

Thence easterly, with the south line of Maynard Avenue, a distance of 78.00' to a point at the N.E. corner of the said lot #185;

Thence southerly with the east line of Lot #185, a distance of 50.00' to a point in the new E. right of way line of I-71;

Thence northwesterly, with the new east right of way line of I-71, a distance of 92.65' to the point of beginning, containing 1950 sq. ft.

Subject to a road records and easements of record.

Section 2. That the Purchasing Administrator be and hereby is authorized to execute and deliver those documents, including but not limited to a Quit Claim Deed, necessary to transfer to Columbus Chinese Christian Church the aforesaid real property.

Section 3. That this Council finds that it would be in the best interest of the City to waive the requirements of Section 329.11 of the Columbus City Codes to the extent necessary to permit the City to sell said property without bids and does hereby waive said requirements.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance 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 as amended May 11, 1987.

JERRY HAMMOND,

President of Council.

Approved as amended May 13, 1987.

DANA G. RINEHART, Mayor.

Attest:

FRANCINE C. RYAN, City Clerk.

ORD. No. 974-87—To permit an existing structure to encroach upon the right-of-way of the southeast corner of Wall Street and W. Frankfort Street, and to declare an emergency.

Whereas, Ned Merkle has submitted a request for subject encroachment upon the right-of-way of the southeast corner of Wall Street and W. Frankfort Street; and

Whereas, the proposed encroachment does not interfere with the use of those rights-of-way for street purposes, therefore the encroachment should be permitted; 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 grant such encroachment upon the public right-of-way of the southeast corner of Wall Street and W. Frankfort Street, in order to clear title to an existing structure, for the immediate 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 owner of the structure located at the southeast corner of Wall Street and W. Frankfort Street, their successors and assigns, be and is hereby granted the right and privilege to occupy a portion of the right-of-way of Wall Street and W. Frankfort Street and bounded and described as follows:

To grant an encroachment into the right-of-way, bounding Lot #33, C. F. Jaeger's 3rd Addition, the southeast corner of Wall Street and W. Frankfort Street and being 0.20 feet into Wall Street for a length of 62.60 ft. and 0.20 ft. in W. Frankfort Street starting at said southeast corner and terminating 17.0 ft. easterly therefrom.

Subject to the following conditions:

(1) That the owner of the structure, its successors and assigns, shall save the City harmless from any and all damages which may arise from or grow out of the encroachment of this portion of the right-of-way of Wall Street and W. Frankfort Street; and said owner, its successors and assigns, 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 damages;

(2) That the occupancy of the right-of-way herein permitted is merely as an accommo-

dation to the said grantee, and that no right, title or interest of the public is waived or abridged in any way thereby; such permission to use and occupy said portion of Wall Street and W. Frankfort Street, upon which this structure encroaches, is being granted until such time as said structure may be razed or removed therefrom.

Section 2. That in the event that changes in utility facilities become necessary because of the encroachment of this structure, said owner, its successors and assigns, shall pay the entire cost of any necessary changes, relocations and rearrangement thereof.

Section 3. That this ordinance is conditioned upon the filing by said owner, with the Clerk of this Council, his acceptance, in writing, of each and all the terms, provisions and requirements of this ordinance, and the payment of the cost of publication thereof; provided, however, that if said grantee shall fail to accept the terms and conditions within thirty days after passage thereof, the same then be void and of no force or effect.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance 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 May 11, 1987.

JERRY HAMMOND,

President of Council.

Approved May 13, 1987.

DANA G. RINEHART, Mayor.

Attest:

FRANCINE C. RYAN, City Clerk.

ORD. No. 975-87—To authorize the sale of a portion of Chester Avenue to Robert A. Glick and William L. Glick, Trustees, to waive the provisions of Section 329.11 of the Columbus City Codes and to declare an emergency.

