in Franklin Township was duly filed by Mary A. Brown, and

Whereas, the said petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, November 20, 1974, and

Whereas, the Board of County Commissioners has approved the annexation of the said territory to the City of Columbus as hereinafter described, and

Whereas, the Board of County Commissioners certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on December 2, 1974, and

Whereas, sixty days from the date of said filing have now elapsed in accordance with the provisions of Section 709.04, of the Revised Code, and

Whereas, it is in the best interest of the City of Columbus to accept the annexation of the territory sought to be annexed by the aforesaid petition; now, therefore,

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

**Section 1.** That the proposed annexation as applied for in the petition of Mary A. Brown, being the majority adult freeholders, residing in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio, on September 19, 1974, in which said petitioners prayed for annexation to the City of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the City of Columbus by the Board of County Commissioners on November 20, 1974, be and the same is hereby accepted and said territory is hereby annexed to the City of Columbus. Said territory is described as follows:

Situated in the State of Ohio, County of Franklin, Township of Franklin, being a part of the Virginia Military Survey Number 2442; the following Description will contain 1.661 Acres more or less in Franklin Township, South-Western School District, to be Annexed to the City of Columbus, Ohio:

Beginning in the Northeast corner of Mary A. Brown, 1.691 Acre tract, on the West Right-of-way Line of Demorest Road (60.0 feet in width), and the Corporation Line of the City of Columbus, Ohio, by Ordinance Number 736-64, by the Council of the City of Columbus, Ohio, (for proceedings see miscellaneous Records Volume Number 137, Page number 1, filed in the Franklin County Recorder's Office, in the Franklin County Court House, Columbus, Ohio);

Thence Southwesterly with the Westerly Right-of-way Line of Demorest Road, (60.0 feet in width), (30.0 feet Westerly at right angles from and running parallel with the center line of the said Demorest Road), and the Easterly Property Line of the said 1.691 Acre Tract, a distance of approximately 289.0 feet plus or minus to the Southeast corner of the said 1.691 Acre Tract, or to an angle point in the said Demorest Road;

Thence continuing Westerly with the Southerly Right-of-way Line of the said Demorest Road, and the Southerly Property Line of the said 1.691 Acre Tract, a distance of approximately 110.0 feet plus or minus to the Southeast corner of Eliza G. & Helen H. Arnold, 1.993 Acre Tract;

Thence Northerly with the Easterly Property Line of the said 1.993 Acre Tract, and the Westerly Property Line of the said 1.691 Acre Tract, a distance of approximately 349.0 feet plus or minus to the Southerly Property Line of Lot Number 18, owned by Alfonso J. & Celia A. Buttaci, in the Bonnie Ridge Heights, filed in Plat Book 37, Page Number 30 & 31, also found in the said Franklin County Recorder's Office;

Thence Southeasterly along the Southerly Property Line of the said Lot Number 17, the Southerly Property Line of the following Lots, Lot Number 17, owned by Doris C. Eifer, and Lot Number 1, owned by Leonard M. Kiser, (all Lots being in

the Bonnie Ridge Heights), the Northerly Property Line of the said 1.691 Acre Tract, and along the existing Corporation Line of the City of Columbus, Ohio, (Ordinance Number 736-64), a distance of approximately 294.69 feet plus or minus to the place of beginning containing 1.661 Acres more or less in Franklin Township, South-Western School District to be Annexed to the City of Columbus, Ohio.

**Section 2.** That the City Clerk be and she is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof. The City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder, and one copy to Secretary of State and shall notify the Board of Elections thereof, and do such other things as may be required by law.

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

Passed February 24, 1975.

M. D. PORTMAN,

President of Council.

Approved February 24, 1975.

TOM MOODY, Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

**ORD. No. 210-75**—To accept the plat of Madison Mills.

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

**Section 1.** That the plat of Madison Mills on file in the Office of the City Engineer, Division of Engineering and Construction, situated in the State of Ohio, County of Franklin, Township of Madison, City of Columbus and Village of Obetz, being in Section 18, Township 11 North, Range 21 West, Matthews Survey, Congress Lands, containing 57.463 acres of land, more or less, and being 38.962 acres of the 179.543 acre tract and all of that 20.432 acre tract of record in Deed Book 3429, page 70, as conveyed to Madison Mills Company, the above references being to the records of the Recorder's Office, Franklin County, Ohio, and lying south of Williams Road and east of Alum Creek Drive, be and the same is hereby accepted.

