

after passage if the Mayor neither approves nor vetoes the same.

Passed September 19, 1988
JERRY HAMMOND
President of Council
Approved September 21, 1988
DANA G. RINEHART, Mayor.
Attest:
TIMOTHY McSWEENEY, City Clerk.

ORD. No. 2140-88—To vacate specific dedicated streets and alleys located in the Martin Luther King Boulevard area and to declare an emergency.

WHEREAS, the City of Columbus, Department of Public Service, Division of Engineering and Construction, has requested the alleys and streets more fully described in section 1 of this ordinance be vacated; and

WHEREAS, the abutting landowners of vacated public right-of-way obtain title to such land; and

WHEREAS, the City of Columbus is the sole abutting land owner of the alleys and streets to be vacated; and

WHEREAS, upon investigation it has been determined there are various public and private utilities located in the subject alleys and streets and a general utility easement over all the vacated areas must therefore be retained; and

WHEREAS, an emergency exists in that it is immediately necessary to vacate the described streets and alleys for the preservation of the public health, peace, property and safety now, therefore,

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

SECTION 1. That the following described streets and alleys be and hereby are vacated:

PART OF SPRING STREET: Being a triangular portion of Spring Street, bounded by the north line of Lot #199, Park Place Addition, and the west line of St. Clair Avenue (20 ft. wide) and the south line of Martin Luther King Blvd.

ST. CLAIR AVENUE (20 FT. WIDE): From the south line of Martin Luther King Blvd. to the south lines of the said lot -199 extended easterly.

THE ALLEY SOUTH OF CONNECTOR ROAD: From the east line of St. Clair Avenue to the west line of Garfield Avenue.

GARFIELD PLACE: From the east line of St. Clair Avenue to the west line of Garfield Avenue.

FORMER HOLLY ALLEY NOW KIEFER AVE. BY ORD. 373-39: From east line of St. Clair Avenue to west line of Garfield Avenue.

THE ALLEY NORTH OF SPRING STREET: From the eastline of Cosmo Alley to the west line of Martin Luther King Blvd.

SISCO ALLEY: From the east line of lot 309, Park Place Addition, to the west line of Martin Luther King Blvd.

SECTION 2. That a general utility easement in, over, across, under and through said alleys and streets be and hereby is retained for the benefit of those public and private utilities currently having facilities located in the areas to be vacated.

SECTION 3. 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 September 19, 1988
JERRY HAMMOND
President of Council
Approved September 21, 1988
DANA G. RINEHART, Mayor.
Attest:
TIMOTHY McSWEENEY, City Clerk.

ORD. No. 2141-88—To authorize the Director of the Department of Public Service to execute those documents necessary to sell to Hudson/71 Enterprises a portion of the first alley located south of Hudson Street and 148 feet west of Pontiac Street; to waive the bidding provisions of Section 329 of the Columbus City Codes and to declare an emergency.

WHEREAS, the City of Columbus is the owner of excess right-of-way described as the first alley south of Hudson Street and 148 feet west of Pontiac Street (hereinafter "Property"); and

WHEREAS, Hudson/71 Enterprises has requested the opportunity to purchase such property; and

WHEREAS, after investigation, it has been determined the sale of such property will have no detrimental effect on the general interest of the City or on the surrounding properties; and

WHEREAS, various utilities currently have facilities in the area and a general utility easement for the benefit of the existing utilities must be retained; and

WHEREAS, the Department of Law, Real Estate Division, has determined a fee of \$2,000.00 is a fair fee to charge for the sale of such property; and

WHEREAS, the Office of Management and Budget and the Development Department agree that \$2,000.00 is a fair fee to charge; and

WHEREAS, Land Review Commission, at their June, 1988, meeting, voted to recommend the sale of said Property to Hudson/71 Enterprises for a fee of \$2,000.00; and

WHEREAS, an emergency exists in that it is immediately necessary to authorize the Director of the Department of Public Service to execute a quit claim deed to sell to Hudson/71 Enterprises, for \$2,000.00, a portion of the first alley south of Hudson Street and 148 feet west of Pontiac Street for the preservation of the public health, peace, property and safety 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 and deliver those documents, prepared and approved by the Department of Law, Real Estate Division, necessary to sell to Hudson/71 Enterprises the following described real property:

