

Road and east of Gender Road, be and the same is hereby accepted.

Section 2. That all or parts of the Places, Court and Lane shown thereon and not heretofore dedicated be and the same are hereby dedicated to public use as such; and easements, where indicated on the plat and outside of the platted area, are reserved 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 March 13, 1978.

M. D. PORTMAN,
President of Council.
Approved March 13, 1978.

TOM MOODY, Mayor.
Attest:
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 292-78—To accept the plat of Smythe Farms, Section 2.

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

Section 1. That the plat of Smythe Farms, Section 2, a subdivision of Lots 53 thru 91, inclusive, Lots 94, 95, 97 and 99, and Reserve "D", situated in the State of Ohio, County of Franklin, City of Columbus, located in Half Section 16, Section 11, Township 12, Range 21, Refugee Lands and containing 16.781 acres of land, more or less, said 16.761 acres being part of that tract of land conveyed to Equitable Development Corporation, by deed of record in Deed Book 3299, Pages 70 thru 73, who subsequently merged with Home-wood Corporation, of record on Roll E-116, Frame 702, (Secretary of State Office), deed references being to those of record in the Recorder's Office, Franklin County, Ohio, the same being located east of McNaughten Road and south of East Broad Street, be and the same is hereby accepted.

Section 2. That all or parts of the Road, Court and Drives shown thereon and not heretofore dedicated be and the same are hereby dedicated to public use as such; and easements are reserved, where indicated on the plat and outside the platted area, for the construction, operation and maintenance of all public 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 March 13, 1978.

M. D. PORTMAN,
President of Council.
Approved March 13, 1978.

TOM MOODY, Mayor.
Attest:
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 293-78—To accept a deed for three temporary storm water drainage easements from Summer and Company, dated January 17, 1978; and to dedicate the premises therein conveyed for the purpose of maintaining open storm water drainage channels.

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

Section 1. That the deed for three proposed temporary storm water drainage easements from Summer and Company, dated January 17, 1978, for the herein-after described real estate, be and the same is hereby accepted and the premises so deeded be and the same are hereby dedicated for the purpose of constructing, using and maintaining temporary open storm water drainage channels and appurtenant works in said strips, including the right to clean, repair and care for said channels, together with the right of access to said strips for this purpose:

Situated in the State of Ohio, County of Franklin, City of Columbus, being west of Smoky Row Road and south of Olde Sawmill Boulevard, as recorded in Deed Book 3534, Pages 242 thru 245, and being in Lot 25, as the same is numbered and delineated upon the recorded plat of Flavel Tuller's Survey of Section 1, Township 2, Range 19, United States Military Lands, of record in Plat Book 3, Page 60, and being three strips of land in that tract of land described in a deed to Summer and Company, of record in Deed Book

3056, Page 97, said tract being that tract of land referred to as **PARCEL 6** and described in a deed to Summer and Company, of record in Deed Book 3285, Page 395, all being of record in the Recorder's Office, Franklin County, Ohio, the centerlines of said three strips being described as follows:

STRIP NO. 1: Twenty-five feet in width Beginning, for reference, at the point of intersection of the centerline of Smoky Row Road with the northerly line of said Lot 25, said point of intersection being the northeasterly corner of said **PARCEL 6**, said reference point of beginning also being located 24.29 feet southerly from, as measured along the centerline of said Smoky Row Road, a southeasterly corner of Olde Sawmill, Section Two, the subdivision plat of same being shown of record in Plat Book 51, Pages 100 and 101, Recorder's Office, Franklin County, Ohio; thence, from said reference point of beginning, S 12° 30' 49" E, with the centerline of said Smoky Row Road and with the easterly line of said **PARCEL 6**, a distance of 468.30 feet to the true point of beginning;

Thence, from said true point of beginning, S 81° 41' 29" W, a distance of 751.70 feet to a point of curvature;

Thence westwardly, with the arc of a curve to the right having a radius of 200.00 feet, a central angle of 49° 00' 00" and a chord that bears N 73° 48' 31" W, a chord distance of 165.88 feet to a point of tangency;

Thence N 49° 18' 31" W, a distance of 34.02 feet to the point of ending of **STRIP NO. 1** and being located S 58° 59' 24" W, a distance of 965.41 feet from the northeasterly corner of said **PARCEL 6**.

