

February 8, 1997

Directive H-P 508 inside or outside the corporate limits as may be necessary to conform to the improvement and the rearrangements shall be done at such time as requested by the Department of Transportation Engineer.

(e) That the construction, reconstruction, and/or rearrangement of both publicly and privately owned utilities, referred to in Subsections (c) and (d) above, shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the improvement, and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provisions of the Ohio Department of Transportation's Construction and Material Specifications and shall be subject to approval by the State.

(f) That the installation of all utility facilities on the right-of-way shall conform with the requirements of the Federal Highway Administration's Policy 23-CFR-645A and the Department of Transportation's rules on Utility Accommodation.

(g) That the City hereby agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees, or agent in the performance of the City's obligations made or agreed to in Sections (a), (b), (c), (d), (e), and (f) hereinabove. Likewise, the State agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees, or agents in the performance of the State's obligations made or agreed to in Sections (a), (b), (c), (d), (e), and (f) hereinabove.

Section 7. That the Clerk of this Council be and is hereby directed to transmit to the Director of Transportation a certified copy of this ordinance immediately upon its passage.

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

Passed February 3, 1997

MICHAEL B. COLEMAN,
President of Council

Approved February 4, 1997

GREGORY LASHUTKA, Mayor

Attest

TIMOTHY McSWEENEY, City Clerk

ORD. No. 59-97 - To authorize the Director of the Department of public Service to execute those documents required to transfer a portion of Spring Street from Washington Avenue to Eleventh Street, the alley north of Long Street from Washington Avenue to Everett Alley, Everett Alley from Long Street to the north line of Cooper Lane, Kiefer Avenue from Washington Avenue to the east line of Lot #9 of "Charles and Leopoldina Kiefer's Subdivision" and Cooper Lane from Everett Alley to the east line of Lot #9 of said subdivision to Columbus State Community College, to authorize the Director to execute those documents required to establish a Campus to City Tuition Credit Bank, and to waive the competitive bidding provisions of Columbus City Codes.

WHEREAS, the City of Columbus, Department of Public Service, Division of Engineering and Construction, is the owner of a portion of Spring Street from Washington Avenue to Eleventh Street, the alley north of Long Street from Washington Avenue to Everett Alley, Everett

Alley from Long Street to the north line of Cooper Lane, Kiefer Avenue from Washington Avenue to the east line of Lot #9 of "Charles and Leopoldina Kiefer's Subdivision" and Cooper Lane from Everett Alley to the east line of Lot #9 of said subdivision; and

WHEREAS, Columbus State Community College desires to acquire the above referenced right of way to allow for construction of a campus parking garage; and

WHEREAS, after investigation, it has been determined the sale of the above referenced right of way will not adversely affect the City; and

WHEREAS, the Department of Law, Real Estate Division, has determined a value of \$276,350.00 for this right of way; and

WHEREAS, CSCC has requested a mitigation of the cash purchase price of the right of way; and

WHEREAS, CSCC has proposed the development of a strategic alliance between the College and the City whereby a "Campus to City Tuition Credit Bank" equivalent to the appraised value of the requested right of way, would be established for the benefit of qualified City employees; and

WHEREAS, Land Review Commission has voted to recommend the transfer of the requested right of way in exchange for the development of a "strategic alliance" and a "Tuition Credit Bank"; and

WHEREAS, the transfer of the requested right of way is contingent upon the development of a "strategic alliance" and the execution of those documents required to establish a "Campus to City Tuition Credit Bank"; 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 those documents prepared by the Department of Law, Real Estate Division, necessary to transfer the following described right of way to Columbus State Community College for \$276,350.00 in tuition credits, to-wit:

SPRING STREET

Situated in the State of Ohio, County of Franklin, City of Columbus, and beginning at the northwesterly corner of Lot 5 of the "SUSAN WALKER'S SUBDIVISION" (as shown of record in Plat Book 3, Page 271);

thence North 0° 06' 43" West, along the easterly right-of-way line of Washington Avenue (49.50 feet in width), a distance of 41.36 feet to a point;

thence North 84° 36' 37" East, (parallel with the southerly curb line of Spring Street), a distance of 497.10 feet to the westerly right-of-way line of eleventh Street (20 feet in width);

thence South 0° 06' 43" East, along the westerly right-of-way line of Eleventh Street, a distance of 92.13 feet to an iron pin at the intersection of the westerly right-of-way line of Eleventh Street with the southerly right-of-way line of Spring Street;

thence North 89° 31' 40" West, along said right-of-way line of Spring Street, a distance of 495.02 feet to the place of beginning, containing 0.758 acre, more or less.

This description prepared by Thomas D. Sibbalds, Registered Surveyor No. 5908, for EVANS, MECHWART, HAMBLETON & TILTON, INC.

