

point being at the southwesterly corner of College Park as recorded in Franklin County, Ohio, Recorder's Plat Book 33, Page 70;

thence S. 87° 08' 00" E. 3172.02 feet along the southerly boundary of College Park, being the grantor's northerly property line to a point on the grantor's north-easterly property corner in the centerline of existing James Road;

thence S 02° 43' 22" W. 322.21 feet along said easterly property line and the centerline of existing James Road to a point in one of the grantor's southeasterly property corner's, also being in the north-easterly corner of a 2.50 acres exception out of the grantor's original tract;

thence N 87° 00' 00" W. 767.62 feet along one of the grantor's southerly property lines and the northerly property line of said 2.50 acres exception and two additional exceptions containing a total of 5.50 acres to a point;

thence N 87° 01' 32" W. 856.57 feet along a proposed line to a point in one of the grantor's property corners;

thence N 87° 08' 20" W. 1552.89 feet along one of the grantor's southerly property lines to a point in one of the grantor's southwesterly property corner's also being in the centerline of existing Goshen Lane;

thence N 03° 37' 50" E. 318.99 feet along said existing centerline of Goshen Lane and the grantor's westerly property line to the place of beginning, containing 23.297 acres, more or less, inclusive of the present right of way in James Road and Goshen Lane which equals 0.368 of an acre, more or less.

This tract was previously described in Deed Book 2928, Page 416.

Sec. 2. 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 Port Columbus Airport Expansion, Project No. 780-19, pursuant to and in accordance with Chapter 909, Columbus City Codes, 1959, the Charter of the City of Columbus, and the Constitution and laws of the State of Ohio, to-wit:

PARCEL NO. 49—Fee Simple Title

The following is a description of 0.27 acres of land, Auditor's Parcel Number 1047, owned by Richard Hayes and Evelyn Hayes, as conveyed by a deed recorded in Deed Book 2617, Pages 622 & 623, Recorder's Office, Franklin County, Ohio.

Situate in Millin Township, Village of Gahanna, County of Franklin, in the State of Ohio, and being a part of the Fourth Quarter, Township No. 1, Range 17, United States Military Lands.

Being a part of the lands described in the deeds from William Emig and Elsie Emig to Walter M. Emig, et al., recorded in Deed Book 1267, Page 176, Recorder's Office, Franklin County, Ohio, and in Deed Book 1623, page 10, Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at an iron spike in the center line of James Pike at the southwest corner of lands owned by Jacob Lindenmayer, which point is also the northwest corner of the aforementioned land owned by Emig; thence North 90° East passing an iron pin at 17.50 feet 181 feet to an iron pin; thence South 0° 15' West a distance of 65 feet to a point; thence North 90° West, passing an iron pin at 163.48 feet, a distance of 181 feet to the center line of the said James Pike; thence North 0° 15' East 65 feet to the place of beginning, containing within said bounds 0.27 acre more or less.

"Subject to conditions, restrictions, and easements, if any, of record in any way affecting title to said premises."

Sec. 3. That the Council of the City of Columbus hereby fixes the value of said fee simple titles as follows:

Parcel No. 46	\$44,000.00
Parcel No. 49	12,500.00
	\$56,500.00

Sec. 4. That the amount of \$56,500.00, being the amount set forth in Section 3 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, and upon such deposit with said Court, the City of Columbus shall take possession of and enter upon such property pursuant to and in accordance with Chapter 909, Columbus City Codes, 1959, the Charter of the City of Columbus, and the Constitution and laws of the State of Ohio.

Sec. 5. 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; and that the City intends to obtain immediate possession of the above described property, which immediate possession is necessary for said public purposes.

Sec. 6. That the City Attorney be, and he hereby is authorized and directed to file a Complaint in a court of competent jurisdiction to have juries impaneled and to make inquiries into and assess the compensation to be paid for each of the aforesaid fee simple titles.

Sec. 7. That the amount of \$56,500.00, or so much thereof as may be needed, be, and the same hereby is appropriated from Municipal Airport Note 1-65, Fund No. 6070, Code 600.

Sec. 8. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed March 1, 1971, 4 p.m.

WILLIAM P. HOERMLE,

President of Council.

Approved March 1, 1971, 4 p.m.

M. E. SENSENBRENNER, Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 237-71 — To vacate the alley south of Whittier Street (Schumacher), from Front Street westwardly to the railroad.

Whereas, petition, signed by the owners of all lots and lands abutting upon the alley south of Whittier Street (Schumacher), from Front Street westwardly to the railroad, was duly presented to this Council, praying for and consenting to the vacation of said alley, between the points named, 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 the alley south of Whittier Street (Schumacher), extending from the west line of Front Street westwardly to the railroad, be and the same is hereby vacated.