STRIP NO. 2: Twenty feet in width Beginning, for reference, at the point of ending of the above described **STRIP NO. 1**; thence S 49° 18' 31" E, with the centerline of said **STRIP NO. 1**, a distance of 10.00 feet to the true point of beginning of **STRIP NO. 2**;

Thence, from the true point of beginning of said **STRIP NO. 2**, N 40° 41' 29" E, a distance of 57.00 feet to the point of ending of **STRIP NO. 2** and being located S 59° 31' 12" W, a distance of 908.19 feet from the northeasterly corner of said **PARCEL 6**.

STRIP NO. 3: Twenty feet in width Beginning, for reference, at the true point of beginning of the above described **STRIP NO. 1**; thence S 81° 41' 29" W, with the centerline of said **STRIP NO. 1**, a distance of 189.14 feet to the true point of beginning of **STRIP NO. 3**;

Thence, from the true point of beginning of said **STRIP NO. 3**, N 17° 18' 36" W, a distance of 36.26 feet to the point of ending of **STRIP NO. 3** and being located S 12° 06' 04" W, a distance of 460.11 feet from the northeasterly corner of said **PARCEL 6**.

Section 2. That upon commencement of any improvements to said easements, the owner will enclose the open ditches in a sewer pipe built and sized according to plans approved by the City of Columbus and inspected by it.

Section 3. That the City of Columbus will release the easements granted to it by this deed when Summer and Company grants a permanent easement to the City for a storm sewer.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed March 13, 1978.

M. D. PORTMAN,
President of Council.
Approved March 13, 1978.

TOM MOODY, Mayor.
Attest:
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 294-78—To establish the grades of Maplebrook Lane, Oakfair Avenue, Lakebrook Boulevard, Amur Drive and London Plane Drive, between specified limits in Brookside Woods, Section 1.

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

Section 1. That the grades of the following streets, between the limits specified, be and the same are hereby established as of record and shown on Plan 2859, Drawer D, on file in the Office of the City Engineer, Division of Engineering and Construction, which plan and the specifications therefor are hereby approved:

Maplebrook Lane, from Dublin-Granville Road (S.R. 161) to a point 28' West of Lakebrook Blvd.;

Oakfair Avenue, from Maplebrook Lane to Lakebrook Blvd.;

Lakebrook Boulevard, from Maplebrook Lane to a point 128'± North of Oakfair Avenue;

Amur Drive, from a point 121'± West of Maplebrook Lane to Maplebrook Lane; London Plane Drive, from a point 120'± West of Maplebrook Lane to Maplebrook Lane.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed March 13, 1978.

M. D. PORTMAN,
President of Council.
Approved March 13, 1978.

TOM MOODY, Mayor.
Attest:
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 295-78—To establish the grades of Parkglen Road, Gabon Drive, Gilead Court, Fringetree Drive, Aralia Court, Silvertree Drive and Winterberry Drive, between specified limits in Laurel Greene, Section 4, Phase 1, Part 1.

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

Section 1. That the grades of the following streets, between the limits specified, be and the same are hereby established as of record and shown on Plan 2843, Drawer D, on file in the Office of the City Engineer, Division of Engineering and Construction, which plan and the specifications therefor are hereby approved:

Parkglen Road, from a point 157'± West of Silvertree Drive to Baytree Drive; Gabon Drive, from Parkglen Road to Aralia Court;

Gilead Court, from a point 195'± South of Fringetree Drive to Fringetree Drive; Fringetree Drive, from Silvertree Drive to Aralia Court;

Aralia Court, from Gabon Drive to a point 348'± East of Gabon Drive; Silvertree Drive, from Parkglen Road to a point 160'± North of Fringetree Drive;

Winterberry Drive, from a point 178'± West of Baytree Drive to Baytree Drive.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed March 13, 1978.

M. D. PORTMAN,
President of Council.
Approved March 13, 1978.

TOM MOODY, Mayor.
Attest:
HELEN M. VAN HEYDE, City Clerk.

ORD. No. 296-78—To vacate twenty-five (25) feet of right-of-way on both the east and west sides of Old Alum Creek Drive, subject to the retention of easements as herein stipulated.

Whereas, petition, properly signed by owners of all lots and lands abutting upon the east and west sides of Old Alum Creek Drive, was duly presented to this Council, praying for and consenting to the vacation of this alley, between specified limits; 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 a partial vacation of Old Alum Creek Drive, known as twenty-five (25) feet of right-of-way on both the east and west sides of Old Alum Creek Drive, and further described as follows, be and the same is hereby in effect.