**Section 2.** That all or parts of the roads, drives, circles, courts and places shown thereon and not heretofore dedicated be and the same are hereby dedicated to public use as such when the plat is recorded; and easements are reserved, where indicated on the plat, for the construction, operation and maintenance of all public and private utilities, above and beneath the ground and, where necessary, are for the construction, operation and maintenance of service connections to all adjacent lots and lands and for storm water drainage.

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

Passed February 24, 1975.

M. D. PORTMAN,

President of Council.

Approved February 24, 1975.

TOM MOODY, Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

**ORD. No. 211-75**—To accept the plat of Resubdivision of Lots 49 to 57, both numbers inclusive, of the Bluffs No. 2.

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

**Section 1.** That the plat of Resubdivision of Lots 49 to 57, both numbers inclusive, of the Bluffs No. 2, on file in the office of the City Engineer, Division of Engineering and Construction, situated in the State of Ohio, County of Franklin, City of Columbus, being in Section 2, Township 2, Range 18, United States Military Lands, containing 4.322 acres of land, more or less, said 4.322 acres being part of that tract of land referred to as Parcel No. 1 and described in a deed to Planned Communities, Inc., of record in Deed

Book 2955, Page 54, said 4.322 acres also being all of Lots 49 to 57, both numbers inclusive, as the same are numbered and delineated upon the recorded plat of The Bluffs No. 2, of record in Plat Book 49, Page 54, both being of record in the Recorder's Office, Franklin County, Ohio, and lying south of I-270 and east of Linworth Road, be and the same is hereby accepted.

**Section 2.** That easements (excluding easements existing prior to the platting of The Bluffs No. 2) are reserved, where indicated on the plat, for the construction, operation and maintenance of all public and private utilities, above and beneath the surface of the ground and, where necessary, are for the construction, operation and maintenance of service connections to all adjacent lots and lands, and for storm water drainage.

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

Passed February 24, 1975.

M. D. PORTMAN,

President of Council.

Approved February 24, 1975.

TOM MOODY, Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

**ORD. No. 212-75**—To vacate Washington Avenue, from Naghten Street to Mt. Vernon Avenue.

Whereas, petition, signed by the owner of all lots and lands abutting upon Washington Avenue, from Naghten Street to Mt. Vernon Avenue, 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 Washington Avenue, from the north line of Naghten Street to the north line of Mt. Vernon Avenue, 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 February 24, 1975.

M. D. PORTMAN,

President of Council.

Approved February 24, 1975.

TOM MOODY, Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

**ORD. No. 213-75**—To vacate Washington Avenue, from Mt. Vernon Avenue to south right of way line of North Innerbelt Freeway.

Whereas, petition, signed by the owner of all lots and lands abutting upon Washington Avenue, from Mt. Vernon Avenue to North Innerbelt Freeway, 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 Washington Avenue, extending from the north line of Mt. Vernon Avenue to the south line of Grove Street, and from the north line of Grove Street to the south right of way line of North Innerbelt Freeway, be and the same is hereby vacated.

**Section 2.** That the City of Columbus

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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 February 24, 1975.

M. D. PORTMAN,  
President of Council.  
Approved February 24, 1975.  
TOM MOODY, Mayor.

Attest:  
HELEN M. VAN HEYDE, City Clerk.

**ORD. No. 215-75**—To authorize and direct the Department of Development to enter into a contract for engineering services for surveys and descriptions in the City funded or "A" section of the Mount Vernon Plaza Urban Renewal Project and to appropriate the sum of \$2,000.00 therefor. (\$2,000.00)

Whereas, the Urban Renewal Plan for the Mount Vernon Plaza Urban Renewal Project, Ohio R-163, provides for the disposition of certain acquired properties; and

Whereas, it is necessary to provide survey plats and legal descriptions in order to obtain appraisals for the disposal of such properties; now, therefore,

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

**Section 1.** That the Department of Development, by and through the Director of the Department of Development, be, and it is, hereby authorized and directed to enter into a contract with an engineering firm to obtain land surveys to provide plats and legal descriptions and such other engineering information as may be necessary in connection with such plats and descriptions for certain parcels of land to be disposed of within the "A" section of the Mount Vernon Plaza Urban Renewal Project, Ohio R-163.