Situated in the State of Ohio, County of Franklin, City of Columbus, being a portion of a 15 ft. alley, south of E. Hudson Street and west of Pontiac Street, said portion of 15 ft. alley being further described as follows:

Beginning at the southwest corner of Reserve "A" as show on the recorded plat of Hiawatha Park Place, Plat Book 14, Page 32, and on the north line of said 15 ft. alley, thence easterly wigg the north line of the said 15 ft. alley a distance of 76.60 feet to a point;

Thence southerly, crossing said 15 ft. alley, a distance of 15.00 feet to a point at the northeast corner of Reserve "B";

Thence westerly, with the south line of said 15 ft. alley, a distance of 76.60 feet to a point at the northwest corner of Reserve "B" said point also being the east line of an 0.743 acre tract owned by Hudson/71 Enterprises;

Thence northerly, with the east line of said 0.743 acre tract, a distance of 15.00 feet to the place of beginning, containing 1149 square feet.

Subject to all conditions, restrictions, rights-of-way, and easements of record with the Franklin County Recorder's Office, Columbus, Ohio, and further subject to a perpetual general utility easement hereby retained by the Grantor over the entire above described real property for the benefit of all existing utilities now located therein, namely Columbia Gas of Ohio, Inc. and The Ohio Bell Telephone Company.

This description was prepared from record plat information.

SECTION 2. That a perpetual general utility easement in, over, across, under and through said property for the benefit of all existing utility facilities be and hereby is retained.

SECTION 3. That pursuant to Resolution 113X-86, the fee of \$2,000.00 be deposited in the Permanent Improvement Fund, Fund #07-448.

SECTION 4. That this Council finds that it would be in the best interest of the City of Columbus to waive the requirements of Section 329 of the Columbus City Codes necessary to permit the sale of said property without bids and does hereby waive all such requirements.

SECTION 3. 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 September 19, 1988
JERRY HAMMOND
President of Council

Approved September 21, 1988
DANA G. RINEHART, Mayor.
Attest:
TIMOTHY McSWEENEY, City Clerk.

ORD. No. 2142-88—To grant consent and propose cooperation with the State of Ohio in a project to improve SR 315 (Ackerman Road to 0.15 mile south of the North Columbus Corporation line); and to declare an emergency.

WHEREAS, the City has identified the need for and proposes the improvement of a portion of the public highway which is described as follows:

By repairing the existig pavement, by planing the existing pavement to remove rutting, by applying an asphaltic concrete overlay and safety features as needed on SR 315 (Olentangy Expressway), beginning at Ackerman Road (S.L.M. 05.18) and ending at 0.15 mile south of the North Columbus Corporation line;

said portion of highway within the municipal corporation limits being hereinafter referred to as the improvement; and

WHEREAS, the City further desires cooperation from the Director of Transportation in the planning, design and construction of the improvement, 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 cooperate with the State of Ohio in this resurfacing project, for the immediate preservation of the public health, peace, property and safety now, therefore,

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

SECTION 1. That the City hereby requests the cooperation of the Director of Transportation in the cost of the above-described improvement as follows:

A. The Department of Transportation will assume and bear fifteen percent (15%) of the Federal Participating portion of the improvement.

B. The City will assume and bear all remaining cost of the improvement less the amount of Federal-Aid Funds set aside by the Director ofr financing the improvement from funds allocated by the Federal Highway Administration.

Consent only — no City participation required at this time.

SECTION 2. That is declared to be in the public interest that consent of the City be and such consent is hereby given to the Director of Transportation to construct the above described improvement, in accordance withplans, specification to construct the above described improvement, in accordance with plans, specifications and estimates as approved by the Director.

SECTION 3. that the Director of Public Service of the City of Columbus is hereby authorized and directed on behalf of the City to enter into agreements with the Director of Transportation necessary to complete the planning and construction of this improvement.

SECTION 4. That traffic control devices installed within the limits of the project will conform with Section 4511 of the Ohio Revised Code.

SECTION 5. That upon completion of the improvement, the City will thereafter keep the 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 the right-of-way in violation 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 ocnforming to the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.01 and related sections of the Ohio Revised Code.

(d) Regulate parking in the following manner: Prohibit parking within the limits of the improvement.

SECTION 6. That the following provisions with regard to right-of-way, utility rearrangement and