Westerly Portion to be Vacated

Situated in the State of Ohio, County of Franklin, City of Columbus in Half Section 33, Section 23, Township 5, Range 22, Refugee Lands and being part of the George W. Timmons & Son, Inc. 1.034 acre tract of record in Deed Book 2950, Page 253-257 (Parcel 6) and part of the National Aluminum Company 0.986 acre tract, 0.361 acre tract and 0.041 acre tract as said tracts are shown of record in Deed Book 1556, Page 316 and Deed Book 3416, Page 672, respectively, all deed references being of record in the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Commencing at a point at the intersection of the centerline of Old Alum Creek Drive with the centerline of East Livingston Avenue;

VACATION 0-53-A

Thence along the centerline of Old Alum Creek Drive, South 5 degrees 00 minutes West, 195.0 feet to a point at the north-easterly corner of said 1.034 acre tract;

Thence along the northerly line of said 1.034 acre tract, North 85 degrees 05 minutes West, 15.0 feet to a point and the True Point of Beginning of this Description;

Thence across said 1.034 acre tract, said 0.986 acre tract, said 0.361 acre tract and said 0.041 acre tract, and along a line parallel with and 15.0 feet westerly from the centerline of said Old Alum Creek Drive, South 5 degrees 00 minutes West, 708.0 feet to a point on the southerly line of said 0.041 acre tract;

Thence along the southerly line of said 0.041 acre tract, North 85 degrees 05 minutes West, 25.0 feet to a point;

Thence across said 0.041 acre tract, said 0.361 acre tract, said 0.986 acre tract and said 1.034 acre tract and along a line parallel with and 40.0 feet westerly from the centerline of Old Alum Creek Drive, North 5 degrees 00 minutes East, 708.0 feet to a point on the northerly line of said 1.034 acre tract;

Thence along the northerly line of said 1.034 acre tract, South 85 degrees 05 minutes East, 25.0 feet to the place of beginning, containing 0.406 acres, subject however to all legal highways, easements, restrictions, leases and agreements of record and all records in the respective utility offices.

Easterly Portion to be Vacated

Situated in the State of Ohio, County of Franklin, City of Columbus, Half Section 34, Section 24, Township 5, Range 22, Refugee Lands and being part of the 2.079 acre tract conveyed to Acme Holding Company of record in Deed Book 3614, Page 353, Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Commencing at a point at the intersection of Old Alum Creek Drive with the centerline of East Livingston Avenue;

Thence along the centerline of Old Alum Creek Drive, passing the northwesterly corner of said 2.079 acre tract at 45.0 feet, South 5 degrees 00 minutes West, 234.0 feet to a point;

Thence across said 2.079 acre tract, South 85 degrees 05 minutes East, 15.0 feet to a point and the True Point of Beginning of this Description;

Thence continue across said 2.079 acre tract, South 85 degrees 05 minutes East, 19.0 feet to an angle point in an easterly line of said 2.079 acre tract and in the westerly limited access right-of-way line of the East Freeway as said right-of-way line is shown on Sheet 13 of 20 of the Right-of-Way Plan FRA-40-13.83 I-70-3 (22) 101, Ohio Department of Transportation, District Six, Delaware, Ohio, said angle point being also South 5 degrees 00 minutes West, 234.0 feet from the centerline of said East Livingston Avenue;

Thence along the easterly line of said 2.079 acre tract (westerly line of said East Freeway), South 7 degrees 28 minutes 09 seconds East, 27.79 feet to a point;

Thence across said 2.079 acre tract and along a line parallel with and 40.0 feet easterly from the centerline of Old Alum Creek Drive, South 5 degrees 00 minutes West, 641.86 feet to a point;

Thence continue across said 2.079 acre tract, North 85 degrees 05 minutes West, 25.0 feet to a point;

Thence continue across said 2.079 acre tract and along a line parallel with and 15.0 feet easterly from the centerline of Old Alum Creek Drive, North 5 degrees 00 minutes East, 689.0 feet to the place of beginning, containing 0.382 acres, subject, however, to all legal highways, easements, restrictions and leases of record and of records in the respective utility offices.

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 now existing on or in said drive hereby vacated, and it shall have the right to enter thereon at any time for the purpose of constructing, installing, 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 March 13, 1978.
M. D. PORTMAN,
President of Council.
Approved March 13, 1978.
TOM MOODY, Mayor.

ORD. No. 298-78—To accept the application for the annexation of certain territory containing 17.02± acres in Perry Township.