**Section 2.** That the sum of Two Thousand Dollars (\$2,000.00) or so much thereof as may be necessary from Mount Vernon Plaza—Section A, (City), Fund No. 7953, Project No. 950163, for the aforesaid purpose is hereby authorized.

**Section 3.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.  
Passed February 24, 1975.

M. D. PORTMAN,  
President of Council.  
Approved February 24, 1975.  
TOM MOODY, Mayor.

Attest:  
HELEN M. VAN HEYDE, City Clerk.

**ORD. No. 216-75**—To authorize and direct the Department of Development to enter into a contract for engineering services for surveys and descriptions in the federally funded or "B" section of the Mount Vernon Plaza Urban Renewal Project and to appropriate the sum of \$7,600.00 therefor. (\$7,600.00)

Whereas, the Urban Renewal Plan for the Mount Vernon Plaza Urban Renewal Project, Ohio R-163, provides for the disposition of certain acquired properties; and

Whereas, it is necessary to provide survey plats and legal descriptions in order to obtain appraisals for the disposal of such properties; now, therefore,

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

**Section 1.** That the Department of Development, by and through the Director of the Department of Development, be, and it is, hereby authorized and directed to enter into a contract with an engineering firm to obtain land surveys to provide plats and legal descriptions and such other engineering information as may be necessary in connection with such plats and descriptions for certain parcels of land to be disposed of within the "B" Section of the Mount Vernon Plaza Urban Renewal Project, Ohio R-163.

**Section 2.** That the sum of Seven Thousand Six Hundred Dollars (\$7,600.00) or so much thereof as may be necessary from G.S.C. Federal Project Ohio R-163 Expenditures Account, Fund No. 5814, Project 950950, for the aforesaid purpose is hereby authorized.

**Section 3.** That this ordinance shall take

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

Passed February 24, 1975.  
M. D. PORTMAN,  
President of Council.  
Approved February 24, 1975.  
TOM MOODY, Mayor.

Attest:  
HELEN M. VAN HEYDE, City Clerk.

**ORD. No. 217-75**—To authorize and direct the Director of Development to renew Contract No. 303117 with Morris N. Cohen for rental of the Mount Vernon Plaza Urban Renewal site office and to appropriate \$1,200.00 therefor. (\$1,200.00)

Whereas, under authority of Ordinance No. 288-72, passed February 28, 1972, the Department of Development entered into a contract with Morris N. Cohen for rental of property at 1040-1042 Mount Vernon Avenue for use as the Mount Vernon Plaza Urban Renewal Project site office; and

Whereas, said contract provides for an option to renew for additional periods of time on the same terms and conditions as the original contract; now, therefore,

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

**Section 1.** That the Department of Development, acting by and through the Director of the Department of Development, is hereby authorized and directed to renew and extend Contract No. 303117 with Morris N. Cohen for the lease of property at 1040-1042 Mount Vernon Avenue, for an additional six (6) months beginning March 1, 1975 and under the same terms and conditions as set forth in said Lease.

**Section 2.** That the expenditure of \$1,200.00 or so much thereof as may be necessary be and the same is hereby authorized from the G.S.C. Federal Project Ohio R-163 Expenditures Account, Fund No. 5814, Project 950950, Code 300, for such purpose.

**Section 3.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.  
Passed February 24, 1975.

M. D. PORTMAN,  
President of Council.  
Approved February 24, 1975.  
TOM MOODY, Mayor.

Attest:  
HELEN M. VAN HEYDE, City Clerk.

**ORD. No. 218-75**—To appropriate fee simple title in and to real estate in connection with the Mt. Vernon Plaza Urban Renewal Project, Ohio R-163; and to authorize the expenditure of \$6,366.00 from Fund No. 7953 and Project 950163. (\$6,366.00)

Whereas, on the 14th day of October 1974, Council of the City of Columbus adopted Resolution No. 298X-74, such resolution declaring the necessity and intent to appropriate the land hereinafter described, notice of such adoption of such resolution has been served on the owner(s) of, or person(s) having an interest of record in such premises; and

Whereas, in the operation of the Department of Development, Division of Urban Renewal, it is necessary to appropriate fee simple title in and to the hereinafter described parcel of real estate necessary in connection with the Mt. Vernon Plaza Urban Renewal Project, Ohio R-163; now, therefore,