ALLEY EAST OF NORTH WASHINGTON AVENUE AND WEST OF EVERETT ALLEY

Situated in the State of Ohio, County of Franklin, City of Columbus, being that portion of a certain East-West Alley, laying southerly from, adjacent to and parallel with the southerly line of Lot 4 of the "CHARLES & LEOPOLDINA KIEFER'S SUBDIVISION" of record in Plat Book 3, Page 222, said alley being 11.15 feet in width at the beginning in the easterly right-of-way line of North Washington Avenue (49.5 feet in width) and being 11.0 feet in width at the terminus in the westerly right-of-way line of Everett Alley (20 feet in width).

This description prepared by Donald L. Dibert, P.S. No. 5425, for EVANS, MECHWART, HAMBLETON & TILTON, INC.

EVERETT ALLEY - PART A

Situated in the State of Ohio, County of Franklin, City of Columbus, being that portion of Everett Alley (20 feet in width), beginning at the northerly right-of-way line of Long Street (60 feet in width) and extending northerly to the southerly right-of-way line of Kiefer Avenue (40 feet in width).

This description prepared by Donald L. Dibert, P.S. No. 5425, for EVANS, MECHWART, HAMBLETON & TILTON, INC.

EVERETT ALLEY - PART B

Situated in the State of Ohio, County of Franklin, City of Columbus, being that portion of Everett Alley (20 feet in width), beginning at the northerly right-of-way line of Kiefer Avenue (40 feet in width) and extending northerly to the northerly right-of-way line of Cooper Lane (15 feet in width).

This description prepared by Donald L. Dibert, P.S. No. 5425, for EVANS, MECHWART, HAMBLETON & TILTON, INC.

KIEFER AVENUE

Situated in the State of Ohio, County of Franklin, City of Columbus, being that portion of Kiefer Avenue (40 feet in width), beginning at the easterly right-of-way line of Washington Avenue (49.50 feet in width) and extending easterly to the common line between Lot 9 and Lot 10 (as produced southerly to the southerly right-of-way line of Kiefer Avenue) of the "CHARLES AND LEOPOLDINA KIEFER'S SUBDIVISION" as shown of record in Plat Book 3, Page 222.

This description prepared by Donald L. Dibert, P.S. No. 5425, for EVANS, MECHWART, HAMBLETON & TILTON, INC.

COOPER LANE

Situated in the State of Ohio, County of Franklin, City of Columbus, being that portion of Cooper Lane (15 feet in width), beginning at the easterly right-of-way line of Everett Alley (20 feet in width), beginning at the southerly right-of-way line of Everett Alley (20 feet in width) and extending easterly to the common line between Lot 9 and Lot 10 (as produced northerly to the northerly right-of-way line of Cooper Lane) of the "CHARLES AND LEOPOLDINA KIEFER'S SUBDIVISION" as shown of record in Plat Book 3, Page 222.

This description prepared by Donald L. Dibert, P.S. No. 5425, for EVANS, MECHWART, HAMBLETON & TILTON, INC.

Section 2. That a general utility easement in, on, over, across, under and through that right of

way described in Section 1 of this ordinance be and hereby is retained unto the City of Columbus.

Section 3. That the Director of the Department of Public Service be and hereby is authorized to execute those documents required to enter into an agreement with Columbus State Community College establishing the "Campus to City Tuition Credit Bank" which will provide educational opportunities for qualified City employees.

Section 4. That the transfer of the above described right-of-way is contingent upon the establishment of a "Campus to City Tuition Credit Bank" by Columbus State Community College and the subsequent deposit of \$276,350.00 worth of credits into said account, which may be used by qualified City employees.

Section 5. That this Council has determined that it is in the best interest of the city of Columbus to allow this right of way to be sold without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Section 329.25 with regards to this transfer.

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed February 3, 1997

MICHAEL B. COLEMAN,
President of Council

Approved February 4, 1997

GREGORY LASHUTKA, Mayor

Attest

TIMOTHY McSWEENEY, City Clerk

ORD. No. 60-97 - To authorize the Director of the Department of public Service to execute those documents required to sell the unimproved 20' alley west of Nineteenth Street from Fourth Avenue to the north line of Lot 323, Miller-Joyce-Gray Subdivision and unimproved Fourth Avenue from Nineteenth Street to the east line of the C.A. & C Rail Road to Shriver & Company and to waive the competitive bidding requirements of Columbus City Code with regards to this sale.