Whereas, a petition for the annexation of certain territory in Perry Township was duly filed by James A. Hartsough, et al.; and

Whereas, the said petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, November 30, 1977; and

Whereas, the Board of County Commissioners has approved the annexation of 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 22, 1977; 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 James A. Hartsough, et al., being the majority owners of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio, on October 18, 1977, 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 30, 1977, 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 Perry, being part of Quarter Township 1, Township 2, Range 19, United States Military Lands and being more particularly described as follows:

Being at an angle point in an existing corporation line of the City of Columbus, as established by Columbus, Ordinance No. 1616-73 and shown of record in Miscellaneous Volume 160, Page 639, Recorder's Office, Franklin County, Ohio, said angle point being located in the easterly right-of-way line of Sawmill Road (40 feet in width), and in the southerly line of the 4.259 Acre Tract of land presently owned by James A. and Maud E. Hartsough;

Thence Northerly with said easterly right-of-way line of Sawmill Road, a distance of approximately 934 feet to a point marking the southeast corner of Sawmill Road and Hard Road, (40 feet in width), said point being located in a southerly direction, 40 feet from an angle point in an existing corporation line of the City of Columbus, as established by Columbus Ordinance No. 1688-70 and shown of record in Miscellaneous Volume 151, Page 590, Recorder's Office, Franklin County, Ohio;

Thence Easterly with the southerly line of said Hard Road, parallel to and 40 feet distant from the last said existing corporation line, a distance of approximately 667 feet to a point in the easterly line of the 9.000 Acre Tract of land presently owned by Americo & Mary A. Nini and Ralph L. & Theodora Sanese ;

Thence Southerly with part of the easterly line of said 9.000 Acre Tract, a distance of approximately 224 feet to an angle point;

Thence Easterly, continuing along a line of said 9.000 Acre Tract, a distance of approximately 165 feet to an angle point;

Thence Southerly continuing along the easterly line of said 9.000 Acre Tract, a distance of approximately 710 feet to a point marking the southeast corner of said 9.000 Acre Tract, in the above mentioned existing corporation line of the City of Columbus, as established by Columbus Ordinance No. 1616-73;

Thence Westerly with part of said southerly line of the 9.000 Acre Tract, and along part of the last said City of Columbus corporation line, a distance of approximately 834 feet to the point of beginning, and there to terminate.

Section 2. That the City Clerk be and

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 the 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 March 13, 1978.
M. D. PORTMAN,
President of Council.
Approved March 13, 1978.
TOM MOODY, Mayor.

Attest:
HELEN M. VAN HEYDE, City Clerk.

ANNEXATION

ORD. No. 299-78—To accept the application for the annexation of certain territory containing 4.27± acres in Perry Township.

Whereas, a petition for the annexation of certain territory in Perry Township was duly filed by Richard L. Pomante, et al.; and

Whereas, the said petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, November 30, 1977; and

Whereas, the Board of County Commissioners has approved the annexation of 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 22, 1977; 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 Richard L. Pomante, et al., being the majority owners of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio, on September 21, 1977, 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 30, 1977, 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 Township of Perry, County of Franklin, State of Ohio, being part of Lot No. 34 in Tuller's Survey, Quarter Township 1, Township 2 North, Range 19 West, United States Military Lands, and being a portion of a 4.35 acre tract of land conveyed to Richard L. and Linda K. Pomante by deed of record in Deed Book 3573, Page 189, Recorder's Office, Franklin County, Ohio, and bounded and described as follows:

Beginning at a point in an existing northerly corporation line of the City of Columbus, Ohio, as said line was established by Columbus Ordinance No. 1688-70 and as shown of record in Miscellaneous Record Volume 151, Page 590 et seq., Recorder's Office, Franklin County, Ohio, said point being at the southwest corner of said Pomante 4.35 acre tract, at the southeast corner of a 10 acre tract of land conveyed to Eleanor B. Demetriou by deed of record in Deed Book 2589, Page 639, Recorder's Office, Franklin County, Ohio, and in the north line of Olde Sawmill Phase One, of record in Plat Book 48, Pages 14, 15, 16 and 17, Recorder's Office, Franklin County, Ohio, said point also being westerly approximately 33.6 feet from a point in the west line of Sethwick Road (50 feet wide) at the northerly terminus thereof;

thence northerly along a portion of the west line of said Pomante 4.35 acre tract and along a portion of the east