Whereas, the City of Columbus is the owner of real property more fully described in Section 1 of this Ordinance and commonly known as Chester Avenue north of East Fifth Avenue; and

Whereas, Robert A. Glick and William L. Glick, Trustees, desire to acquire said property, and

Whereas, the City Engineer, Division of Engineering and Construction, has determined that the real property described herein is no longer needed as public right-of-way; and

Whereas, after investigation it has been determined that the sale of said property will have no detrimental affect on the general interest of the City of Columbus or to surrounding properties; and

Whereas, the Real Estate Division, Department of Law, has determined \$27,500.00 to be a fair fee for Robert A. Glick and William L. Glick, Trustees, to pay to the City for the purchase of said property; and

Whereas, Robert A. Glick and William L. Glick, Trustees, have delivered a "cashiers check" in the amount of \$27,500.00, payable to the Columbus City Treasurer, to the Real Estate Division, Department of Law and said check is being held by the Real Estate Division pending passage of this Ordinance; and

Whereas, the Land Review Commission has approved the sale of said property to Robert A. Glick and William L. Glick, Trustees, for \$27,500.00; and

Whereas, an emergency exists in that it is immediately necessary to authorize the City of Columbus to sell said property in order to preserve the public health, peace, property, safety, and welfare; now, therefore,

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

Section 1. That the Purchasing Administrator be and hereby is authorized to execute and deliver those documents, including but not limited to a Quit Claim Deed, approved by the Real Estate Division of the Department of Law, necessary to transfer to Robert A. Glick and William L. Glick, Trustees, the following described real property for the sum of \$27,500.00:

Situate in the State of Ohio, County of

Franklin, City of Columbus, being located in Quarter Township 3, Township 1, Range 17, and Quarter Township 4, Township 1, Range 18, United States Military lands and bounded and described as follows:

Beginning at the point of intersection of the centerline of Chester Avenue with the northerly right-of-way line of East Fifth Avenue, said point also being the southeasterly corner of said R.E.M. Realty Co. 7.0757 acre tract, of record in Deed Book 2214, Page 472, the southwesterly corner of the Robert A. and William L. Glick 6.278 acre tract, of record in Deed Book 2266, Page 229;

thence North 3° 26' 00" East, along said centerline of Chester Avenue, a distance of 277.97 feet to a point;

thence North 86° 34' 00" West, crossing said Chester Ave., a distance of 30.00 feet to a point in the westerly right-of-way of said Chester Avenue;

thence North 3° 26' 00" East, along said right-of-way line, a distance of 434.33 feet to a point in the southerly right-of-way line of the N. & W. Railroad;

thence South 86° 34' 00" East, along said right-of-way line of the N. & W. Railroad, a distance of 60.00 feet to the point of intersection of said right-of-way line with the easterly right-of-way line of Chester Avenue;

thence South 3° 26' 00" West, along said right-of-way line of Chester Avenue, a distance of 712.13 feet to a point in the northerly right-of-way line of East Fifth Avenue;

thence North 86° 53' 00" West along said right-of-way of East Fifth Avenue, a distance of 30.00 feet to the place of beginning, containing 0.790 acre, more or less.

Section 2. That this Council finds that it would be in the best interest of the City to waive the requirements of Section 329.11 of the Columbus City Codes to the extent necessary to permit the sale of said property without bids and does hereby waive said requirements.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance 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 as amended May 11, 1987.

JERRY HAMMOND,

President of Council.

Approved as amended May 13, 1987.

DANA G. RINEHART, Mayor.

Attest:

FRANCINE C. RYAN, City Clerk.

ORD. No. 976-87—To authorize the sale of a portion of Chester Avenue to Columbus Truck and Equipment Company, Inc., to waive the provisions of Section 329.11 of the Columbus City Codes and to declare an emergency.

Whereas, the City of Columbus is the owner of real property more fully described in Section 1 of this Ordinance and commonly known as Chester Avenue north of East Fifth Avenue; and

Whereas, the Columbus Truck and Equipment Company, Inc. desires to acquire said property, and

Whereas, the City Engineer, Division of Engineering and Construction, has determined that the real property described herein is no longer needed as public right-of-way; and

Whereas, after investigation it has been determined that the sale of said property will have no detrimental affect on the general interest of the City of Columbus or to surrounding properties; and

Whereas, the Real Estate Division, Department of Law, has determined \$7,500.00 to be a fair fee for the Columbus Truck and Equipment Company, Inc. to pay to the City for the purchase of said property; and

Whereas, Columbus Truck and Equipment Company, Inc. has delivered a "cashiers check" in the amount of \$7,500.00, payable to the Columbus City Treasurer, to the Real Estate Division, Department of Law and said check is being held by the Real Estate Division pending passage of this Ordinance; and

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