WHEREAS, the City of Columbus, Department of Public Service, is the owner of the unimproved 20' alley west of Nineteenth Street from Fourth Avenue to the north line of Lot 323, Miller-Joyce-Gray Subdivision and unimproved Fourth Avenue from Nineteenth Street to the east line of the C.A. & C Rail Road; and

WHEREAS, Shriver & Company, an Ohio corporation, has requested the opportunity to purchase this right of way; and

WHEREAS, after investigation, it has been determined the sale of the above referenced right of way will not adversely affect the City of Columbus; and

WHEREAS, the Department of Law, Real Estate Division, has determined a value of \$5,175.00 for this right of way; and

WHEREAS, Land Review Commission has voted to recommend this right of way be sold for the Real Estate Division value, 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 those documents prepared by the Department of Law, Real Estate Division,

required to sell the following described right of way to Shriver & Company, an Ohio corporation, for \$5,175.00, to-wit:

Description of a portion of the first alley west of Nineteenth Street north of Fourth Avenue

Situated in the State of Ohio, County of Franklin, City of Columbus, and being a portion of the first alley (20 feet wide) west of Nineteenth Street north of Fourth Avenue, as shown in recorded subdivision plat of Miller, Joyce, Gray, et. al. Subdivision as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, pages 5 through 8, Records Office, Franklin County, Ohio, said alley being more particularly described as follows:

Beginning at the southwest corner of Lot 326 of said Miller, Joyce, Gray, et. al. Subdivision, said corner also being on the north line of Fourth Avenue (50 feet wide) and the east line of said 20 feet wide alley;

Thence, westerly, with the north line of said Fourth Avenue and across said 20 feet wide alley 20.00 feet to a point on the west line of said 20 feet wide alley;

Thence, northerly, with the west line of said 20 feet wide alley, 83.96 feet to an angle point in the west line of said 20 feet wide alley;

Thence, continuing northerly, with the west line of said 20 feet wide alley 47.57 feet to a point where the west line of said 20 feet wide alley intersects the projected north line of Lot 323 of said Miller, Joyce, Gray, et. al. Subdivision;

Thence, easterly, with the said projected north line of Lot 323, across said 20 feet wide alley 20.00 feet to the east line of said 20 feet wide alley and the northwest corner of Lot 323;

Thence, southerly, with the east line of said 20 feet wide alley 47.57 feet to an angle point;

Thence, continuing southerly, with the east line of said 20 feet wide alley 83.96 feet to the Place of Beginning containing 2631 square feet or 0.060 acres more or less. Bearings shown hereon are to an assumed meridian and are used to denote direction only.

Jeffrey C. LeVally Registered Surveyor Number 7743

Description of a portion of Fourth Avenue

Situated in the State of Ohio, County of Franklin, City of Columbus, and being a portion of Fourth Avenue (50 feet wide), as shown in recorded subdivision plat of Miller, Joyce, Gray, et. al. Subdivision as the same is numbered and delineated upon the recorded plat thereof, of record in Plat Book 4, pages 5 through 8, Records Office, Franklin County, Ohio, and being more particularly described as follows:

Being all of Fourth Avenue (50 feet wide) from the west line of Nineteenth Street (50 feet wide) westerly to its western terminus, containing 6981 square feet or 0.160 acres more or less.

Jeffrey C. LeVally Registered Surveyor Number 7743

Section 2. That the \$5,175.00 to be received by the City as consideration for the sale of the above described right of way shall be deposited in Fund 07-248, Project 248650.

Section 3. That this Council has determined that it is in the best interest of the city of Columbus to allow this right of way to be sold without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Section 329.25 with regards to this sale.

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

Passed February 3, 1997

MICHAEL B. COLEMAN,
President of Council

Approved February 4, 1997

GREGORY LASHUTKA, Mayor

Attest

TIMOTHY McSWEENEY, City Clerk

ORD. No. 63-97 - To authorize the Board of Health to enter into a revenue contract with the Franklin County Health Department to provide anti-dumping enforcement services in the amount of \$55,500.

WHEREAS, Franklin County has received a grant to implement an anti-dumping enforcement program; and,

WHEREAS, Franklin County has a need for enforcement services to assist in the implementation of the program; and,

WHEREAS, the Columbus Health Department has available resources and the expertise to provide the services; and,

WHEREAS, Franklin County has expressed its intention to contract with the Columbus Health Department to provide the enforcement services; now, therefore,

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

Section 1. That the Board of Health is hereby authorized to enter into a revenue contract to provide enforcement services for the Franklin County Health Department in the amount of \$55,500 for the period January 1, 1997 through December 31, 1997.

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

Passed February 3, 1997

MICHAEL B. COLEMAN,
President of Council

Approved February 4, 1997

GREGORY LASHUTKA, Mayor

Attest

TIMOTHY McSWEENEY, City Clerk

ORD. No. 151-97 - To authorize and direct the transfer of \$164,250.00 from the Recreation and Parks Operation and Extension Fund to the Grant Fund for a match to the Title III-A grant. and to declare an emergency. (\$164,250.00)

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to transfer said funds 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 City Auditor be and he is hereby authorized and directed to transfer \$164,250.00 from the Recreation and Parks Operation and Extension Fund No. 02-385 to the Grant Fund No. 02-987, for the Recreation and Parks Department, as follows:

FROM:

Fund No.: 02-385

Dept. No.: 51-01

Index: 901306

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