Sec. 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 alley hereby vacated, and shall have the right to enter thereon at any time for the purpose of replacing, operating and maintaining the same.

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

Passed March 1, 1971, 4 p.m.

WILLIAM P. HOERMLE,

President of Council.

Approved March 1, 1971, 4 p.m.

M. E. SENSENBRENNER, Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 238-71 — To accept instruments recorded in the Franklin County Recorder's Office for land acquired for various improvements; to dedicate premises; and to name same Switzer Avenue, Whittier and Front Streets, and Frank-Refugee Road.

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

Whereas, such instruments 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:

ELMHURST ADDITION RESERVE

No. 951, Volume 3114, Pages 143 and 144, Journal Entry, Mary G. Dauber, et al.

WHITTIER STREET GRADE SEPARATION

No. 27101, Volume 3109, Pages 146, 147 and 148, warranty deed, Columbus Oxygen Co., Inc., Parcel No. 8.

FRANK-REFUGEE ROAD EXPRESSWAY

No. 944, Volume 3114, Pages 127, 128 and

129, Journal Entry Leatha Pearl McCulloch, et al., Parcel No. 92.

No. 950, Volume 3114, Pages 141 and 142, warranty deed, Charles K. Clarke, et al., Parcel No. 115 WD.

No. 18097, Volume 3084, Pages 11 and 12, Journal Entry, Walter Laff, et al., Parcel No. 60S, WA.

No. 18098, Volume 3084, Pages 13 and 14, easement, Robert L. Spillman, et al., Parcel No. 64S.

No. 26575, Volume 3107, Pages 556, 557, 558, 559 and 560, easement, Buckeye International, Inc., Parcels 72 and 76.

Sec. 2. That the premises so deeded and dedicated be and the same are hereby named Switzer Avenue, Whittier and Front Streets, and Frank-Refugee Road.

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

Passed March 1, 1971, 4 p.m.

WILLIAM P. HOERMLE,

President of Council.

Approved March 1, 1971, 4 p.m.

M. E. SENSENBRENNER, Mayor.

Attest:

HELEN M. VAN HEYDE, City Clerk.

ORD. No. 239-71—To grant The Motorists Mutual Insurance Company the right and privilege to construct and maintain an overhead structure across and above Capital Street, connecting its building on the north side of Capital Street to a parking garage to be constructed on the south side of Capital Street, between Ninth Street and Washington Avenue, subject to acceptance of terms and conditions stipulated therein.

Whereas, The Motorists Mutual Insurance Company is the owner of Lots 3 and 4 of the J. Ridgeway and Company Elm Square Subdivision, said lots bounded on the north by Broad Street and on the south by Capital Street, said lots being occupied by a building known as 471 East Broad Street in the City of Columbus, and

Whereas, The Motorists Mutual Insurance Company is the owner of the entire block bounded on the north by Capital Street, on the west by Ninth Street, on the south by Oak Street, and on the east by Washington Avenue, which block contains Lots Nos. 6 through 15 of J. Ridgeway and Company Elm Square Subdivision, and proposes the erection of a parking garage upon said parcels of land, and is desirous of constructing an overhead structure across Capital Street, connecting the two buildings to provide pedestrian access, said structure to have twenty feet of clearance above Capital Street, and

Whereas, such structure will not be detrimental to the interests of the general public; now, therefore,

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

Section 1. That the right and privilege is hereby granted to The Motorists Mutual Insurance Company, its successors and assigns, to construct and maintain an overhead structure across and above Capital Street; the overhead structure to connect the second floor of the existing building to the third level of the parking garage with a clearance of twenty feet over Capital Street; said overhead structure to be constructed in such a manner and of such strength, height and depth, in accordance with plan 1118, Drawer E, on file in the Office of the City Engineer, Division of Engineering and Construction, and specifications as shall be approved by the Director of Public Service and the Chief Inspector of the Division of Building Regulations.

Sec. 2. That all portions of the pavement of Capital Street, including sidewalks, curbing and subdrains which may be removed, damaged or disturbed by the construction of said structure, or by the operations of said company, its agents or contractors, shall be replaced at the entire expense of the company, its successors and assigns, according to plans and specifications approved by the Director of Public Service.

Sec. 3. That The Motorists Mutual Insurance Company, its successors and assigns, shall save the City harmless from any and all damages which may arise from or grow out of the construction, use or maintenance of said overhead structure; that said company, its successors and assigns, upon notice from the City of Columbus shall forthwith remove said overhead structure, and shall restore all pavement and sidewalks affected by such removal to the original conditions thereof without cost to said City; and shall yield to said City all rights to occupy the space