

is the larger amount. Said monthly rental shall be paid to Lessor not later than the tenth day of the following month. The Lessor shall have the right to advertise or permit advertising on the leased premises in the event the Lessee does not do so and further that the Lessor shall retain all revenue received therefore.

2. That Lessee shall construct, operate, police and maintain a pedestrian tunnel between the first floor of the State House Underground Parking Garage and the lower lobby of the Neil House, within the area described in Parcel No. 1 hereof and will construct, operate, police and maintain \*(9)\* a covered stairway from the sidewalk level to the tunnel floor, within the \*(10)\* area described in \*(11)\* Parcel No. 2 \*(12)\* hereof. Said pedestrian tunnel and \*(13)\* stairway shall be open to the public for pedestrian travel without charge, subject to such reasonable restrictions as may be deemed necessary by the Lessee for security and policing purposes.

3. That detailed plans for the construction of said tunnel and \*(14)\* stairway and all appurtenances shall be submitted to the Chief Engineer and the Director of Public Service of the City of Columbus, Ohio, for their approval and no construction shall commence until such approval is obtained.

4. That permission is also granted for temporary use of an extra \*(15)\* five feet on each the north and south sides of the areas described in Parcel No. 1 and Parcel No. 2 \*(16)\* above for the purpose of facilitating construction of the tunnel and \*(17)\* stairway.

5. That all portions of the pavement of High Street, including the sidewalks, curbing and subdrains which may be removed, damaged or destroyed by the construction of said tunnel and stairway or by the operation of said Lessee, its agents and contractors in connection with said construction shall be replaced at the entire expense of the Lessee according to plans and specifications which shall be approved by the Director of Public Service and the Chief Engineer of the City of Columbus, Ohio.

6. That said construction shall not interfere with or damage any existing utility line, pipe, wire, conduit or other facility within or near the construction area and the Lessee shall pay the entire cost of any changes, relocation or rearrangements thereof necessary to accommodate Lessee's structures.

7. That the Lessee herein Diversified Services, Inc., shall save the City harmless from any and all damages which may grow out of or arise from the construction, use or maintenance of said tunnel and stairway and shall defend at its own cost every suit in which the City of Columbus, Ohio, shall be made a party, brought and prosecuted for the recovery of any such damage and shall further maintain liability insurance in such amounts as are satisfactory to the Director of Public Service of the City of Columbus, Ohio, and the City of Columbus shall be jointly named as the insured in such liability insurance policy or policies.

8. In the event the Lessor damages the tunnel or \*(18)\* stairway as a result of the installation of new utility lines, pipes, wire, conduit or other facility near said tunnel or \*(19)\* stairway, the Lessor shall restore said tunnel and/or \*(20)\* stairway to the same condition as existed immediately prior to the damage. However, in the event the City Council of Columbus, Ohio, deems it necessary in the public interest to use the space occupied by said tunnel and/or \*(21)\* stairway for other structures or facilities, then no compensation shall be paid by Lessor to Lessee for any damage to the leased premises or for loss of use of the leased premises.

ises.

9. The City reserves the right to enter at any time upon the premises of the Lessee and into said structures for the purpose of inspecting the condition and maintenance of said structures and examine the records and accounts of the advertising conducted in said tunnel and stairway.

10. That all necessary permits and approvals, to construct the structures contemplated by this ordinance, shall be secured by the Lessee in the usual manner.

In Witness Whereof, the City of Columbus, Lessor, pursuant to Ordinance No. \_\_\_\_\_, enacted \_\_\_\_\_, 1964, has caused these presents to be subscribed in duplicate by its Director of Public Service on \_\_\_\_\_, 1964.

LESSOR  
CITY OF COLUMBUS, OHIO

By \_\_\_\_\_  
W. J. Cremean, Director  
of Public Service

WITNESS: \_\_\_\_\_

(Acknowledgement)

LESSEE  
DIVERSIFIED SERVICES, INC.

By \_\_\_\_\_  
President

By \_\_\_\_\_  
Secretary

WITNESS \_\_\_\_\_

(Acknowledgement)

Section 2. That Ordinance No. 603-64, passed June 8, 1964, be and it is hereby repealed.

Sec. 3. That for the reasons stated in the preamble hereto, which is 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.

- \*(1)\* two
- \*(2)\* stairways
- \*(3)\* 90°
- \*(4)\* 90°
- \*(5)\* 90°
- \*(6)\* 25
- \*(7)\* 25
- \*(8)\* Parcel No. 3

Beginning at a point located in the North line of Parcel No. 1, hereinbefore described, where said North line intersects the Neil House foundation wall, thence northerly along the line of the westerly curb of High Street, a distance of approximately 25 feet, thence at a 90° angle westerly approximately 10 feet, thence at a 90° angle southerly approximately 25 feet, thence at a 90° angle easterly approximately 10 feet to the point of beginning.

- \*(9)\* covered stairways
- \*(10)\* areas
- \*(11)\* Parcels
- \*(12)\* and 3
- \*(13)\* stairways
- \*(14)\* stairways
- \*(15)\* four
- \*(16)\* and Parcel No. 3
- \*(17)\* stairways
- \*(18)\* stairways
- \*(19)\* stairways
- \*(20)\* stairways
- \*(21)\* stairways

Passed August 3, 1964.

ROBERT T. SOUTHWICK,  
President of Council Pro Tem.

Approved August 3, 1964.  
M. E. SENSENBRENNER, Mayor.

Attest:  
GORDON F. SERROTT, City Clerk.

Departmental Request:  
By: Golda May Edmonston.

ORD. No. 907-64—To vacate the second alley east of Fourth Street, extending from the north line of 15th Avenue to the south line of the alley north of 15th Avenue, and from the north line of the alley north of 15th Avenue to the south line of 16th Avenue.

Whereas, petition, signed by the owners of all lots and lands abutting upon the second alley east of Fourth

Street, from 15th Avenue to 16th Avenue, 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 second alley east of Fourth Street, extending from the north line of 15th Avenue to the south line of the alley north of 15th Avenue, and from the north line of the alley north of 15th Avenue to the south line of 16th Avenue, be and the same is hereby vacated.

Sec. 2. That the City of Columbus reserves the right to operate and maintain any and all sewer and 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 August 3, 1964.

ROBERT T. SOUTHWICK,  
President of Council Pro Tem.

Approved August 3, 1964.  
M. E. SENSENBRENNER, Mayor.

Attest:  
GORDON F. SERROTT, City Clerk.

Departmental Request:

By: Golda May Edmonston.

ORD. No. 908-64—To vacate Sixth Street, extending from the north line of Buckingham Street, to North Innerbelt Expressway.

Whereas, petition, signed by the owners of all lots and lands abutting upon Sixth Street, from Buckingham Street to North Freeway, was duly presented to this Council, praying for and consenting to the vacation of said street, 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 Sixth Street, extending from the north line of Buckingham Street to North Innerbelt Expressway, be and the same is hereby vacated.

Sec. 2. That the City of Columbus reserves the right to operate and maintain any and all sewer and 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 street 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 August 3, 1964.

ROBERT T. SOUTHWICK,  
President of Council Pro Tem.

Approved August 3, 1964.  
M. E. SENSENBRENNER, Mayor.

Attest:  
GORDON F. SERROTT, City Clerk.

Departmental Request:  
By: Harvey H. Alston.

ORD. No. 909-64—To authorize and direct the Director of Public Service to enter into contracts for the construction of the Sullivant Avenue Police Station, appropriate the funds to cover the cost thereof and declare an emergency.

Whereas, bids were received on June 30, 1964, and