

**Section 5.** That the Council of the City of Columbus, Ohio, finds that the appropriation of property made herein is necessary for the said public purposes; that the City has been unable to agree with the owners of the property appropriated herein.

**Section 6.** That the City Attorney be and he hereby is authorized and directed to file complaints in a court of competent jurisdiction to have a jury impaneled to make inquiry into and assess the compensation to be paid for the aforesaid fee simple titles.

**Section 7.** That the expenditure of \$14,450.00 or so much thereof as may be necessary from the Community Center and Land Development Fund, Sub-fund No. 07-214, Index Code 280289, Minor Object 601, Certificate No. AC-04157, for the aforesaid purpose is hereby authorized.

**Section 8.** That for the reasons stated in the preamble hereto which is hereby made a part hereof, this ordinance and the repeal of Ordinance 1769-85, passed July 29, 1985 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 March 31, 1986.

JERRY HAMMOND,

President of Council.

Approved April 2, 1986.

GISELA ROSENBAUM, Acting Mayor.

Attest:

FRANCINE C. RYAN, City Clerk.

**ORD. No. 872-86**—To vacate Pearl Alley from the north line of Locust Street to the south line of Nationwide Blvd., subject to retention of easement rights for various utilities; and to declare an emergency.

Whereas, a request has been received in the office of the City Engineer for the vacation of Pearl Alley from the north line of Locust Street to the south line of Nationwide Blvd.; and

Whereas, after investigation it has been determined that this will cause no adverse effects on surrounding properties, and therefore it should be granted; and

Whereas, the Division of Electricity, the Division of Sewerage and Drainage, the Division of Water, and Columbia Gas, Columbus and Southern Ohio Electric, the Ohio Bell Telephone Company and the Division of Parks and Recreation have indicated the presence of their facilities in the area and reservations for these utilities should be retained; 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 necessary to immediately vacate Pearl Alley from the north line of Locust Street to the south line of Nationwide Blvd., in order for development of the area to proceed without delay, thereby preserving the public health, peace and safety now, therefore,

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

**Section 1.** That all of Pearl Alley from the north line of Locust Street to the south line of Nationwide Blvd., be and the same is hereby vacated to the Nationwide Development Company by Home Rule.

**Section 2.** That the City of Columbus reserves the right to operate and maintain all sewers, water lines, and any other public utilities and facilities owned by the City; and that the right is reserved to operate and maintain any other public utilities now existing on or in said alley hereby vacated; and it shall have the right to enter thereon at any time for the purpose of constructing, installing, replacing, operating or maintaining the same.

**Section 3.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby 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 March 31, 1986.

JERRY HAMMOND,

Approved April 2, 1986.

GISELA ROSENBAUM, Acting Mayor.

Attest:

FRANCINE C. RYAN, City Clerk.

**ORD. No. 873-86**—To vacate certain streets and alleys located in the Capitol South Redevelopment Area and to declare an emergency.

Whereas, there exist within the Capitol South Redevelopment Area (i.e., the three-block area bounded by State Street on the north, Third Street on the east, Main Street on the south and High Street on the west) certain named streets and alleys, to wit: Bunker Alley, Chapel Street, Pearl Street, Town Street, Walnut Street, Rich Street and Cherry Street; and

Whereas, there exist within said Capitol South Redevelopment Area certain other streets and alleys which, by virtue of statutory dedication, public use, common law dedication or otherwise, may have become public streets or alleys (said streets or alleys hereinafter referred to as "unnamed streets"); and

Whereas, Capitol South Community Urban Redevelopment Corporation has requested the vacation of said unnamed streets; and

Whereas, the City of Columbus owns all property abutting the proposed vacated unnamed streets; and

Whereas, after investigation it has been determined that these vacations will have no detrimental effect to the general interest of the City of Columbus or to surrounding properties and should be granted; and

Whereas, after further investigation it has been determined that there are no facilities remaining in said streets and alleys for utility purposes, thus, they may be vacated with no easement rights reserved; and

Whereas, an emergency exists in that said unnamed streets must be immediately vacated to provide for the orderly development of the Capitol South Redevelopment Area so as to eliminate blight and preserve the public peace, health, safety, property and welfare; now, therefore,

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

**Section 1.** That, except for Bunker Alley, Chapel Street, Pearl Street, Town Street, Walnut Street, Rich Street, and Cherry Street, all other public streets and alleys located within the three-block area bounded on the north by State Street, on the east by Third Street, on the south by Main Street and on the west by High Street, be and the same are hereby vacated.

**Section 2.** That for the reasons stated in the preamble hereto, which is made a part hereof, this ordinance shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes the same.

Passed March 31, 1986.

JERRY HAMMOND,

President of Council.

Approved April 2, 1986.

GISELA ROSENBAUM, Acting Mayor.

Attest:

FRANCINE C. RYAN, City Clerk.

**ORD. No. 874-86**—To vacate sections of Chapel, Walnut and Pearl Streets, and to retain certain easements for various utilities, and to declare an emergency.

Whereas, Capitol South Community Urban Redevelopment Corporation has requested the vacation of certain streets located within the Capitol South Redevelopment Area between the limits specified in this ordinance; and

Whereas, a petition signed by the owners (other than the City of Columbus) of all lands abutting upon the streets requested to be vacated hereby was duly presented to this Council praying for and consenting to the vacation of the streets between the points mentioned; and

Whereas, after investigation it has been determined that these vacations will have no detrimental effect to the general interest of the City of Columbus or to surrounding properties and should be granted; and

Chapel Street, Walnut Street and Pearl Street, within the limits hereinafter specified, must be immediately vacated to provide for the orderly development of the Capitol South Redevelopment Area so as to eliminate blight and preserve the public peace, health, safety, property and welfare; now, therefore,

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

**Section 1.** That Chapel Street, from the east line of High Street to the east line of Pearl Street; Walnut Street, from the west line of Pearl Street to a line parallel to and 212.5 feet west of the west line of Third Street; and Pearl Street, from the north line of Chapel Street to the north line of Town Street, from the south line of Town Street to the north line of Rich Street and from the south line of Rich Street to the north line of Main Street, be and the same are hereby vacated, subject to the condition that such vacation shall not become effective with respect to any such street until such time as the Service Director of the City of Columbus executes and files for record with the Franklin County, Ohio Recorder an affidavit, substantially in the form of the affidavit attached hereto and marked Exhibit A, certifying that vehicular access to such street is no longer needed for the preservation of public safety.

**Section 2.** That the City of Columbus hereby reserves, for itself and the owners of other public utilities, the temporary right to operate and maintain any and all sewer and water lines and any such public utilities, if any, now existing in the aforesaid streets, and to enter thereon for the purpose of operating, repairing and maintaining the same, until such time as said utilities are relocated and the Service Director of the City of Columbus executes and files for record with the Franklin County, Ohio Recorder an affidavit, substantially in the form of the affidavit attached hereto and marked Exhibit B, certifying that such relocations have been accomplished and such reservation is no longer necessary and is released.

**Section 3.** To authorize the Service Director of the City of Columbus to execute the Affidavits in Aid of Title attached hereto and marked Exhibits A and B.

**Section 4.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance shall take effect and be in force from and after its passage and approval by the Mayor, or ten (10) days after passage if the Mayor neither approves nor vetoes the same.

Passed March 31, 1986.

JERRY HAMMOND,

President of Council.

Approved April 2, 1986.

GISELA ROSENBAUM, Acting Mayor.

Attest:

FRANCINE C. RYAN, City Clerk.

**ORD. No. 875-86**—To vacate a section of Cherry Street and to retain certain easements for various utilities, and to declare an emergency.

Whereas, Capitol South Community Urban Redevelopment Corporation has requested the vacation of a certain part of Cherry Street located within the Capitol South Redevelopment Area between the limits specified in the body of this ordinance; and

Whereas, the City of Columbus owns all property abutting the proposed vacated street; and

Whereas, after investigation it has been determined that this vacation will have no detrimental effect to the general interest of the City of Columbus or to the surrounding properties and should be granted; and

Whereas, an emergency exists in that Cherry Street, within the limits hereinafter specified, must be immediately vacated to provide for the orderly development of the Capitol South Redevelopment Area so as to eliminate blight and preserve the public peace, health, safety, property and welfare; now, therefore,

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

**Section 1.** That Cherry Street, from the east line of High Street to the west line of Third