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

**Section 1.** That fee simple title in and to the following described parcel of real estate be, and the same hereby is appropriated for the public purpose of the Mt. Vernon Plaza Urban Renewal Project, Ohio R-163, pursuant to and in accordance with Chapter 909, Columbus City Codes, 1959, the Charter of the City of Columbus, and the Constitution of the State of Ohio, Sections 719.01 and 719.02 Revised Code of Ohio, to-wit:

**PARCEL NO. 3.4-34**  
Situated in the State of Ohio, County of Franklin and City of Columbus, and being Lot No. Two (2) in the Pan Handle Addition to the said City as the same is numbered and delineated upon the recorded plat thereof of record in Plat Book 2, Page 226, Recorder's Office, Franklin County, Ohio, and including all right, title and interest, if any, in and to Alley located on the North side of said premises.

**Section 2.** That the Council of the City of Columbus hereby fixes the value of said fee simple title as follows:

**Section 3.** That the amount of \$6,366.00, being the amount set forth in Section 2 herein, be deposited with the Court of Common Pleas, Franklin County, Ohio, for the use and benefit of the owner(s) of the property appropriated, in accordance with Chapter 909, Columbus City Codes, 1959, the Charter of the City of Columbus, and the Constitution of the State of Ohio, Sections 719.01 and 719.02 Revised Code of Ohio.

**Section 4.** That the Council of the City of Columbus, Ohio, finds that the appropriation of property made herein is necessary for said public purposes; that the City has been unable to agree with an owner of the property appropriated herein.

**Section 5.** That the City Attorney be, and he hereby is, authorized and directed to file a complaint in a court of competent jurisdiction to have a jury impaneled and to make inquiry into and assess the compensation to be paid for the aforesaid fee simple title.

**Section 6.** That the expenditure of \$6,366.00, or so much thereof as may be necessary, from the Mt. Vernon Plaza—Section A (City) Fund, Fund No. 7953, Project 950163, for the aforesaid purpose is hereby authorized.

**Section 7.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.  
Passed February 24, 1975.

M. D. PORTMAN,  
President of Council.  
Approved February 24, 1975.  
TOM MOODY, Mayor.

Attest:  
HELEN M. VAN HEYDE, City Clerk.

**ORD. No. 251-75**—To grant a variance from Section 3323.05, SR, Suburban Residential, of Columbus City Codes, 1959, to James T. and Karen L. Blackburn, the owners of 1244 Chesterton Lane, to permit the establishment of a carpet cleaning equipment rental business at said address.

Whereas, 1244 Chesterton Lane is located in an SR Suburban Residential District; and

Whereas, James T. and Karen L. Blackburn are now requesting permission to establish a business to offer carpet cleaning equipment for rent at 1244 Chesterton Lane; and

Whereas, Section 3323.05 of the Columbus City Codes prevents the establishment of a business to offer carpet cleaning equipment for rent in an SR District, thereby prevents James T. and Karen L. Blackburn from establishing said business in compliance with law; now, therefore,

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

**Section 1.** That James T. and Karen L. Blackburn, the owner of 1244 Chesterton Lane, Columbus, Ohio (also known as Lot Number 854 of Devonshire #7 Addition, as the same is numbered and delineated upon the recorded plat thereof of record in Plat Book 38, page 44 and 45, Recorder's Office, Franklin County, Ohio) be and hereby are granted a variance from the provisions of Section 3323.05 (SR Suburban Residential District) of the Columbus City Codes, 1959, insofar as said section prohibits the establishment of a business to offer carpet cleaning equipment for rent in an SR District and therefore prevents James T. and Karen L. Blackburn from establishing said business at 1244 Chesterton Lane, subject, however, to the additional conditions listed in this ordinance.

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

1. Said property is owned and used by James T. and Karen L. Blackburn for a business to offer carpet cleaning equipment for rent and those uses permitted in an SR Suburban Residential District.

2. That the operation of the business may be reviewed at any reasonable time by the Division of Zoning.

3. That there will not be any physical expansion of any structure presently existing on said property for the establishment or enlargement of the said business.

**Section 3.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.  
Passed February 24, 1975.

M. D. PORTMAN,  
President of Council.  
Approved February 24, 1975.  
TOM MOODY, Mayor.

Attest: