

Columbus City Bulletin



Bulletin 47
November 23, 2002

(Including Ordinances and Resolution Acted Upon at the November 18, 2002 Meeting of Columbus City Council)



Proceedings of City Council

Vol. LXXXVII

Saturday, November 23, 2002

NO. 47

**PROCEEDINGS OF CITY COUNCIL REGULAR MEETING NO. 49
MONDAY, NOVEMBER 18, 2002 AT 5:00 P.M.**

Council met in regular session with President Matthew D. Habash in the chair. The roll being called, the following members were present: Kevin L. Boyce, Jennette B. Bradley, President Pro Tem Michael C. Mentel, Maryellen O'Shaughnessy, Richard W. Sensenbrenner, Charleta B. Tavares and President Matthew D. Habash.

There being a quorum present, Council adopted a motion to dispense with reading of the minutes of the previous session and to accept the journal as recorded.

**THE CITY BULLETIN
Official Publication of the City of Columbus**

Published weekly under authority of the City Charter and direction of the City Clerk. The Office of Publication is the City Clerk's Office, 90 W. Broad Street, Columbus, Ohio 43215. The City Bulletin contains the official report of the proceedings of council. The Bulletin also contains all ordinances and resolutions acted upon by council, civil service notices and announcements of examinations, advertisements for bids and requests for professional services, and details pertaining to official actions of all city departments.

THE FOLLOWING COMMUNICATIONS WERE RECEIVED IN THE CITY CLERK'S OFFICE AS OF MONDAY, NOVEMBER 18, 2002:**New Type: D5J**

To: Columbus Hospitality LLC
DBA Margarita Mamas
391 Neil Avenue
Columbus Ohio 43214

New Type: D5J

To: George V Inc
300 N Marconi Blvd#104
Columbus Ohio 43215

New Type: C1

To: Pops One Stop Carryout & Deli Inc
DBA Pops One Stop Carryout & Deli
201 Chittenden Ave
Columbus Ohio 43230

Transfer Type: D2

To: East Columbus Host Inc
DBA Texas Roadhouse
5870 Carnaby Way
Columbus Ohio 43213

From: Penn Traffic Co

DBA Big Bear
100 Dillmont Dr
Columbus Ohio 43213

Transfer Type: C1

To: Mock Road Supermarket Inc
DBA Cleveland BP
3129 Cleveland Ave
Columbus Ohio 43224

From: Brush Costell Enterprises Inc

DBA BP Mini Mart
3129 Cleveland Ave
Columbus Ohio 43224

Transfer Type: D1, D2, D3, D3A, D6

To: Tiger Shark Productions Limited
Reg Martin Rcvr
57 E Main St 1st Fl
Columbus Ohio 43215

From: Tiger Shark Productions Limited

57 E Main St 1st Floor
Columbus Ohio 43215

(11/23/02)

ORDINANCES

ORD. NO. 1452-02

To rezone 3242 HAYDEN ROAD (43235), being 1.71 ± acres located at the northeast corner of Hayden Road and Riverside Drive, From: CPD, Commercial Planned Development District, To: CPD, Commercial Planned Development District.

WHEREAS, application #Z02-040 is on file with the Building Services Division of the Department of Development requesting rezoning of 1.71 ± acres CPD, Commercial Planned Development District to CPD, Commercial Planned Development District; and

WHEREAS, the Development Commission recommends disapproval of said zoning change; and

WHEREAS the City Departments recommend approval of said zoning change noting that the applicant requests the CPD Commercial Planned Development District to permit the development of a retail mulch business, a less intensive use than the existing zoning permits and establishes more restrictive development standards and increased landscaping, now, therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Zoning Map attached to Ordinance No. 1620-77 passed September 19 1977, and as subsequently amended be, and the same is hereby revised by changing the zoning of the property as follows:

3242 HAYDEN ROAD (43235), being 1.71 ± acres located at the northeast corner of Hayden Road and Riverside Drive, and being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 3, Township 2 North Range 19 West, U.S. Military Lands, and being part of an original 15.496 acre tract conveyed to S'D & Ruth E. Strader (Deed Book 2244, Page 495) and a 3.489 acre tract conveyed to Jack D. & Ruth E. Strader (Deed Book 2403, Page 508), and being more particularly described as follows.

Beginning at an iron pin set in the north line of Hayden Run Rd. and the east line of Riverside Drive (U.S. Route 33) at Station 147+00, 120 feet right as shown on Franklin County Road plans FRA-County 32, Hayden Run Road, R/W Plans, Part 2, Sheet 113 of 128;

Thence North 09° 59' 33" West 82.79 feet, along the east line of Riverside Drive (U.S. Route 33), to an iron pin set at Station 147 + 75.83, 128.17 feet right, also being in the south line of Reserve East of Hayden Falls as shown and delineated in Plat book 60, Page 73, Fra. Co. Rec. Office, Thence North 67° 52' 58" East 211.75 feet, along the north line of said original 15.496 acre tract and south line of said Reserve East, to an iron pin found;

Thence North 22° 28' 26" East 72.10 feet, along the north line of said original 15.496 acre tract and south line of said Reserve East, to an iron pin found;

Thence South 87° 20' 34" East 167.21 feet, along the north lines of said original 15.496 and 3.489 acre tracts and south line of said Reserve East, to an iron pin found marking the northeast corner of said 3.489 acre tract and the northwest corner of an original 1.420 acre tract conveyed to Donald R. Kenney, Trustee (Deed Book 3719, Pg. 427);

Thence South 15° 48' 34" East 244.61 feet, along the east line of said 3.489 acre tract and west line of said original 1.420 acre tract, to an iron pin set in the north line of Hayden Run Road at Station 426+39.19 75.00 feet left;

Thence North 86° 38' 42" West 189.19 feet, along the north line of Hayden Run Road, to an iron pin set at Station 424+50 75.00 feet left;

Thence North 89° 34' 53" West 253.63 feet, continuing along the north line of Hayden Run Road, to the place of beginning, containing 1.710 acres more or less, of which 1.155 acres is from said original 15.496 acre tract and 0.555 acres is from said original 3.489 acre tract. Subject to all easements, restrictions, and rights-of-way of record, if any.

Basis of Bearings from Franklin County Road plans FRA-County 32, Hayden Run Road, R/W Plans, Part 2, based on the centerline of Hayden Run Road. All Deed references are on file at the Franklin Co. Recorder's Office. All iron pins set capped APATRIDGE SURVEYING. A survey of the above described tract was done by R.T. Patridge and Associates in December 1994.

To Rezone From: CPD, Commercial Planned Development District.

To: CPD, Commercial Planned Development District.

Section 2. That a Height District of thirty-five (35) feet is hereby established on the CPD, Commercial Planned Development District on this property.

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plan being titled "CPD Site Plan" and said text being titled, "CPD Text," both signed by Jeffrey L. Brown, Attorney for the Applicant and dated 8/28/02, and said text reading as follows:

CPD TEXT

PROPOSED DISTRICT:	CPD
EXISTING DISTRICT:	CPD
PROPERTY ADDRESS:	3242 Hayden Run Road
OWNER:	James L. Nichols, Trustee
APPLICANT:	Ohio Mulch Supply, Inc.
DATE OF TEXT:	8/28/02
APPLICATION NUMBER:	Z02-040

1. INTRODUCTION: The site is at the northeast corner of Riverside Drive and Hayden Run Road.
2. PERMITTED USES: Those uses permitted in Chapter 3355 of Columbus City Code (C-4, Commercial) except for the following uses: cabaret, night club, dance hall, pub, bar, private club, poolroom, a carry-out, drive-in, fast food business, an automobile service station or business engaged in wholesale or retail sales of any fuel; no adult book stores; adults only entertainment establishment or business offering any combination of such services; and there shall not be erected any off premise graphics or billboards. No residential units permitted in Commercial or as an accessory use to hotels. No cellular towers.
3. DEVELOPMENT STANDARDS: Unless otherwise specified in the following Development Standards, the Development Standards shall be as specified in Chapter 3355 of Columbus City Code (C-4, Commercial District).
 - A. Density, Height, Lot and/or Setback commitments.

The parking setback from Riverside Drive and Hayden Run Road Roads shall be 10 feet.
 - B. Access, Loading, Parking and/or other Traffic related commitments.

1. The design of the curbcuts and any traffic improvements shall be subject to the review and approval of the City's Division of Transportation. The developer shall restripe the center turn lane on Hayden Run Road to create a left turn lane into the site.

2. The curb cut shall allow right-in right-out, and left in from Hayden Road.

C. Buffering, Landscaping, Open space and/or Screening commitments.

1. Street trees shall be planted within the parking setback along Riverside Drive and Hayden Run Road at a ratio of one tree per thirty (30) feet of frontage.

2. Within the parking setback area along Riverside Drive and Hayden Run Road a brick wall with or without mounding shall be installed. The height of the brick wall and mounding shall be equal to or exceed the height of the pallets of mulch or other landscape materials which are located adjacent to the brick wall but shall not exceed a maximum height of seven feet.

3. All trees and landscaping shall be well maintained. Dead items shall be replaced within six months or the next planting season, whichever occurs first.

4. All trees meet the following minimum size at the time of planting:

- a. Shade trees 2.5" caliper
- b. Ornamental trees 1.5" caliper
- c. Evergreen trees 5 feet in height

5. The developer shall prepare a survey which shows the top of bank. The wall/fence shall be at least six feet from the top of bank. The developer shall submit the survey and site plan to the City's Recreation and Parks Department which shall review and approve the site plan prior to the issuance of zoning clearance.

D. Building design and/or Interior-Exterior treatment commitments.

Mechanical equipment or other utility hardware on the roof of a building shall be screened to the height of the equipment or placed away from the residentially zoned properties.

E. Dumpsters, Lighting, Outdoor display areas and/or other environmental commitments.

1. All external outdoor lighting shall be cut-off fixtures (down lighting) and shall be designed and placed to prevent spillage of light off the site and to prevent glare visible from the property lines. All lighting shall not project onto nor interfere with the operations of Don Scott Field, the Ohio State University Airport.

2. Except for decorative lighting, all other light poles shall be metal and such light poles shall be either brown or black in color. Light poles in the parking lot shall not exceed 18 feet in height. Lighting shall not exceed .1 foot candle along the property line of a residentially used or zoned property.

3. Dumpsters shall be screened on three sides with a fence, wall or landscaping to a height of six feet with a gate on the fourth side.

4. Filters/screening shall be placed on all catch basins to prevent mulch from being washed in to the stormwater system.

F. Graphics and Signage commitments.

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to the C-4 Commercial District and any variance to the sign requirements shall be submitted to the Columbus Graphics Commission for consideration.

G. Miscellaneous commitments.

1. The developer shall comply with the City's parkland dedication ordinance by paying \$400/acre at the time of submission for zoning clearance.

2. At the time of development the developer shall install a sidewalk along its Hayden Run Road frontage unless not required by the City.

3. SITE PLAN: The property shall be developed in accordance with the submitted site plan. The site plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time that development and engineering plans are completed. Any slight adjustment to the site plan shall be reviewed and may be approved by the Director of the Department of Development or his designee upon submission of the appropriate data regarding the proposed adjustment.

4. There shall be no large piles of mulch allowed on site. The only unbagged storage of mulch shall be permitted within the bins.

5. The height of the stored mulch within the bins shall not exceed 10 feet and the bins shall be covered to help with stormwater management.

4. CPD CRITERIA

A. NATURAL ENVIRONMENT: The site is undeveloped and drains toward the river.

B. EXISTING LAND USE: To the east multi-family; to the south across Hayden Run Road a garden center; to the west across Riverside Drive a city park and to the north commercial and multi-family uses.

C. TRANSPORTATION AND CIRCULATION: Access shall be limited to Hayden Run Road.

D. VISUAL FORM OF DEVELOPMENT: The proposed use is a mulch facility. See the site plan and text for development standards.

E. VIEW AND VISIBILITY: Appropriate landscape standards are contained in the text.

F. PROPOSED DEVELOPMENT: Mulch facility.

G. BEHAVIOR PATTERN: Existing development in the area has established behavior patterns.

H. EMISSIONS: No adverse effect.

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

Passed as amended November 18, 2002, Matthew D. Habash, President of Council / Approved as amended November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1453-02

To grant a variance from the provisions of Section 3355.02, Permitted uses in an CPD, Commercial Planned Development District, of Columbus City Code for the property located at 3242 Hayden Road (43235), to permit wholesaling of products sold by a mulch business.

WHEREAS, by application No. CV02-034, the owner of property at 3242 Hayden Road (43235), is requesting a Council Variance to permit wholesaling of products sold by a mulch business; and

WHEREAS, Section 3355.02, CPD, Commercial Planned Development District, prohibits wholesaling of products, while the applicant proposes to initiate wholesaling of products in conjunction with retail sales of a mulch business; and

WHEREAS, This variance will permit wholesaling of products sold by a mulch business. This council variance application is a companion to and is submitted with rezoning application Z02-040 that requests the CPD, Commercial Planned Development District to develop a retail mulch business. A variance is necessary in that wholesale of items is only permitted in the M, Manufacturing District and only Council variance may permit a wholesale component of a retail sales business in the CPD, Commercial Planned Development District; and

WHEREAS, City Departments note a hardship exists and recommend approval because existing zoning prohibits a wholesaling establishment or market; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed uses; and
WHEREAS, said variance will not adversely affect the surrounding property or surrounding neighborhood; and

WHEREAS, the granting of said variance will not impair an adequate supply of light and air to adjacent properties or unreasonably increase the congestion of public streets, or unreasonably diminish or impair established property values within the surrounding area, or otherwise impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus; and

WHEREAS, the granting of said variance will alleviate the difficulties encountered by the owners of the property located at 3242 Hayden Road (43235), in using said property as desired; now, therefore:

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

Section 1. That a variance from the provisions of Section 3355.02, Permitted uses in an C-4, Commercial District, of Columbus City Codes is granted for the property located at 3242 Hayden Road (43235), insofar as said sections prohibit a wholesaling establishment or market by varying the district's permitted use, said property particularly being described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Quarter Township 3, Township 2 North, Range 19 West, U.S. Military Lands, and being part of an original 15.496 acre tract conveyed to Jack D. & Ruth E. Strader (Deed Book 2244, Page 495) and a 3.489 acre tract conveyed to Jack D. & Ruth E. Strader (Deed Book 2403, Page 508), and being more particularly described as follows:

Beginning at an iron pin set in the north line of Hayden Run Rd. and the east line of Riverside Drive (U.S. Route 33) at Station 147+00, 120 feet right as shown on Franklin County Road plans FRA-County 3; Hayden Run Road. R/W Plans, Part 2, Sheet 113 of 128;

Thence North 09° 59' 33" West 82.79 feet, along the east line of Riverside Drive (U.S. Route 33), to an iron pin set at Station J'17176 83, 128.27 feet right, also being in the south line of Reserve East of Hayden Falls as shown and delineated in Plat book 60, Page 73, Fra. Co. Rec. Office;

Thence North 67° 52' 58" East 211.75 feet, along the north line of said original 15.496 acre tract and south line of said Reserve East, to an iron pin found;

Thence North 22° 28' 26" East 72.10 feet, along the north line of said original 15.496 acre tract and south line of said Reserve East, to an iron pin found;

Thence South 87° 20' 34" East 167.21 feet, along the north lines of said original 15.496 and 3.489 acre tracts and south line of said Reserve East, to an iron pin found marking the northeast corner of said 3.489 acre tract and the northwest corner of an original 1.420 acre tract conveyed to Donald R. Kenney, Trustee (Deed Book 3719, Pg. 427);

Thence South 15° 48' 34" East 244.61 feet, along the east line of said 3.489 acre tract and west line of said original 1.420 acre tract, to an iron pin set in the north line of Hayden Run Road at Station 426+39.19 75.00 feet left;

Thence North 86° 38' 42" West 189.19 feet, along the north line of Hayden Run Road, to an iron pin set at Station 424+50 75.00 feet left;

Thence North 89° 34' 53" West 253.63 feet, continuing along the north line of Hayden Run Road, to the place of beginning, containing 1.710 acres more or less, of which 1.155 acres is from said original 15.496 acre tract and 0.555 acres is from said original 3.489 acre tract. Subject to all easements, restrictions, and rights-of-way of record, if any.

Basis of Bearings from Franklin County Road plans FRA-County 32, Hayden Run Road, R/W Plans, Part 2 based on the centerline of Hayden Run Road. All Deed references are on file at the Franklin Co. Recorder Office. All iron pins set capped APATRIDGE SURVEYING. A survey of the above described tract was done by R.T. Patridge and Associates in December 1994.

Section 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a wholesaling establishment or market for products sold by a mulch business and/or those uses permitted by rezoning application Z02-040.

Section 3. That this ordinance is further conditioned on the applicant obtaining all applicable permits and a Certificate of Occupancy for each proposed use.

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

Passed November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1565-02

To adopt the recommended Community Development Block Grant "2003 Action Plan" for the Community Research Partners, to authorize the filing of the plan with the U.S. Department of Housing and Urban Development, and to declare an emergency.

WHEREAS, in conjunction with the Consolidated Plan, the City is required to submit a one year budget or "Action Plan" detailing the various programs to be funded under the plan; and

WHEREAS, an emergency exist m the usual daily operation of the City m that it is immediately necessary to authorize the filing of the aforesaid plan application, thereby preserving the public peace, health, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the City of Columbus hereby adopts the recommended 2003 Action Plan as set forth in the attached Exhibit A.

SECTION 2. That the application for said plan as provided for in the federal statutes authorizing the Consolidated Plan Programs is hereby adopted, and that the Mayor, acting on behalf of the City of Columbus, is hereby authorized and directed to file such application with the U.S. Department of Housing and Urban Development.

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.

NOTE: Exhibit "A" on file in the City Clerk's Office.

Passed November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1598-02

To authorize the Director of the Public Service Department to execute those documents required to transfer that portion of Hickory Street from the east line of North High Street to the west line of Pearl Street and that portion of Pearl Street from the north line of Spring Street to the south line of Hickory Street to the United States Government; to waive the competitive bidding provisions of Columbus City Codes and to declare an emergency.

WHEREAS, the City of Columbus, Public Service Department, Transportation Division has received a request from the United States Government to permanently close Pearl Street between Spring and Hickory Streets and Hickory Street between Pearl and High Streets to facilitate the installation of various physical barriers that will enhance the security of the Bricker Federal Building at 200 North High Street; and

WHEREAS, these rights-of-way were temporarily closed on November 5, 2001 in response to the need for heightened security following the September 11, 2001 tragedy; and

WHEREAS, the Public Service Director has now recommended the permanent closure of these rights-of-way; and

WHEREAS, after review of the request and the recommendation from the Public Service Director the Land Review Commission has voted to recommend that these rights-of-way be transferred to the United States Government at no charge; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department in that it is immediately necessary to authorize the Director to execute those documents required to transfer this excess right-of-way so that the United States Government can take those steps necessary to begin installation of aesthetically pleasing permanent site improvements that will enhance the security of the Bricker Federal Building at 200 North High Street without delay; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of the Public Service Department be and is hereby authorized to execute quit claim deeds and other incidental instruments prepared by the Department of Law, Real Estate Division, necessary to transfer Hickory Street (33 feet wide) from the east line of North High Street (100 feet wide) to the west line of Pearl Street (33 feet wide) AND Pearl Street (33 feet wide) from the north line of Spring Street (82.5 feet wide) to the south line of Hickory Street (33 feet wide) to the United States Government.

Section 2. That the above referenced real property shall be considered excess road right-of-way and the public rights therein shall terminate upon the Director's execution and delivery of said quit claim deeds to the grantee thereof.

Section 3. That a general utility easement in, on, over, across and through the above described excess right-of-way shall be and hereby is retained unto the City of Columbus for those utilities currently located within said excess right-of-way.

Section 4. That this Council has determined it is in the best interest of the City of Columbus to allow these rights-of-way to be transferred without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Section 329.25 with regards to the transfer of these properties.

Section 5. 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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1656-02

To amend Ordinance #884-02, passed June 17, 2002 (Z02-011), for property located at 5980 East Main Street (43207), by repealing Section 3 and passing a revised Section 3, thereby permitting an increase of restaurant use from 2,405 square feet to 2,800 square feet in an 8,424 square foot commercial building, and to declare an emergency.

WHEREAS, Ordinance #884-02, passed June 17, 2002 (Z02-011), rezoned 1.22± acres from the C-5, Commercial District to the CPD, Commercial Planned Development District to permit the development of a commercial building having not more than 6,000 square feet of retail use and not more than 2,405 square feet of restaurant use in accordance with a registered site plan and specific development standards established in a CPD text; and

WHEREAS, subsequent the rezoning of said property, the applicant has identified a restaurant uses that desires to occupy a maximum of 2,800 square feet of the building; and

WHEREAS, this legislation will amend Ordinance #884-02, passed June 17, 2002 (Z02-011), by replacing Section 3 with a new Section 3 establishing a modified site plan and CPD text to accommodate the proposed restaurant use; and

WHEREAS, all other use restrictions and development standards established by Ordinance #884-02 remain in effect and unchanged by this amendment; and

WHEREAS, an emergency exists in the daily operation of the Department of Development, Building Services Division, in that it is immediately necessary to amend Ordinance #884-02, passed June 17, 2002 (Z02-011), as stated herein and to declare an emergency, 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 existing Section 3 of Ordinance #884-02, passed June 17, 2002 (Z02-011), be amended by repealing said Section 3 in its entirety and that a new Section 3 is adopted and reading as follows:

Section 3. That the Director of the Department of Development be, and he is hereby authorized and directed to make the said changes on the said original zoning map in the office of the Building Services Division and shall register a copy of the approved CPD, Commercial Planned Development District and Application among the records of the Building Services Division as required by Section 3311.12 of the Columbus City Codes; said plan being titled, "REZONING SITE PLAN FOR N.E. CORNER OF E. MAIN ST. & McNAUGHTEN RD." and text titled, "CPD TEXT", signed by Laura MacGregor Comek, Attorney for the Applicant, dated October 22, 2002, and reading as follows:

CPD TEXT

PROPOSED ZONING:	CPD; Commercial Planned Development
EXISTING ZONING:	Commercial District
PROPERTY ADDRESS:	5980 East Main Street Columbus, Ohio 43207
OWNERS/APPLICANTS:	Schottenstein Trustees; c/o Michael T. Shannon, Laura MacGregor Comek, and Crabbe, Brown & James LLP
DATE OF TEXT:	October 22, 2002
APPLICATION NUMBER:	Z02-011A

1. INTRODUCTION

This 1.22 ± acre site is located on East Main Street, at the Northeast corner of Main Street and McNaughten Road. This site is currently zoned C-5, Commercial District by Ordinance No. 1755-71, passed on September 20, 1972. The purpose of this Application is to redefine and combine permitted uses, to allow both general retail and restaurant uses. See "Rezoning Site Plan" attached.

2. PERMITTED USES

Those uses permitted within the C-4 Commercial District, except the following: newspaper substation; armory; auto parts; billboards; funeral parlor; garage repair shop; hotel; motel; motor bus terminal; dance hall or discotheque; new or second hand car lot; automobile sales room; skating rink;

cabaret or night club; stable; storage garage; testing or experimental laboratory; tinsmith; veterinary hospital; poultry shop with killing and dressing on premises; off premises graphics other than as approved by the Columbus Graphics Commission.

3. DEVELOPMENT STANDARDS

A. Setbacks.

The proposed development shall conform to the C-4, Commercial District development standards.

B. Access. Loading. Parking and/or Other Traffic Related Commitments.

Any access points and traffic-related commitments will be in accordance with the requirements and specifications of the City of Columbus Transportation Division.

C. Buffering. Landscaping. Open Space, and/or Screening Commitments.

1. There shall be a hedge along the West and South boundaries of the property. Such landscaping will be no less than 30 inches in height, three feet on center, and be well maintained.

2. Any and all landscaping will be well maintained. Any dead or decayed material shall be removed and replaced with like or similar material/type within six (6) months or the next planting season, whichever occurs first.

D. Building Design and/or Interior-Exterior Treatment Commitments.

1. A drive thru will be constructed along the West side of the proposed drive thru building, to accommodate proposed restaurant traffic.

2. The exterior wall finish of the buildings constructed on the property shall be any of the following: brick; stone; cultured stone; stucco; wood; and/or vinyl siding.

3. Any mechanical equipment or utility hardware on the roof of the building shall be screened from view to prevent the equipment from being visible from the property line of the parcel. Said screening shall utilize materials similar to or compatible with those used for building materials. Ground-mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping and/or any fence or wall utilizing compatible materials to the building materials.

E. Lighting. Outdoor Display Areas, and/or other Environmental Commitments.

1. Lighting for this site will be designed and placed so as to provide adequate lighting, to maximize safety and minimize off site glare. Special attention will be given to drive access points, and service areas. Lighting shall not exceed 0.1-foot candle along the property line.

2. All site lighting for both pedestrians and vehicles is to be directed to the pavement.

3. All fixtures will be cutoff style downlighting, compatible with building design standards.

4. Light poles in the parking lot will not exceed 18 feet in height.

F. Graphics and/or Signage Commitments.

All graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code, and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.

G. Variances Requested.

A variance from Columbus City Code §3342.28 to reduce the number of required parking spaces from 61 to 56. If any additional variances are requested that are not provided by this CPD zoning, then said variances may be requested by application to the Board of Zoning Adjustment.

H. Miscellaneous Commitments.

The subject site shall be developed in general conformance with the Rezoning Site Plan. The Rezoning Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time of the development and engineering plans are completed. Any slight adjustment to the plan shall be reviewed and approved by the Director of the Department of Development, or his designee upon submission of the appropriate data regarding the proposed adjustment.

4. CPD REQUIREMENTS

A. Natural Environment.

The property is located at the Northeast corner of the intersection of East Main Street and McNaughten Road. The site is currently developed for C5 use, and accessory parking. Various landscaping and/or green space has been installed along East Main Street, McNaughten Road and other locations within the site.

B. Existing Land Use.

The property is currently zoned unlimited C5, Commercial District. This proposal permits greater limitations and restrictions on the use of the building, permitted uses of the site, as well as limitations and restrictions on the building layout. Surrounding properties are zoned commercial and developed with commercial uses.

C. Transportation and Circulation.

There is direct vehicular access to the site from East Main Street through the single existing curb cut. Additionally, there is an access drive immediately East of the site, which permits traffic to enter the site at the Northern boundary (access point).

Traffic may exit the site via the exiting curb cut onto East Main Street. Traffic may also exit the site via the access point along the Northern boundary of the site which leads to a right-turn-only access point onto Northbound McNaughten Road, or into the shopping center directly North and East of the site.

D. Visual Form of the Environment.

East Main Street is a major arterial, as it runs Eastward from Nelson Road through Bexley, Whitehall, Columbus and Reynoldsburg. It is lined with numerous and high-intensity commercial uses. McNaughten Road is also a major arterial.

The architectural efforts and results, as depicted in the attached Rezoning Site Plan, are to utilize landscaping and/or green space to the greatest extent possible, while still accommodating required parking. Additionally, the architectural intent is to allow for a convenience drive thru use, while still adding to the overall improvement of this location.

E. View and Visibility.

Consideration has been given to the visibility and safety issues, and the Rezoning Site Plan is a direct result of the same. There is well-defined existing access to the site.

Additionally, parking has been considered and placed along the perimeter of the site, so as to increase safety and maintain the number of the code-required spaces.

F. Proposed Development.

The Proposed Development is compatible and complimentary to existing, surrounding commercial uses. Furthermore, the prior commercial use of this site was also a restaurant. The proposed development will contribute to the overall commercial viability of the area.

G. Behavior Patterns.

The existing access to and from this site is not being altered, thus the established traffic flow patterns for this site, and the surrounding commercial developments (shopping centers, etc.), are not expected to be materially altered by this development. See Rezoning Site Plan attached for the well-defined existing access points.

H. Emissions

Due to the intensity of the land use surrounding the subject, there will be no relevant increase of or addition to emissions.

Section 2. That existing Section 3 of Ordinance #884-02 (Z02-011), passed on June 17, 2002, be and is hereby repealed.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part thereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval if the Mayor neither approves nor vetoes the same.

Passed November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1670-02

To adopt the Waggoner Road Economic Development Plan as a guide for future growth and development of the Waggoner Road Planning Area.

WHEREAS, Myers Schmalenberger, Inc. was retained in 2000 by the Planning Division to develop the East Broad Street Study. This study analyzed the traffic/circulation and land use patterns for the area surrounding East Broad Street from Interstate 270 to the Franklin/Licking County line; and

WHEREAS, a steering committee was formed to assist with the development of the East Broad Street Study. Representatives from area businesses and surrounding jurisdictions participated on the steering committee; and

WHEREAS, a portion of the East Broad Street Study addressed the area adjacent to Waggoner Road. This portion of the study has been extracted to form the Waggoner Road Economic Development Plan. The extracted portion provides recommendations on land use and infrastructure for the area adjacent to Waggoner Road; and

WHEREAS, the boundaries of the Waggoner Road Economic Development Plan are delineated in the Waggoner Road Economic Development Plan, consisting of three focus areas and attached as Exhibit A, but generally described as follows: Focus Area A, consisting of a 119-acre site bisected by a CSX rail corridor and bordered by Wengert Road to the north, Waggoner Road to the east, single family development to the west and undeveloped or single family development to the north; Focus Area B, consisting of a 216-acre site, bordered by East Broad Street to the south, Waggoner Road to the west, single family development to the north and other development to the east; and Focus Area C, consisting of a 42-acre site approximately 1000 feet north of East Broad Street, bordered by Waggoner Road to the east and single family residential development to the north and west, and other development to the south; and

WHEREAS, recommendations included in the Waggoner Road Economic Development Plan address land use, housing, infrastructure, public transportation and recreation; and now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Waggoner Road Economic Development Plan is hereby adopted to serve as a guide, for both the community and the City of Columbus, as to the future growth and development of the Waggoner Road Planning Area.

Section 2. That the Development Commission and all departments and divisions of the City administration are hereby authorized and directed to use the Waggoner Road Economic Development Plan to initiate projects that will implement the provisions of the plan, including the development of tax increment financing districts to provide financing for public infrastructure improvements.

Section 3. That the Department of Development is directed to monitor the use of the Waggoner Road Economic Development Plan, and to present to City Council any amendments necessary to keep the plan up-to-date.

Section 4. That copies of the Waggoner Road Economic Development Plan shall be kept on file in the Department of Development, Planning Division.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Note: Attachment "A" on file in the City Clerk's Office.

Passed November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1671-02

To authorize the Director of the Department of Development to enter into an agreement with Ohio Transmission Corporation for a tax abatement of fifty percent (50%) on real property improvements for a period of five (5) years; in consideration of a proposed \$2,750,000 investment in real and personal property and the creation of ten (10) new full-time jobs.

WHEREAS, the Columbus City Council authorized the designation of the Enterprise Zone by legislation. Ordinance Number 779-85, dated April 22, 1985; and

WHEREAS, the Ohio Department of Development approved this designation under State of Ohio enterprise law, by letter dated June 12, 1985; and

WHEREAS, Ohio Transmission Corporation plans to build a 32,000 square foot facility to accommodate relocation and expansion.

WHEREAS, the relocation and expansion will add approximately \$2,750,000 in investment within the City; and

WHEREAS, the expansion will create ten (10) new full-time jobs; and

WHEREAS, the City desires to enter into such a binding, formal agreement in order to foster economic growth; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of the Department of Development is hereby authorized to enter into an Enterprise Zone Agreement with Ohio Transmission Corporation and to provide therewith an exemption of fifty percent (50%) on real property improvements for a term of five (5) taxable years in association with the project's proposed \$2,750,000 investment.

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

Passed November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1672-02

To authorize the City Auditor to transfer and increase, if necessary, appropriations within any of the various funds of the City to provide for payrolls, internal services, and other obligations for 2002 and to authorize the payment of payrolls and other obligations due in 2003 prior to the passage of the 2003 appropriation ordinances.

WHEREAS, the last pay period of fiscal year 2002 will end on December 21, 2002 and will be paid on December 26, 2002, and WHEREAS, it may be necessary to make various budget transfers and or encumbrance cancellations within appropriated funds and to increase appropriations, if necessary, to meet said payroll, bills for internal services and other obligations for 2002, and

WHEREAS, pay periods may elapse in 2003 before the 2003 annual appropriation ordinances will be approved by Council; now, therefore, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the City Auditor is hereby authorized to transfer appropriations within any fund, if necessary, and to cancel encumbrances, if necessary, to provide for City payrolls for the pay period ending December 21, 2002, unpaid internal services and other obligations from any object level one with available funds to the appropriate object level one.

Section 2. That the City Auditor is hereby authorized and directed to honor and pay all properly presented payrolls, related items and other obligations for periods prior to passage of the annual appropriation ordinances for fiscal year 2003.

Section 3. Sufficient appropriations necessary to pay such costs referred to in Sections 1 and 2 of this ordinance are hereby authorized.

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

Passed November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1673-02

To authorize the Director of the Public Service Department to execute those documents required to transfer a 3.5' by 142.5' portion of the south side of West Second Avenue west of North High Street to Wood Real Estate LLC and to waive the competitive bidding provisions of Columbus City Codes.

WHEREAS, the City of Columbus, Public Service Department, Transportation Division has received a request from Wood Real Estate LLC asking for the right to acquire a 3.5' by 142.5' portion of the south side of West Second Avenue west of North High Street; and

WHEREAS, this right-of-way is currently being used for parking purposes; and

WHEREAS, acquisition of this right-of-way will maximize on site parking for the Wood Real Estate LLC site; and

WHEREAS, the Department of Law, Real Estate Division established a value of \$3,350.00 for this right-of-way; and

WHEREAS, Wood Real Estate LLC requested mitigation of this amount citing the significant changes to the physical environment and the increase in the City's tax revenue that will be received by the City after the revitalization of this site as justification for their request for mitigation; and

WHEREAS, the Land Review Commission voted to recommend that this right-of-way be transferred to Wood Real Estate, LLC at no charge in recognition of these mitigating factors; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of the Public Service Department be and is hereby authorized to execute quit claim deeds and other incidental instruments prepared by the Department of Law, Real Estate Division, necessary to transfer the following described right-of-way to Wood Real Estate LLC at no charge; to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus, and being part of the right-of-way of Second Avenue;

Beginning at a set P.K. Nail at the northeast corner of Reserve "A" of J.R. Hughes 2nd Avenue, P.B. 3, Pg. 345, Franklin County Recorder's Records.

Thence N 90°00'00" W following the northerly line of Reserve "A" and the existing southerly right-of-way line of Second Avenue, a distance of 142.50 feet to a P.K. Nail set;

Thence N 00°00'00" E crossing and following the proposed right-of-way line of Second Avenue a distance of 3.50 feet to a set P.K. Nail;

Thence S 90°00'00" E crossing and following the proposed right-of-way line of Second Avenue a distance of 141.80 feet to a set P.K. Nail;

Thence S 11°23'02" E following the existing right-of-way line of High Street a distance of 3.57 feet to the point of beginning containing 498 square feet, more or less.

This description was based on an actual field survey by the Jerry A. Malott Surveying Company, October 2002.

Bearings were based on the centerline of Second Avenue as being an assumed bearing of N 90°00'00" W due to the plat having no bearings shown.

Jerry A. Malott, P.S., #5963

Section 2. That the above referenced real property shall be considered excess road right-of-way and the public rights therein shall terminate upon the Director's execution and delivery of said quit claim deeds to the grantee thereof.

Section 3. That a general utility easement in, on, over, across and through the above described excess right-of-way shall be and hereby is retained unto the City of Columbus for those utilities currently located within said excess right-of-way.

Section 4. That this Council has determined it is in the best interest of the City of Columbus to allow these rights-of-way to be transferred without requiring competitive bidding and hereby waives the competitive bidding provision of Columbus City Codes (1959) Revised, Section 329.25 with regards to the transfer of these properties.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1712-02

To accept the plat titled McCUTCHEON CROSSING SECTION 3, from McCutcheon Crossing Associates, LLC, an Ohio limited liability company, by Robert A. Meyer Jr., Senior Vice President of Dominion Homes Inc., an Ohio corporation. Managing Member, and Eric J. Schottenstein, President of Joshua Investment Company, Inc., an Ohio corporation, member.

WHEREAS, the plat titled McCUTCHEON CROSSING SECTION 3 (hereinafter "plat"), has been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, McCutcheon Crossing Associates, LLC, an Ohio limited liability company, by Robert A. Meyer Jr., Senior Vice President of Dominion Homes Inc., an Ohio corporation, Managing Member, and Eric J. Schottenstein, President of Joshua Investment Company, Inc., an Ohio corporation, member, owner of the platted land, desires to dedicate to the public use all or such parts of the Avenue, Drives, and Road shown on said plat and not heretofore so dedicated; and

WHEREAS, after examination, it has been found to be in the best interest of the City to accept said plat; now, therefore,

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

Section 1. That the plat titled McCUTCHEON CROSSING SECTION 3 on file in the office of the City Engineer, Transportation Division, be and the same is hereby accepted.

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

Passed November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1719-02

To amend Ordinance 2356-98 for the purpose of excluding parcel number 010-024609 from the tax increment financing district (TIF); and to declare an emergency.

WHEREAS, ordinance 2356-98, passed September 14, 1998, established a tax increment financing district as set forth in Ohio Revised Code 5709.40 by declaring the improvements located on the Arena area parcels east of the Ohio Pen site; and

WHEREAS, all parcels bordered by 1-670 on the north; High Street on the east; Spring Street on the south and Neil Avenue on the west except parcels known as the Ohio Pen site, which are bordered by Maple Street on the north; West Street on the east; Spring Street on the south and Neil Avenue on the west, are included in the tax increment financing district established by Ordinance 2356-98; and

WHEREAS, ordinance 1940-98, passed July 20, 1998, granted NTK Hotel Group, LLC a tax exemption of one hundred percent (100%) for ten (10) years for real property improvements; and

WHEREAS, NTK Hotel Group, LLC applied for an exemption from taxation for tax year 2001; and

WHEREAS, the Ohio Department of Taxation has not granted the tax exemption to NTK Hotel Group, LLC because the real property identified as parcel number 010-024609 is included in the tax increment financing district (TIF) established by Ordinance 2356-98; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to amend Ordinance 2356-98 for the preservation of public health, peace, property and safety; now therefore,

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

Section 1. To amend Ordinance 2356-98 for the purpose of excluding parcel number 010-024609 from the tax increment financing district (TIF).

Section 2. That for reasons stated in the preamble and incorporation therein, this ordinance is hereby declared to be an emergency measure and shall take effect and be enforced 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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1722-02

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Sign Language Interpreting Services, with Deaf Services Center, and to declare an emergency.

WHEREAS, the Purchasing Office advertised and solicited proposals, and awarded to the highest ranked offeror as requested by the Human Resources Director; and

WHEREAS, vendor has agreed to extend CT19850 at current prices and conditions to and including September 30, 2003, and it is in the best interest of the City to exercise this option; and,

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to extend CT19850 for an option to purchase Sign Language Interpreting Services thereby preserving 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 Finance Director be and is hereby authorized and directed to modify and extend CT19850 with Deaf Services Center to and including September 30, 2003.

SECTION 2. That this modification is in accordance with Section 329.16 of the Columbus City Code.

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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1723-02

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Mobile Computing Units, with Data 911, and to declare an emergency.

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bid; and

WHEREAS, vendor has agreed to extend FL000036 at current prices and conditions to and including October 31, 2003, and it is in the best interest of the City to exercise this option; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to extend FL000036 for an option to purchase Mobile Computing Units thereby preserving 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 Finance Director be and is hereby authorized and directed to modify and extend FL000036 with Data 911 to and including October 31, 2003.

SECTION 2. That this modification is in accordance with Section 329.16 of the Columbus City Codes

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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1724-02

To authorize and direct the Finance Director to modify and extend the citywide contract for the option to purchase Brady Emergency Services Training Materials, with Brady, Division of Prentice-Hall, Inc., A Pearson Education Company, and to declare an emergency.

WHEREAS, the Purchasing Office advertised and solicited formal bids, and selected the lowest bid; and

WHEREAS, vendor has agreed to extend FL000408 at contract prices and conditions to and including October 13, 2003, and it is in the best interest of the City to exercise this option; and

WHEREAS, an emergency exists in the usual daily operation of the Purchasing Office in that it is immediately necessary to extend FL000408 for an option to purchase Brady Emergency Services Training Materials thereby preserving 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 Finance Director be and is hereby authorized and directed to modify and extend FL000408 with Brady, Division of Prentice-Hall, Inc., A Pearson Education Company to and including October 13, 2003.

SECTION 2. That this modification is in accordance with Section 329.16 of the Columbus City Codes

SECTION 3. That for the reasons stated in the preamble hereto, which is hereby made apart 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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1725-02

To authorize and direct the Director of Recreation and Parks to modify the contract with Raymond Professional Group Ohio, Inc., for additional professional services in conjunction with The Creeks to Alum Creek Trail Connector Project, to authorize the expenditure of \$18,716.40 from the Voted 1995 and 1999 Parks and Recreation Bond Fund, and to declare an emergency. (\$18,716.40)

WHEREAS, it is necessary to modify the contract with Raymond Professional Group Ohio, Inc., for professional services in conjunction with The Creeks to Alum Creek Trail Connector Project; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Park Department in that it is immediately necessary to modify said contract for the preservation of public health peace, property and safety; now, therefore,

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

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to modify Contract No. EL002040 with Raymond Professional Group Ohio, Inc., for additional professional services in conjunction with The Creeks to Alum Creek Trail Connector Project, in accordance with plans and specifications on file in the Recreation and Parks Department.

SECTION 2. That the expenditure of \$18,716.40, or so much thereof as may be necessary, be and is hereby authorized from the Voted 1995 and 1999 Parks and Recreation Bond Fund, as follows, to pay the cost thereof.

Fund Type	Dept. No.	Fund No.	Project No.	Project Name	Object Level 3	OCA Code	Amount
Cap. Proj.	51-01	702	510017	Park & Playground Improvements	6680	644526	18,716.40

SECTION 3. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

SECTION 4. 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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1726-02

To authorize and direct the Director of Recreation and Parks to modify the contract with Jones-Stuckey Ltd., Inc., for additional professional services in conjunction with the Alum Creek Trail Improvements: SR 161 to Morse Road Project, to authorize the expenditure of \$14,320.03 from the Recreation and Parks Permanent Improvement Fund, and to declare an emergency. (\$14,320.03)

WHEREAS, it is necessary to modify the contract with Jones-Stuckey Ltd., Inc., to professional services in conjunction with the Alum Creek Trail Improvements: SR161 to Morse Road Project and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to modify said contract for the preservation of public health, peace, property and safety; now, therefore,

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

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to modify Contract No. EL001276 with Jones-Stuckey Ltd., Inc., for additional professional services in conjunction with the Alum Creek Trail Improvements: SR161 to Morse Road Project, in accordance with plans and specifications on file in the Recreation and Parks Department.

SECTION 2. That the expenditure of \$14,320.03, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Permanent Improvement Fund, as follows, to pay the cost thereof.

Fund Type	Dept. No.	Fund No.	Project No.	Project Name	Object Level 3	OCA Code	Amount
Cap. Proj.	51-01	747	510017	Park & Playground Improvements	6680	640862	14,320.03

SECTION 3. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

SECTION 4. 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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1727-02

To authorize the transfer of \$13,459.82 within the Voted 1995 and 1999 Parks and Recreation Bond Fund, to authorize and direct the Director of Recreation and Parks to modify the contract with Harris Design Services, Inc., for additional professional services in conjunction with the Swim Center Renovations Project, to authorize the expenditure of \$13,459.82 from the Voted 1995 and 1999 Parks and Recreation Bond Fund, and to declare an emergency. (\$13,459.82)

WHEREAS, it is necessary to modify the contract with Harris Design Services, Inc., for professional services in conjunction with the Swim Center Renovations Project; and

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 and modify said contract for the preservation of public health, peace, property and safety: now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to modify Contract No. EL002272 with Harris Design Services, Inc., for additional professional services in conjunction with the Swim Center Renovations Project, in accordance with plans and specifications on file in the Recreation and Parks Department.

SECTION 2. That the transfer of \$13,459.82 within the Voted 1995 and 1999 Parks and Recreation Bond Fund be and is hereby authorized to provide funds in the proper project account for this contract modification for the Recreation and Parks Department, as follows:

FROM:						
<u>Fund No.</u>	<u>Dept. No.</u>	<u>OCA Code</u>	<u>Project</u>	<u>Project Name</u>	<u>Object Level 3</u>	<u>Amount</u>
702	51-01	644526	510017	Park & Playground Development	6621	\$13,459.82
TO:						
<u>Fund No.</u>	<u>Dept. No.</u>	<u>OCA Code</u>	<u>Project</u>	<u>Project Name</u>	<u>Object Level 3</u>	<u>Amount</u>
702	51-01	644526	510011	Swim Facility Renovations	6681	\$13,459.82

SECTION 3. That the expenditure of \$13,459.82, or so much thereof as may be necessary, be and is hereby authorized from the Voted 1995 and 1999 Parks and Recreation Bond Fund, as follows, to pay the cost thereof.

Fund Type	Dept. No.	Fund No.	Project No.	Project Name	Object Level 3	OCA Code	Amount
Cap. Proj.	51-01	702	510011	Swim Facility Renovations	6681	644526	13,459.82

SECTION 4. That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project; except that no transfer shall be so made from a project account funded by monies from more than one source.

SECTION 5. 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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1728-02

To authorize and direct the Director of Finance to enter into a purchase order with IQ Solutions for self-help gas for the Recreation and Parks Department, in accordance with the terms and conditions of the Statewide contract, to authorize the expenditure of \$80,000.00 from the Recreation and Parks Operating Fund, and to declare an emergency. (\$80,000.00)

WHEREAS, the State of Ohio has established a contract with IQ Solutions for the purchase of self-help gas; and

WHEREAS, the State of Ohio allows political subdivisions to purchase from Statewide contracts; and

WHEREAS, Columbus City Council has authorized City agencies to make such purchases; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary TO enter into said purchase order for the preservation of public health, peace, property and safety; now, therefore
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That the Director of Finance be and he is hereby authorized and directed to establish a purchase order with IQ Solutions for self-help gas for the Recreation and Parks Department, in accordance with the terms and conditions of the Statewide contract.

SECTION 2. That the expenditure of \$80,000.00, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Operating Fund No. 285, as follows, to pay the cost thereof.

Fund Type	Dept. No.	Fund No.	Object Level 3	OCA Code	Amount
Operating	51-01	285	3310	510297	80,000.00

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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1729-02

To authorize and direct the Director of Recreation and Parks to enter into contracts with thirty-six community agencies to provide social and nutrition services to older adults in Central Ohio during 2003 and to authorize expenditure of \$5,535,432.00 from the Recreation and Parks Grant Fund, and to declare an emergency. (\$5,535,432.00)

WHEREAS, funding to enter into said contracts was made available to the Central Ohio Area Agency on Aging from the Ohio Department of Aging.

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to enter into said contracts for the preservation of public health, peace, property, safety, and welfare; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into thirty-six contracts for the provision of social and nutrition services to older adults in Central Ohio from January 1, 2003 through December 31, 2003 with the following community agencies:

- | | |
|----------------------------------------------------|---------------------------------------------------|
| Alzheimer's Association of Central Ohio (Franklin) | Licking County Aging Program |
| Alzheimer's Home Care (Franklin) | Life Center: ADC (Franklin) |
| American Red Cross (Franklin) | LifeCare Alliance (Franklin) |
| CAO of Delaware, Madison, Union Counties | Madison County Hospital |
| CAC of Fayette County | Madison County Senior Center |
| Catholic Social Services (Franklin) | Meals on Wheels of Fairfield County |
| Carol Strawn Center (Licking) | Media Solutions |
| Columbus Neighborhood Health Center | Memorial Hospital of Union County |
| Community Resource Center (Franklin) | Ohio State Legal (Franklin) |
| Council for Older Adults (Delaware) | PICCA (Pickaway) |
| Elder Choices (Franklin) | Pickaway County Commission on Aging |
| Fayette County Commissioners | Richwood Civic Center (Union) |
| Franklin County Commissioners | Western Ohio Legal Services (Fayette) |
| Heritage Day Health Center (Franklin) | Salvation Army (Fairfield) |
| Hospice & Health Services (Fairfield) | Senior Independence |
| Interim Health Care | Senior Services for Independent Living (Delaware) |
| Isabelle Ridgway (Franklin) | Union County |
| LEADS (Licking) | Department of Jobs & Family Services |
| Legal Aid Society (Franklin) | |

Section 2. That these contracts were awarded pursuant to Section 329.29 of Columbus City Codes.

Section 3. That to pay the cost of said contracts, the expenditure of \$5,535,432.00 or so much thereof as may be necessary, be and is hereby authorized from Recreation and Parks Grant Fund No. 286, Department No. 51, Object Level Three 3337, to pay the cost thereof as follows:

<u>Grant Title</u>	<u>Project No.</u>	<u>OCA Code</u>	<u>Amount</u>
Title IIIB	518301	514505	\$1,530,000.00
Title IIIC/NSIP	518303	514513	2,370,000.00
Senior Block Grant	518315	514539	869,432.00
Long-Term Care Ombudsman	518308	514547	200,000.00
Title VII	518019	514364	16,000.00
Title IIIE	518307	518307	550,000.00
			<u>\$5,535,432.00</u>

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part thereof, 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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1730-02

To authorize and direct the Director of Finance to enter into a purchase order with Safeware Incorporated for the purchase of Lifelines and Retrieval Hoists for the Division of Sewerage and Drainage, and to authorize the expenditure of \$27,948.78 from the Sewerage System Operating Fund, and to declare an emergency. (\$27,948.78)

WHEREAS, the Purchasing Office received bids on October 17, 2002, to obtain Lifelines and Retrieval Hoists for the Sewer Maintenance Operations Center within the Division of Sewerage and Drainage; and,

WHEREAS, the lowest, responsive, and responsible bidder, Safeware Incorporated is awarded all items, and,

WHEREAS, a purchase order will be issued in accordance with the terms and specifications of the bid solicitation SA-000241DRM on file in the Purchasing Office; and,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage in that it is immediately necessary to establish a purchase order for the purchase of Lifelines and Retrieval Hoists for the Sewer Maintenance Operations Center 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 Director of Finance be and he is hereby authorized and directed to enter into a purchase order Safeware Incorporated for the purchase of Lifelines and Retrieval Hoists for the Sewer Maintenance Operations Center with the Division of Sewerage and Drainage, in accordance with specifications on file in the Purchasing Office.

SECTION 2. That the expenditure of \$27,948.78, or so much thereof as may be necessary, be and is hereby authorized from the Sewerage System Operating Fund, as follows, to pay the cost thereof.

Fund Type	Dept. No.	Object Level 3	OCA Code	Amount
Operating	60-05	2290	605089	\$27,948.78

SECTION 3. That for the reasons stated in the preamble hereto, where is hereby made a part hereof, this Ordinance is hereby declared to be an emergency measure, which 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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1731-02

To authorize the Director of Finance to enter into contract with ADS Environmental Services, Inc., for flow monitoring equipment parts in accordance with the sole source provisions of the of the Columbus City Codes; to authorize the expenditure of \$40,000.00 from the Sewerage System Operation Fund, for the Division of Sewerage and Drainage, and to declare an emergency. (\$40,000.00)

WHEREAS, the Division of Sewerage and Drainage is in the process of updating its computerized mathematical flow model of the City of Columbus's sanitary and combined sewer system for purposes of determining the infrastructure systems capability to serve present and future needs, to asses the impact of proposed sanitary extensions and to provide analytical data to investigate areas of surcharging and isolation of inflow and infiltration (I/I) areas, and

WHEREAS, the Division of Sewerage and Drainage has purchased the monitoring equipment necessary to record the flow data utilized in the above referenced computerized flow model, and as such it is necessary to contract for the replacement parts required to ensure the continued operation of this equipment; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities in that it is necessary for this City Council to authorize the Director of Finance to contract for the urgently needed equipment replacement parts required to ensure the continued operation of the Division's flow monitoring equipment, in accordance with the sole source provisions of the Columbus City Codes, 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 Director of Finance be and is hereby authorized to execute a contract for the purchase of replacement parts for flow monitoring equipment with ADS Environmental Services, Inc., 5025 Bradford Blvd., Huntsville, Alabama 35805, in the amount of \$40,000.00, in accordance with the terms and conditions as contained within the agreement on file in the office of the Division of Sewerage and Drainage's Sewer System Engineering Section.

Section 2. That the expenditure of \$40,000.00, or as much thereof as may be needed, be and the same hereby is authorized as follows:

Division	Fund	Object Level Three	OCA	Amount
60-05	650	2245	605113	\$40,000.00

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared 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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1732-02

To authorize the Director of Public Utilities to advance payment to the United States of America, Department of the Army, for the cost of installing a corrosion protection liner in the Scioto Main Trunk Sewer, in connection with the West Columbus Local Protection Project, to authorize the transfer, appropriation, and expenditure of \$4,600,000.00 from the Sewer System Reserve Fund to the 1991 Voted Sanitary Bond Fund; to amend the 2001 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency. (\$4,600,000.00)

WHEREAS, the Congress of the United States, in Public Law 99-662, has specified that the cost of the Scioto River West Flood Wall (West Columbus Local Protection Project-WCLPP) flood control project, including costs of designing the project, shall be shared between the Federal government and the local non federal sponsor; and

WHEREAS, a Project Cooperation Agreement (PCA), as required by Section 221 of the Flood Control Act of 1970, Public Law 91-611, has been authorized by Ordinance No. 1184-93, as passed by Columbus City Council on May 17, 1993, and was also approved by the City Attorney on July 19, 1993

WHEREAS, during the original design phase of the Scioto Main Trunk Sewer Project, the extent of the corrosion in the system due to the generation of hydrogen sulfide gas that produces sulfuric acid in the presence of water was not known. Recent investigations have shown that the system has an increasing problem of corrosion. In the past, the wastewater contained more metals that inhibit the growth of the hydrogen sulfide producing bacteria. Removing these metals has increased the potential for corrosion, also, the expanding service area adds to the corrosion potential by increasing the travel time which allows for the increased production of hydrogen sulfide by the bacteria; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Sewerage and Drainage, Department of Public Utilities, in that it is immediately necessary to make the aforementioned payment which is necessary to install the corrosion protection liner before the trunk sewer is placed into service as the flow is being routed through existing pipes which will be removed from sanitary service once the 120" Scioto Main Replacement sewer is in service; and to authorize the transfer and appropriation of funds from the Sewer System Reserve Fund to the fulfill project funding and scheduling commitments under the terms of the project cooperation agreement, and to amend the 2001 Capital Improvements Budget; 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 from the unappropriated monies in the Sewerage System Reserve Fund, Subfund 654, and from all monies estimated to come into said fund from any and all sources, and unappropriated for any other purpose during the fiscal year ending December 31, 2002, the sum of \$4,600,000.00 is hereby appropriated to the Division of Sewerage and Drainage, Department 60-05, Character 10, Minor Object 502, OCA Code 901553.

Section 2. That the City Auditor is hereby authorized to transfer said funds to the 1991 Voted Sanitary Bond Fund, into the appropriate project account as specified within Section 3 herein, at such time as deemed necessary by him, and to expend said funds, or so much thereof as may be necessary.

Section 3. That \$4,600,000.00 is hereby appropriated for the capital improvement project expenditure as stipulated below:

Fund No.	Dept. No.	OCA Code	MOC	Project	Title	Amount
664	60-05	651892	6630	650892	West Columbus Local Protection Project	\$4,600,000.00

Section 4. That upon obtaining other funds for the purpose of funding sanitary sewer system capital improvement work, the City Auditor is hereby authorized to repay the Sewerage System Reserve Fund the amount transferred under Section 2., above, and said funds are hereby deemed appropriated for such purpose.

Section 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modifications associated with the expenditure of the funds transferred under Section 2., above.

Section 6. The City intends that this ordinance constitutes an "official intent" for purposes of Section 1.150.2(e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

Section 7. That the City Auditor be and hereby is, authorized to make payment for the advancement of funds that are required to providing for the funding of additional construction expenses associated with the Scioto Main Trunk Sewer Project, in accordance with the terms and conditions of the Project Cooperation Agreement on file in the office of the Division of Sewerage and Drainage's Stormwater Program Section.

Section 8. The for the purpose of advancing the funds stated in Section 1 herein, the amount of \$4,600,000.00, or as much thereof as may be needed, be and the same is hereby authorized as follows:

Division	Fund	Object Level Three	Project Acct.	OCA	Amount
60-05	664	6630	650892	651892	\$4,600,000.00

Section 9. That the 2001 Capital Improvements Budget Ordinance No. 0726-01 is hereby amended as follows, in order to provide sufficient budget authority for the payment referenced in Section 8 hereto:

CURRENT:

Project CIP No.	Project Title	2001 Budget Amount	
650892	West Columbus Local Protection Project	\$802,902	
	TOTAL	\$802,902	

TO:

Project CIP No.	Project Title	2001 Budget Amount	Change Amount
650892	West Columbus Local Protection Project	\$5,402,902	\$4,600,000
	TOTAL	\$5,402,902	\$4,600,000

Section 10. 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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1733-02

To authorize an appropriation of \$54,445.00 from the unappropriated balance of the Law Enforcement Contraband Seizure Fund to the Division of Police, to purchase surveillance equipment, van, conversion services, simulation system and travel and training needs; and to declare an emergency. (\$54,445.00)

WHEREAS, monies were received from seized and forfeited property; and

WHEREAS, funds received from these forfeitures must be solely used for law enforcement purposes as specified in Ordinance #1850-85; and

WHEREAS, an emergency exists in the usual operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to appropriate funds to purchase a van and related equipment for the preservation of the public health, peace, property, safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That from the unappropriated monies in Law Enforcement Drug Seizure Fund, and from all monies estimated to come into said fund from any and all sourced and unappropriated for any other purpose during the fiscal year ending December 31, 2002 the sum of \$54,445.00 is appropriated as follows:

DIV	FUND	OBJ LEVEL (1)	OBJ LEVEL (3)	OCA#	AMOUNT
30-03	219	02	2215	300988	\$ 1,000.00
30-03	219	03	3331	301838	10,000.00
30-03	219	03	3336	330988	9,200.00
30-03	219	06	6646	300988	14,745.00
30-03	219	06	6652	300988	19,500.00

Section 2. That the monies appropriated in the foregoing Section shall be paid upon order of the Director of Public Safety; and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

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 enforced 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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1734-02

To authorize and direct the Director of Public Service to enter into a contract with Polaris Center, LLC for the purpose of installing and maintaining traffic control devices located at the intersection of Sancus Boulevard at the Polaris Towne Centre shopping complex driveway.

WHEREAS Polaris Center, LLC has agreed to pay for the maintenance of traffic control devices located at the intersection of Sancus Boulevard at the driveway to the Polaris Towne Centre shopping complex, now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of Public Service be and is hereby authorized and directed to enter into a contract with Polaris Center, LLC; C/o Glimcher Development Corporation; 20 South Third Street; Columbus, Ohio 43215 (FED ID #31-1581365), for the purpose of maintaining traffic signal equipment for Polaris Towne Centre shopping complex at 1177-1485 Polaris Parkway.

Section 2. That this contract shall be in accordance with the conditions on file in the office of the Director of Public Service.

Section 3 That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed as amended November 18, 2002, Matthew D. Habash, President of Council / Approved as amended November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1735-02

To authorize and direct the Director of Public Service to enter into a contract with Polaris Mall, LLC for the purpose of installing and maintaining traffic control devices located at the intersection of Polaris Parkway at Sancus Boulevard and Polaris Fashion Mall shopping complex driveway.

WHEREAS, Polaris Mall, LLC has agreed to pay for the maintenance of traffic control devices located at the intersection of Polaris Parkway at Sancus Boulevard and the driveway to the Polaris Fashion Mall shopping complex, now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Director of Public Service be and is hereby authorized and directed to enter into a contract with Polaris Mall, LLC; C/o Glimcher Development Corporation; 20 South Third Street; Columbus, Ohio 43215 (FED ID #31-1616857), for the purpose of maintaining traffic signal equipment for Polaris Fashion Mall shopping complex.

Section 2. That this contract shall be in accordance with the conditions on file in the office of the Director of Public Service.

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 as amended November 18, 2002, Matthew D. Habash, President of Council / Approved as amended November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1736-02

To authorize the Finance Director to enter into a contract for the purchase of one asphalt hot box from H.D. Industries for the Transportation Division; to authorize the expenditure of \$47,688.00 from the Street Construction, Maintenance and Repair Fund; and to declare an emergency. (\$47,688.00)

WHEREAS, the Transportation Division is responsible for conducting street maintenance and rehabilitation operations of the City's roadway system; and

WHEREAS, the Transportation Division is in need of one asphalt hot-box; and

WHEREAS, funds are available in the Street Construction, Maintenance and Repair Fund for this expenditure; and

WHEREAS, an emergency exists in the usual daily operations of the Transportation Division in that it is immediately necessary to purchase one asphalt hot box to for the preservation of 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 Finance Director is hereby authorized to enter into a contract with H.D. Industries for \$47,688.00 for the purchase of one asphalt hot box pothole patching body in accordance with specifications on file in the Purchasing Office.

Section 2. That the sum of \$47,688.00, or so much thereof as may be needed, is hereby authorized to be expended from the Street Construction, Maintenance and Repair Fund no. 265, Dept./Div. 59-09, OCA Code 599114 and Object Level Three 6652.

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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1737-02

To authorize the Public Service Director to enter into contract for the Facilities Management Division with Farber Corporation for the renovation of a boiler at the Central Safety Building, to authorize the expenditure of \$17,100.00 from the Police Division's Capital Improvement Fund, and to declare an emergency. (\$17,100.00)

WHEREAS, it is necessary to renovate the Central Safety Building's 9th floor boiler, and

WHEREAS, informal bids were solicited in compliance with Columbus City Codes, and

WHEREAS, Farber Corporation is the successful low bidder, and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Facilities Management Division, in that it is immediately necessary to authorize the Public Service Director to enter into a contract with Farber Corporation for renovation of the Central Safety Building's 9th floor boiler, thereby preserving 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 Public Service Director be and is hereby authorized to enter into contract for the Facilities Management Division with Farber Corporation for renovation of the Central Safety Building's 9th floor boiler.

SECTION 2. That the expenditure of \$17,100.00, or so much thereof as may be necessary in regard to the action authorized in Section 1, be and is hereby authorized and approved as follows:

FROM

Division	Fund	OCA Code	Object Level 1	Object Level 3	Project	Title	Amount
30-03	701	644518	06	6620	330021	Police Facility Renovation	\$17,100.00

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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1738-02

To authorize the Public Service Director to enter into contract for the Facilities Management Division with Smith Roofing LTD for the renovation of the roof at the neighborhood policing center, to authorize the expenditure of \$16,750.00 from the Police Division's Capital Improvement fund, and to declare an emergency. (\$16,750.00)

WHEREAS, it is necessary to renovate the roof at the neighborhood policing center located at 2070 Sullivant Avenue, and

WHEREAS, formal bids were solicited in compliance with Columbus City Codes, and

WHEREAS, Smith Roofing, LTD., is the successful low bidder, and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Facilities Management Division, in that it is immediately necessary to authorize the Public Service Director to enter into contract with Smith Roofing, LTD, for renovation of the roof at neighborhood policing center, 2070 Sullivant Avenue, thereby preserving 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 Public Service Director be and is hereby authorized to enter into contract for the Facilities Management Division with Smith Roofing, LTD. for renovation of the roof at the neighborhood policing center located at 2070 Sullivant Avenue.

SECTION 2. That the expenditure of \$16,750.00, or so much thereof as may be necessary in regard to the action authorized in Section 1, be and is hereby authorized and approved as follows:

FROM

Division	Fund	OCA Code	Object Level 1	Object Level 3	Project	Title	Amount
30-03	701	644518	06	6620	330021	Police Facility Renovation	\$16,750.00

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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1739-02

To authorize the transfer and expenditure of \$18,650.72 within the Development Fund; to authorize the transfer of \$8,830.50 between projects in the Voted 1995, Voted 1999 Streets and Highways Fund and expenditure of the same amount therein; to authorize the expenditure of \$13,750.78 from the Voted 1988 Streets and Traffic fund; to authorize the Director of Public Service to modify and increase the contract with ADR & Associates, LTD for the preparation of construction plans for sidewalk and ADA-compliant curb ramps for the 2002 - 2003 Sidewalk Installation Program at various locations in the City for the Transportation Division; and to declare an emergency. (\$41,232.00)

WHEREAS, contract EA031292-002 was authorized by ordinance no. 0703-02 which passed on April 29, 2002 was executed May 22, 2002 and was approved by the City Attorney on May 28, 2002; and

WHEREAS, it is necessary to modify this contract to increase the scope of services as per the consultant's letter dated July 31, 2002 for the design of the 2002-2003 Sidewalk Installation Program; and

WHEREAS, fund transfers are necessary for this project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that the contract must be modified and increased immediately so that the work may proceed without delay, thereby preserving 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 transfer of funds is authorized within the Development Fund no. 742, for the Transportation Division, Dept./Div. No. 59-09, as follows:

TRANSFER FROM:

Project		OCA	Amount	OL3
530565	Mound Street Bridge Phase 1	643817	\$18,650.72	6631

TRANSFER TO:

Project		OCA	Amount	OL3
530282	Resurfacing	643817	\$18,650.72	6631

Section 2. That the transfer of funds is authorized within the Voted 1995, Voted 1999 Streets and Highways Fund no. 704, for the Transportation Division, Dept./Div. No. 59-09, as follows:

TRANSFER FROM:

Project		Amount	OCA	OL3
530087	ADA Ramp projects	530087	\$611.29	6631
530210	Curb Replacement	644385	2,475.00	6631
530282	Resurfacing	644385	5,744.21	6631
	Total:		\$8,830.50	

TRANSFER TO:

Project		Amount	OCA	OL3
530790	Sidewalk Program	530790	\$8,830.50	6631

Section 3. That the Director of Public Sendee is hereby authorized to modify and increase contract EA031292-002 with ADR & Associates, LTD., 279 North State Street, Westerville, Ohio 43081, to complete the design and construction plans for the 2002-2003 Sidewalk Installation Program project in accordance with the plans on file in the office of the Public Service Director.

Section 4. That for the purpose of paying the cost of the contract, the sum of \$41,232.00 or so much thereof as may be necessary, is hereby authorized to be expended for the Transportation Division, Dept/Div 59-09, as follows:

<u>Fund</u>		<u>Project</u>		<u>OCA</u>	<u>Amount</u>	<u>OL3</u>
742	Development	530282	Resurfacing	643817	\$18,650.72	6631
704	V95,V99 Sts & Hwys	530790	Sidewalk Program	530790	8,830.50	6631
741	V88 Sts & Traffic	530282	Resurfacing	643247	13,750.78	6631
				Total:	\$41,232.00	

Section 5. That for the reasons stated in the preamble hereto, which is hereby made 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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1740-02

To authorize the Finance Director to issue a blanket purchase order for the purchase of asphalt emulsion with Phillip's Oil Co., Inc. of Ohio, in accordance with the terms and conditions of the applicable citywide universal term contract for the Transportation Division; to authorize the expenditure of \$25,000.00 from the Street Construction, Maintenance and Repair Fund; and to declare an emergency. (\$25,000.00)

WHEREAS, the daily activities of the Transportation Division require the purchase and use of asphalt emulsion to affect repairs and maintenance to streets, gravel alleys and berms and to patch potholes on city streets, and

WHEREAS, purchase order #UT006510 must be increased for this expenditure, and

WHEREAS, funds are budgeted and available in the Street Construction, Maintenance and Repair Fund for the purchase of asphalt emulsion, and

WHEREAS, an emergency exists in the Transportation Division, Department of Public Service, in that it is necessary to immediately purchase supplies of asphalt emulsion, prior to the plant closing date in mid-November 2002, to conduct routine and emergency street repairs thereby preserving 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 Finance Director be and is hereby authorized to issue a blanket purchase order with Phillip's Oil Co., me. of Ohio, for the procurement of asphalt emulsion in an amount not to exceed \$25,000.00, for the Transportation Division, in accordance with the specifications of the applicable citywide universal term contract.

Section 2. That the expenditure of \$25,000.00 or so much thereof as may be needed is hereby authorized from the Street Construction, Maintenance and Repair Fund 265, Dept./Div. 59-09, OCA 599114, Object Level Three 2262, for the purchase of asphalt emulsion.

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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1741-02

To authorize the Public Service Director to enter into contract for the Facilities Management Division with Advanced Engineering Consultants for professional engineering design services for the renovation of the air filter system at the Police Academy; to authorize the expenditure of \$4,000.00 from the Police Division's Capital Improvement Fund, and to declare an emergency. (\$4,000.00)

WHEREAS, air quality at the Police Academy Indoor Firing Range does not meet EPA standards and is a health issue, and

WHEREAS, it is necessary to have professional engineering design services for the renovation of the air filter system at the Police Academy Indoor Firing Range, and

WHEREAS, the Facilities Management Division solicited informal bids for professional engineering design services for the renovation of the air filter system at the Police Academy Indoor Firing Range, and

WHEREAS, Advanced Engineering Consultants is the successful low bidder, and

WHEREAS, an emergency exists in the usual daily operation of the Facilities Management Division in that it is immediately necessary to authorize the Public Service Director to enter into contract with Advanced Engineering Consultants for professional engineering design services for the renovation of the air filter system at the Police Academy Indoor Firing Range, thereby preserving 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 Public Service Director be and is hereby authorized to enter into contract for the Facilities Management Division with Advanced Engineering Consultants for professional engineering design services for the renovation of the air filter system at the Police Academy Indoor Firing Range.

SECTION 2. That the expenditure of \$4,000.00, or so much thereof as may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

FROM:

<u>Division</u>	<u>Fund</u>	<u>OCA Code</u>	<u>Object Level 1</u>	<u>Object Level 3</u>	<u>Project</u>	<u>Title</u>	<u>Amount</u>
30-03	701	644518	06	6620	330021	Police Facility Renovation	\$ 4,000.00

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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1743-02

To authorize the appropriation of \$15,000 from the unappropriated balance of the General Government Grant Fund to the Department of Development; To authorize the Director of the Department of Development to expend \$15,000.00 from the General Government Grant Fund for the provision of loans through the Homeownership Development Program; and to declare an emergency. (\$15,000.00)

WHEREAS, the Director of the Department of Development wishes to appropriate and expend \$15,000.00 from the General Government Grant Fund for the provision of loans through the Homeownership Development Program; and

WHEREAS, these monies will create homeownership opportunities in the Linden area for first-time homebuyers, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development, Housing Division, in that it is immediately necessary to expend the aforementioned funds thereby preserving the public health, peace, property, safety and welfare and, now, therefore
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That from the unappropriated monies in the fund known as the General Government Grant Fund, and from any and all sources unappropriated for any other purpose during the fiscal year ending December 31, 2002, the sum of \$15,000.00 be and is hereby appropriated to the Department of Development, Housing Division, Department No. 44-10, Fund 220, Grant No. 441008 Object Level One 05, Object Level Three 5528, OCA Code 447008.

Section 2. That the Director of the Department of Development is hereby authorized to expend General Government Grant Funds for the provision of loans through the Homeownership Development Program.

Section 3. That for the purpose stated in Section 2 hereof, the expenditure of \$15,000.00, or so much thereof as may be necessary, is hereby authorized as follows: Department Number 44-10, Fund 220, Grant Number 441008, Object Level One 05, Object Level Three 5528, OCA Code 447008.

Section 4. That for the reasons stated in the preamble hereto, which is hereby made a part thereof, 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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1744-02

To accept the plat titled CREEKSTONE SECTION 2 PART IV, from S & J Real Estate Investment Co., LTD, an Ohio limited liability company, by Theodore P. Uritus, President, Sovereign Development Corporation, Member and Eric J. Schottenstein, President Joshua Investment Co., Member, and to declare an emergency.

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to pass this ordinance as an emergency measure because it will allow the applicant a timely opportunity to sell the platted homes on schedule for the preservation of the public health, peace, property, safety, and welfare; now, therefore,

WHEREAS, the plat titled CREEKSTONE SECTION 2 PART IV (hereinafter "plat"), has been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, S & J Real Estate Investment Co., LTD, an Ohio limited liability company, by Theodore P. Uritus, President, Sovereign Development Corporation, Member and Eric J. Schottenstein, President Joshua Investment Co., Member, owner of the platted land, desires to dedicate to the public use all or such parts of the Court and Lanes shown on said plat and not heretofore so dedicated; and

WHEREAS, after examination, it has been found to be in the best interest of the City to accept said plat; now, therefore,
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the plat titled CREEKSTONE SECTION 2 PART IV on file in the office of the City Engineer, Transportation Division, be and the same is hereby accepted.

Section 2. 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 as amended November 18, 2002, Matthew D. Habash, President of Council / Approved as amended November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1745-02

To authorize transfers of \$879,835.00 in appropriation authority and a supplemental appropriation of \$1,104,067.00 from the unappropriated balance of the Street Construction, Maintenance and Repair Fund for the Transportation Division; and to declare an emergency. (\$1,104,067.00)

WHEREAS, the Transportation Division requires a transfer of \$879,835.00 of appropriation authority and a supplemental appropriation of \$1,104,067.00 for personnel costs and services from the unappropriated balance of the Street Construction, Maintenance and Repair Fund, and

WHEREAS, funds are available in the unappropriated balance of the Street Construction, Maintenance and Repair Fund, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that it is immediately necessary to transfer and appropriate additional funds for the immediate preservation of 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 sum of \$879,835.00 of appropriation authority is hereby transferred within the Street Construction, Maintenance and Repair Fund No. 265 as follows:

Transfer From:				
<u>Object Level One</u>	<u>Object Level Three</u>	<u>OCA Code</u>	<u>Amount</u>	
10	5501	599119	\$304,835.00	
02	2193	599001	25,150.00	
02	2193	599016	19,650.00	
02	2193	599100	17,000.00	
02	2193	599103	23,000.00	
02	2193	599106	10,000.00	
02	2196	599108	500.00	
02	2196	599114	20,000.00	

02	2202	599001	10,000.00
02	2202	599103	10,000.00
02	2202	599108	16,000.00
02	2202	599109	30,000.00
02	2206	599016	1,000.00
02	2208	599033	10,000.00
02	2208	599106	20,000.00
02	2224	599029	10,000.00
02	2241	599114	10,000.00
02	2244	599019	1,000.00
02	2244	599029	4,000.00
02	2244	599103	22,000.00
02	2244	599106	5,000.00
02	2244	599109	22,900.00
02	2244	599114	12,800.00
02	2245	599100	21,000.00
02	2245	599106	45,000.00
02	2245	599108	16,000.00
02	2245	599114	18,000.00
06	6651	599114	160,000.00
06	6652	599114	15,000.00
		Total:	\$879,835.00
Transfer To:			
<u>Object Level One</u>	<u>Object Level Three</u>	<u>OCA Code</u>	<u>Amount</u>
01	1101	599001	\$879,835.00

Section 2. That the sum of \$1,104,067.00 is hereby appropriated from the unappropriated balance of the Street Construction, Maintenance and Repair Fund No. 265 and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2002, to the Transportation Division, Dept./Div. 59-09, as follows:

<u>Object Level One</u>	<u>Object Level Three</u>	<u>OCA Code</u>	<u>Amount</u>
01	1150	599001	\$616,056.00
03	3334	599001	380,221.00
03	3381	599001	107,790.00
		Total:	\$1,104,067.00

Section 3. That the monies appropriated in Section 2 shall be paid upon order of the Public Service Director and that no order shall be drawn or paid except by voucher, the form of which shall be approved by the City Auditor.

Section 4. 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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1746-02

To authorize and direct the Finance Director to transfer \$280,000.00 between Object Level One Codes within Fleet Management Division's 2002 Fleet Maintenance Fund appropriation authority to offset a deficit created automotive services expenditures that have exceeded budget, and to declare an emergency. (\$280,000.00)

WHEREAS, the Fleet Management Division will incur automotive service expenditures that exceed budget, and

WHEREAS, funds are available in Personnel and Capital Outlay to transfer to Services in order to pay for additional automotive service expenditures, and

WHEREAS, this transfer is necessary so that funds can be made available for these automotive service expenditures, and

WHEREAS, an emergency exists in the usual daily operation of the Fleet Management Division, Public Service Department, in that it is immediately necessary to transfer said funds between Object Level One Codes in order to pay for automotive services costs for the City's fleet, thereby preserving 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 transfer of funds between Object Level One Codes (01 and 06 to 03) within the Fleet Maintenance Fund 513, Department No. 59-05, Public Service Department, be and hereby is authorized as follows:

TRANSFER FROM:			
<u>Object Level One Code</u>	<u>Object Level Three Code</u>	<u>OCA Code</u>	<u>Amount</u>
01	1101	591248	\$180,000.00
06	6652	591222	\$100,000.00
	Total transfer from:		\$280,000.00
TRANSFER TO:			
<u>Object Level One Code</u>	<u>Object Level Three Code</u>	<u>OCA Code</u>	<u>Amount</u>
03	3373	591347	\$280,000.00
	Total transfer to:		\$280,000.00

Section 2. That for 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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

ORD. NO. 1747-02

To authorize the Director of the Office of Education to enter into contracts with COSI Columbus for the provision of opening a middle school after school program; to authorize the expenditure of \$63,422 from the Mayor's Charitable Trust Fund No. 224; and to declare an emergency. (\$63,422.00)

WHEREAS, the Director of the Office of Education desires to enter into a contract with the Center of Science and Industry (COSI) Columbus; and

WHEREAS, community organizations provide services and programming to the community through the after school programs; and WHEREAS, it is important to provide youth program opportunities with high standards and including components such as academic assistance, enrichment activities, prevention units, recreation and socialization, strong family involvement, and nutritious food service.

WHEREAS, an emergency exists in the usual daily operation of the Office of Education, in that it is immediately necessary to enter into contract with the various community organizations 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 Director of the Office of Education is hereby authorized to enter into a contract with following community organization for the purpose of funding the following written purposes for after school program services for Columbus students.

Organization	Allocation Amount	Purpose	Program Location (Number of Children to be Served)
The Center of Science and Industry (COSI) Columbus	\$63,442	Program operation, materials and supplies	Site to be located at COSI Columbus to serve Beery Middle School students (60)
Total	\$63,442		(60)

Section 2. That this contract is awarded pursuant to Section 329.29 of the Columbus City Codes, 1959, as amended.

Section 3. That for the purpose as stated in Section 1, the expenditure of \$63,442.00, or so much thereof as maybe necessary, be and is hereby authorized to be expended from the Office of Education, Division No. 40-04, Fund No. 224, Object Level Three 3336, OCA 404012.

Section 4. 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 November 18, 2002, Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk

RESOLUTIONS

RES NO. 201X-02

To declare the necessity and intent to appropriate permanent and construction easements in, over, under and through real estate in connection with the Blacklick Creek Sanitary Interceptor Project, and to declare an emergency.

WHEREAS, the City of Columbus is engaged in the Blacklick Creek Sanitary Interceptor Project; and,

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, in that it is immediately necessary to declare the necessity and intent to appropriate permanent and construction easements in, over, under and through the hereinbefore described real estate necessary for the aforementioned project so that there will be no delay in the project thereby preserving the public health, peace, property, safety, and welfare; now, therefore:

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

Section 1. That this Council hereby declares the necessity and intent to appropriate permanent and construction easements in, over, under and through the following described real estate necessary for the Blacklick Creek Sanitary Interceptor Project, Project # 650034, pursuant to and in accordance with the Charter of the City of Columbus, Columbus City Code (1959) Revised, Chapter 909, the Constitution of the State of Ohio and Ohio Revised Code, Chapter 719; to-wit:

IT

**A DESCRIPTION OF A 0.3596 ACRE TEMPORARY EASEMENT AREA
LOCATED EAST OF REYNOLDSBURG-NEW ALBANY ROAD
AND SOUTH OF BLACKLICK RIDGE BLVD,
IN THE CITY OF COLUMBUS, OHIO**

Situate in the State of Ohio, County of Franklin, City of Columbus, and lying in Section 4, Township 1 North, Range 16 West, United States Military District, and being a 0.3596 acre temporary easement area on, over, and across a 23.683 tract conveyed to Stonebridge Housing Limited Partners Parcel 1, by a deed of record in Instrument 199804020077432, all records herein at the Recorder's Office, Franklin County, Ohio, and said 0.3596 acre temporary easement area being bounded and more particularly described as follows:

Begin, for reference, at a point in the centerline of Blacklick Creek marking the northeasterly corner of said 23.863 acre tract in the south line of the remainder of a 62.891 acre tract conveyed to M/I Schottenstein Homes Inc., by a deed of record in Instrument 199804010076704, said also marking the northwest corner of the 25th AMENDMENT PART 2 OF MCNEILL FARMS EAST CONDOMINIUMS, as shown and delineated on the record plat in Condominium Plat Book 74, Page 46;

Thence North 85° 31' 00" West, a distance 157.45 feet, along the line common to said 23.683 acre tract and the remainder of said 62.891 acre tract, to the Point of True Beginning of the 0.3596 acre temporary easement area described herein;

Thence along the following consecutive three (3) courses and distances over and across said 23.683 acre tract;

South 01° 38' 55" West, a distance of 97.15 feet, to a point;

1. North 88° 21' 05" West, a distance of 170.00 feet, to a point;

2. North 01° 38' 55" East, a distance of 105.57 feet, to a point in the line common to said 23.683 and a 4.901 acre tract conveyed to Phyllis E. Delaplaine, et al (6) by a deed of record in Official Record 32700, G-09, and to Frank M. Metzger (11/U""5) by a deed of record in Instrument 199804010075703;

Thence South 85° 31' 00" East, a distance of 170.21 feet, along the line common to said 23.683 and 4.901 acre tract, and then common to said 62.891 acre tract, to the Point of true Beginning, containing 17231 square feet, or 0.3596 acres, more or less.

The bearings used in the above description are based on the Grid bearing of North 80° 11' 08" East for the centerline of Blacklick Ridge Boulevard as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC., Jeffrey D. Hofius, P.S. Registered Surveyor No. 7455

IP

**A DESCRIPTION OF A 20.00 FEET-WIDE EASEMENT
LOCATED EAST OF REYNOLDSBURG-NEW ALBANY ROAD
AND SOUTH OF BLACKLICK RIDGE BLVD,
IN THE CITY OF COLUMBUS, FRANKLIN COUNTY, OHIO**

Situate in the State of Ohio, County of Franklin, City of Columbus, and lying in Section 4, Township 1 North, Range 16 West, United States Military District, and being a 20.00 feet-wide permanent easement on, over, and across a 23.683 tract conveyed to Stonebridge Housing Limited Partnership, by a deed of record in Instrument 199804020077432, all records herein at the Recorder's Office, Franklin County, Ohio, and said 20.00 feet-wide easement being bounded and more particularly described as follows:

Begin, for reference, at a point in the centerline of Blacklick Creek marking the northeasterly corner of said 23.863 acre tract in the south line of the remainder of a 62.891 acre tract conveyed to M/I Schottenstein Homes, Inc. by a deed of record in Instrument 199804010076704, said also marking the northwest corner of the 25th AMENDMENT PART 2 OF MCNEILL FARMS EAST CONDOMINIUMS, as shown and delineated on the record plat in Condominium Plat Book 74, Page 46;

Thence North 85° 31' 00" West, a distance 207.51 feet, along the line common to said 23.683 acre tract and the remainder of said 62.891 acre tract, to the Point of True Beginning of the 20.00 feet-wide easement described herein;

Thence along the following consecutive three (3) courses and distances over and across said 23.683 acre tract;

1. South 01° 38' 55" West, a distance 49.62 feet, to a point;

2. North 88° 21' 05" West, a distance 20.00 feet, to a point;

3. North 01° 38' 55" East, a distance 50.62 feet, to a point in the line common to said 23.683 acre tract and the remainder of said 62.891 acre tract;

Thence South 85° 31' 00" East, a distance of 20.02 feet, along the line common to said 23.683 acre tract and the remainder of said 62.891 acre tract, to the Point of True Beginning, containing 0.0200 acres (1002 square feet), more or less.

The bearings used in the above description are based on the grid bearing of North 80° 11' 08" East for the centerline of Blacklick Ridge Boulevard as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC., Jeffrey D. Hofius, P.S. Registered Surveyor No. 7455

2T-1, T-2
A DESCRIPTION OF A 0.1131 ACRE AND A 0.0106 ACRE
TEMPORARY EASEMENT AREA
LOCATED SOUTH OF BLACKLICK RIDGE BOULEVARD
AND EAST OF REYNOLDSBURG-NEW ALBANY ROAD,
IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO

Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1 North, Range 16 West, United States Military District, and being a 0.1131 acre and a 0.0106 acre temporary easement area on, over, and across the remainder of a 62.891 acre tract conveyed to M/I Shottenstein Homes, Inc. by a deed of record in Instrument 199804010076704, all records herein at the Recorder's Office, Franklin County, Ohio, and said 0.1131 and 0.0106 acre temporary easement areas being bounded and more particularly described as followed:

AREA 1 - A 0.1131 ACRE TEMPORARY EASEMENT AREA

Begin, for reference, at a point at the intersection of the southerly line of the remainder of said 62.891 acre tract and the centerline of Blacklick Creek, said point also marking the northwest corner of the 25th AMENDMENT PART 2 of M[^]EILL FARMS EAST CONDOMINIUMS, as shown and delineated on the record plat in Condominium Plat Book 74, Page 46, and said point also marking the northeast corner of a 23.683 acre tract conveyed to Stonebridge Housing Limited Partnership by a deed of record in Instrument 199804020077432;

Thence North 85° 31' 00" West, a distance 107.43 feet, along the line common to the remainder of said 62.891 acre tract and said 23.683 acre tract, to the Point of True Beginning of the 0.1131 acre temporary easement area described herein;

Thence North 85° 31' 00" West, a distance of 50.06 feet, continuing along the line common to the remainder of said 62.891 acre tract and said 23.683 acre tract, to a point;

Thence North 01° 38' 55" East, a distance of 63.70 feet, over and across the remainder of said 62.891 acre tract, to a point in the line common to the remainder of said 62.891 and a 4.901 acre tract conveyed to Phyllis E. Delaplaine, et al (6) by a deed of record in Official Record 32700, G-09, and to Frank M. Metzger (II/U"1") by a deed of record in Instrument 199804010075703;

Thence North 38° 17' 48" East, a distance of 83.77 feet, along the line common to the remainder of said 62.891 acre tract and said 4.901 acre tract, to a point;

Thence South 01° 38' 55" West, a distance of 133.38 feet, over and across the remainder of said 62.891 acre tract, to the Point of True Beginning, containing 4927 square feet, 0.1131 acres, more or less

AREA 2 - A 0.0106 ACRE TEMPORARY EASEMENT AREA

Begin, for reference, at a point at the intersection of the southerly line of the remainder of said 62.891 acre tract and the centerline of Blacklick Creek, said point also marking the northwest corner of the 25th AMENDMENT PART 2 of M[^]NEILL FARMS EAST CONDOMINIUMS, as shown and delineated on the record plat in Condominium Plat Book 74, Page 46, and said point also marking the northeast corner of a 23.683 acre tract conveyed to Stonebridge Housing Limited Partnership by a deed of record in Instrument 199804020077432;

Thence North 85° 31' 00" West, a distance 177.52 feet, along the line common to the remainder of said 62.891 acre tract and said 23.683 acre tract, to the Point of True Beginning of the 0.1131 acre temporary easement area described herein;

Thence North 85° 31' 00" West, a distance of 25.74 feet, continuing along the line common to the remainder of said 62.891 acre tract and said 23.683 acre tract, to a point marking the common corner of the remainder of said 62.891 acre tract and a 4.901 acre tract conveyed to Phyllis E. Delaplaine, et al (6) by a deed of record in Official Record 32700, G-09, and to Frank M. Metzger (11/12th) by a deed of record in Instrument 199804010075703;

Thence North 38° 17' 49" East, a distance of 43.06 feet, along the line common to the remainder of said 62.891 acre tract and said 4.901 acre tract, to a point;

Thence South 01° 38' 55" West, a distance of 35.82 feet, over and across the remainder of said 62.891 acre tract, to the Point of True Beginning, containing 460 square feet, or 0.0106 acres, more or less.

The bearings used in the above description are based on the grid bearing of North 80° 11' 08" West for the centerline of Blacklick Ridge Boulevard as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC., Jeffrey D. Hofius, P.S. Registered Surveyor No. 7455

2P
A DESCRIPTION OF A 20.00 FEET-WIDE EASEMENT
LOCATED EAST OF REYNOLDSBURG-NEW ALBANY ROAD
AND SOUTH OF BLACKLICK RIDGE BOULEVARD.,
IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO

Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1 North, Range 16 West, United States Military District, and being a 20.00 feet-wide easement on, over, and across the remainder of a 62.891 acre tract conveyed to M/I Shottenstein Homes, Inc., by a deed of record in Instrument 199804010076704, all records herein at the Recorder's Office, Franklin County, Ohio, and said 20.00 feet-wide easement being bounded and more particularly described as followed:

Begin, for reference, at a point at the intersection of the southerly line of the remainder of said 62.891 acre tract and the centerline of Blacklick Creek, said point also marking the northwest corner of the 25th AMENDMENT PART 2 of M[^]NEILL FARMS EAST CONDOMINIUMS, as shown and delineated on the record plat in Condominium Plat Book 74, Page 46, and said point also marking the northeast corner of a 23.683 acre tract conveyed to Stonebridge Housing Limited Partnership by a deed of record in Instrument 199804020077432;

Thence North 85° 31' 00" West, a distance 157.50 feet, along the line common to the remainder of said 62.891 acre tract and said 23.683 acre tract, to the Point of True Beginning of the 20.00 feet-wide easement described herein;

Thence North 85° 31' 00" West, a distance of 20.02 feet, continuing along the line common to the remainder of said 62.891 acre tract and said 23.683 acre tract, to a point;

Thence North 01° 38' 55" East, a distance of 35.82 feet, over and across the remainder of said 62.891 acre tract, to a point in the line common to the remainder of said 62.891 acre tract and a 4.901 acre tract conveyed to Phyllis E. Delaplaine, et al (6) by a deed of record in Official Record 32700, G-09, and to Frank M. Metzger (11/12th) by a deed of record in Instrument 199804010075703;

Thence North 38° 17' 49" East, a distance of 33.51 feet, along the line common to the remainder of said 62.891 acre tract and said 4.901 acre tract, to a point;

Thence South 01° 38' 55" West, a distance of 63.70 feet, over and across the remainder of said 62.891 acre tract, to the Point of True Beginning, containing 995 square feet, or 0.0228 acres, more or less.

The bearings used in the above description are based on the grid bearing of North 80° 11' 08" West for the centerline of Blacklick Ridge Boulevard as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC., Jeffrey D. Hofius, P.S. Registered Surveyor No. 7455

3P

**A DESCRIPTION OF A 20 FEET-WIDE EASEMENT
LOCATED SOUTH OF BLACKLICK RIDGE BOULEVARD
AND EAST OF REYNOLDSBURG-NEW ALBANY ROAD,
JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO**

Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1 North, Range 16 West, United States Military District, and being a 20.00 foot-wide easement on, over, and across a 4.901 acre tract conveyed to Phyllis E. Delaplaine, et al (6) by a deed of record in Official Record 32700, G-07, and to Frank M. Metzger (11/12ths) by a deed of record in Instrument 199804010075703, all records herein of the Recorder's Office, Franklin County, Ohio, and said 20.00 foot-wide easement being bounded and more particularly described as follows:

Begin, for reference, at a point marking the centerline intersection Reynoldsburg-New Albany Road and Blacklick Ridge Boulevard as shown and delineated on the record plat BLACKRIDGE BOULEVARD DEDICATION AND EASEMENTS in Plat Book 90, Page 92;

Thence the following consecutive three (3) courses and distances along the centerline of said Blacklick Ridge Boulevard;

1. South 48° 08' 39" East, a distance of 122.94 feet, to a point of curvature;
2. The arc of a curve to the left having a central angle of 32° 02' 29", a radius of 500.00 feet, a length of 279.61 feet, and a chord that bears South 64° 09' 54" East, a chord distance of 275.99 feet, to a point of tangency;
3. South 80° 11' 08" East a distance of 319.67 feet, to a point;

Thence South 09° 48' 52" West, a distance of 30.00 feet, over and across said Blacklick Ridge Boulevard, to the Point of True Beginning of the 20.00 foot-wide easement described herein, in the south right-of-way line of said Blacklick Ridge Boulevard, also being the north line of said 4.901 acre tract;

Thence South 80° 11' 08" East, a distance of 20.07 feet, along the south right-of-way line of said Blacklick Ridge Boulevard, to a point;

Thence along the following consecutive two (2) courses and distances over and across said 4.901 acre tract;

1. South 05° 08' 39" West, a distance of 42.00 feet, to a point;
2. South 01° 38' 55" West, a distance of 74.02 feet, to a point in the line common to said 4.901 acre tract and the remainder of an original 62.891 acre tract conveyed to M/I Schottenstein Homes, Inc. by a deed of record in Instrument 199804010076704;

Thence South 38° 17' 48" West, a distance of 33.51 feet, along the line common to said 4.901 acre tract and the remainder of said 62.891 acre tract, to a point;

Thence along the following consecutive two (2) courses and distances over and across said 4.901 acre tract;

1. North 01° 38' 55" East, a distance of 101.51 feet, to a point;
2. North 05° 08' 39" East, a distance of 44.24 feet, to the Point of True Beginning, containing 2618 square feet, or 0.0601 acres.

The bearings used in the above description are based on the Grid bearing of North 80° 11' 08" East for the centerline of Blacklick Ridge Boulevard as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC. Jeffrey D. Hofius, P.S., Registered Surveyor No. 7455

3T-1, T-2

**A DESCRIPTION OF A TEMPORARY 0.4172-ACRE AND
A TEMPORARY 0.0905-ACRE EASEMENT AREA
LOCATED SOUTH OF BLACKLICK RIDGE BOULEVARD
AND EAST OF REYNOLDSBURG-NEW ALBANY ROAD,
IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO**

Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1 North, Range 16 West, United States Military District, and being a temporary 0.4172-acre and a temporary 0.0905-acre easement area on, over, and across a 4.901 acre tract conveyed to Phyllis E. Delaplaine, et al (6) by a deed of record in Official Record 32700, G-07, and to Frank M. Metzger (1 1/U*1") by a deed of record in Instrument 199804010075703, all records herein of the Recorder's Office, Franklin County, Ohio, and said temporary 0.4172-acre and 0.0905-acre easement areas being bounded and more particularly described as follows:

AREA 1 - A TEMPORARY 0.4172-ACRE EASEMENT AREA

Begin, for reference, at a point marking the centerline intersection of Reynoldsburg-New Albany Road and Blacklick Ridge Boulevard, as shown and delineated on the record plat BLACKRIDGE BOULEVARD DEDICATION AND EASEMENTS, in Plat Book 90, Page 92;

Thence the following consecutive three (3) courses and distances along the centerline of said Blacklick Ridge Boulevard;

1. South 48° 08' 39" East, a distance of 122.94 feet, to a point of curvature;
2. The arc of a curve to the left having a central angle of 32° 02' 29", a radius of 500.00 feet, a length of 279.61 feet, and a chord that bears South 64° 09' 54" East, a chord distance of 275.99 feet, to a point of tangency;
3. South 80° 11' 08" East, a distance of 319.67 feet, to a point;

Thence South 09° 48' 52" West, a distance of 30.00 feet, over and across said Blacklick Ridge Boulevard, to the Point of True Beginning of the temporary 0.4172-acre easement area described herein, in the south right-of-way line of said Blacklick Ridge Boulevard, also being the north line of said 4.901 acre tract;

Thence along the following consecutive two (2) courses and distances over and across said 4.901 acre tract;

1. South 05° 08' 39" West, a distance of 44.24 feet, to a point;
2. South 01° 38' 55" West, a distance of 101.51 feet, to a point in the line common to said 4.901 acre tract and the remainder of an original 62.891 acre tract conveyed to M/I Schottenstein Homes, Inc., by a deed of record in Instrument 199804010076704;

Thence South 38° 17' 48" West, a distance of 43.06 feet, along the line common to said 4.901 acre tract and the remainder of said 62.891 acre tract, to a point marking the southerly common corner of said tracts in the north line of a 23.683 acre tract conveyed to Stonebridge Housing Limited Partnership by a deed of record in Instrument 199804020077432;

Thence North 85° 45' 14" West, a distance of 74.37 feet, along the line common to said 4.901 and 23.683 acre tracts, to a point;

Thence along the following consecutive two (2) courses and distances over and across said 4.901 acre tract;

1. North 01° 38' 55" East, a distance of 135.74 feet, to a point;
2. North 05° 08' 39" East, a distance of 55.46 feet, to a point in the south right-of-way line of said Blacklick Ridge Boulevard, also being the north line of said 4.901 acre tract;

Thence South 80° 11' 08" East, a distance of 100.33 feet, along the south right-of-way line of said Blacklick Ridge Boulevard, to the Point of True Beginning, containing 18175 square feet, or 0.4172 acres, more or less.

AREA 2 - A TEMPORARY 0.0905-ACRE EASEMENT AREA

Begin, for reference, at a point marking the centerline intersection of Reynoldsburg-New Albany Road and Blacklick Ridge Boulevard, as shown and delineated on the record plat BLACKRIDGE BOULEVARD DEDICATION AND EASEMENTS, in Plat Book 90, Page 92;

Thence the following consecutive three (3) courses and distances along the centerline of said Blacklick Ridge Boulevard;

1. South 48° 08' 39" East, a distance of 122.94 feet, to a point of curvature;
2. The arc of a curve to the left having a central angle of 32° 02' 29", a radius of 500.00 feet, a length of 279.61 feet, and a chord that bears South 64° 09' 54" East, a chord distance of 275.99 feet, to a point of tangency;
3. South 80° 11' 08" East, a distance of 339.74 feet, to a point;

Thence South 09° 48' 52" West, a distance of 30.00 feet, over and across said Blacklick Ridge Boulevard, to the Point of True Beginning of the temporary 0.0905-acre easement area described herein, in the south right-of-way line of said Blacklick Ridge Boulevard, also being the north line of said 4.901 acre tract;

Thence South 80° 11' 08" East, a distance of 50.17 feet, along the south right-of-way line of said Blacklick Ridge Boulevard, to a point;

Thence South 05° 08' 39" West, a distance of 42.16 feet, over and across said 4.901 acre tract, to a point in the line common to said 4.901 acre tract and the remainder of an original 62.891 acre tract conveyed to M/I Schottenstein Homes, Inc. by a deed of record in Instrument 199804010076704;

Thence South 38° 17' 48" West, a distance of 83.18 feet, along the line common to said 4.901 acre tract and the remainder of said 62.891 acre tract, to a point;

Thence along the following consecutive two (2) courses and distances over and across said 4.901 acre tract;

1. North 01° 38' 55" East, a distance of 74.02 feet, to a point;
2. North 05° 08' 39" East, a distance of 42.00 feet, to the Point of True Beginning, containing 3941 square feet, or 0.0905 acres, more or less.

The bearings used in the above description are based on the Grid bearing of North 80° 11' 08" East for the centerline of Blacklick Ridge Boulevard as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC. Jeffrey D. Hofius, P.S., Registered Surveyor No. 7455

4ST

A DESCRIPTION OF A 20.00 FEET-WIDE ACRE EASEMENT LOCATED EAST OF REYNOLDSBURG-NEW ALBANY ROAD AND NORTH OF BLACKLICK RIDGE BOULEVARD, IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO

Subterranean Tunnel (Subsurface) Easement- Extending Vertically Between NAVD 88 Elevations 895.00 and 871.00;

Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1 North, Range 16 West, United States Military District, and being a 20.00 foot-wide permanent subterranean easement, said easement being on, over, and across a 9.645 acre tract conveyed to D & A Bristol LLC, by a deed of record in Instrument 200012280261580, all records herein at the Recorder's Office, Franklin County, Ohio, and said 20.00 foot-wide easement being bounded and more particularly described as follows:

Begin, for reference, at a point marking the southeasterly corner of said 9.645 acre tract and the southwesterly corner of Reserve "D" of BLACKLICK RIDGE SECTION 2 PART 2 in the northerly right-of-way of Blacklick Ridge Boulevard, 60.00, feet-wide, as shown and delineated on the record plat in Plat Book 93, Page 30;

Thence North 80° 11' 08" West, a distance of 93.85 feet, along the northerly right-of-way of said Blacklick Ridge Boulevard, also being the southerly line of said 9.645 acre tract, as shown and delineated on the record plat BLACKLICK RIDGE BOULEVARD DEDICATION AND EASEMENTS, in Plat Book 93, Page 30, to the Point of True Beginning of the 20.00 foot-wide easement described herein;

Thence North 80° 11' 08" West, a distance of 20.07 feet, continuing along the northerly right-of-way of said Blacklick Ridge Boulevard, also being the southerly line of said 9.645 acre tract, to a point;

Thence North 05° 08' 39" East, a distance of 577.80 feet, over and across said 9.645 acre tract, to a point in the line common to said 9645 acre tract and a 1.407 acre tract conveyed to Robert Tyrone Child by a deed of record in Official Record 26742, B-06;

Thence South 86° 24' 11" East, a distance of 20.01 feet, along the line common to said 9.645 and 1.407 acre tracts, to a point;

Thence South 05° 08' 39" West, a distance of 579.97 feet, over and across said 9.645 acre tract, to the Point of True Beginning.

Said easement contains a volume of 27733.608 cubic feet, more or less, and the area of the horizontal plane at elevation 871.0 contains 0.265 acres (1155.567 square feet), more or less.

The bearings used in the above description are based on the Grid bearing of South 80- 11' 08" East for the centerline of Blacklick Ridge Boulevard as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC., Jeffrey D. Hofius, P.S. Registered Surveyor No. 7455

4T-1

A DESCRIPTION OF A 1.195 ACRE TEMPORARY EASEMENT LOCATED EAST OF REYNOLDSBURG-NEW ALBANY ROAD AND NORTH OF BLACKLICK RIDGE BOULEVARD, IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO

Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1 North, Range 16 West, United States Military District, and being a 1.195 acre temporary easement, said easement being on, over, and across a 9.645 acre tract conveyed to D & A Bristol LLC, by a deed of record in Instrument 200012280261580, all records herein at the Recorder's Office, Franklin County, Ohio, and said 1.195 acre temporary easement being bounded and more particularly described as follows:

Begin, for reference, at a point marking the southeasterly corner of said 9.645 acre tract and the southwesterly corner of Reserve "D" of BLACKLICK RIDGE SECTION 2 PART 2 in the northerly right-of-way of Blacklick Ridge Boulevard, 60.00, feet-wide, as shown and delineated on the record plat in Plat Book 93, Page 30;

Thence North 80° 11' 08" West, a distance of 78.80 feet, along the northerly right-of-way of said Blacklick Ridge Boulevard, also being the southerly line of said 9.645 acre tract, as shown and delineated on the record plat BLACKLICK RIDGE BOULEVARD DEDICATION AND EASEMENTS, in Plat Book 93, Page 30, to the Point of True Beginning of the 1.195 acre temporary easement described herein;

Thence North 80° 11' 08" West, a distance of 15.05 feet, continuing along the northerly right-of-way of said Blacklick Ridge Boulevard, also being the southerly line of said 9.645 acre tract, to a point;

Thence North 05° 08' 39" East, a distance of 579.97 feet, over and across said 9.645 acre tract, to a point in the line common to said 9.645 acre tract and a 1.407 acre tract conveyed to Robert Tyrone Child by a deed of record in Official Record 26742, B-06;

Thence South 86° 24' 11" East, a distance of 182.89 feet, along the line common to said 9.645 and 1.407 acre tracts, then common to a 6.966 acre tract conveyed to Robert Tyrone Child by a deed of record in Inst: 1999908240215541, to a point;

Thence the following 3 (three) courses and distances are over and across said 9.645 acre tract;

1. South 02° 22' 16" West, a distance of 247.30 feet, to a point;

2. North 87° 37' 44" West, a distance of 180.00 feet, to a point;
 3. South 05° 08' 39" West, a distance of 330.42 feet. To a point in the northerly right-of-way of said Blacklick Ridge Boulevard, also being the southerly line of said 9.645 acre tract, to the Point of True Beginning, containing 52046.123 square feet, or 1.195 acre, more or less.

The bearings used in the above description are based on the Grid bearing of South 80° 11' 08" East for the centerline of Blacklick Ridge Boulevard as determined by a GPS network of field observation performed in December 2001.

R. D. ZANDE & ASSOCIATES, INC., Jeffrey D. Hofius, P.S., Registered Surveyor No. 7455

4T-2
A DESCRIPTION OF A 0.255 ACRE TEMPORARY EASEMENT
LOCATED EAST OF REYNOLDSBURG-NEW ALBANY ROAD
AND NORTH OF BLACKLICK RIDGE BOULEVARD,
IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO

Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1 North, Range 16 West, United States Military District, and being a 0.255 acre temporary easement, said easement being over, and across a 9.645 acre tract conveyed to D & A Bristol LLC, by a deed of record in Instrument 200012280261580, all records herein at the Recorder's Office, Franklin County, Ohio, and said 0.255 acre temporary easement being bounded and more particularly described as follows:

Begin, for reference, at a point marking the southeasterly corner of said 9.645 acre tract and the southwesterly corner of Reserve "D" of BLACKLICK RIDGE SECTION 2 PART 2 in the northerly right-of-way of Blacklick Ridge Boulevard, 60.00, feet-wide, as shown and delineated on the record plat in Plat Book 93, Page 30;

Thence North 80° 11' 08" West, a distance of 113.92 feet, along the northerly right-of-way of said Blacklick Ridge Boulevard, also being the southerly line of said 9.645 acre tract, as shown and delineated on the record plat BLACKLICK RIDGE BOULEVARD DEDICATION AND EASEMENTS, in Plat Book 93, Page 30, to the Point of True Beginning of the 0.255 acre temporary easement described herein;

Thence North 80° 11' 08" West, a distance of 15.05 feet, continuing along the northerly right-of-way of said Blacklick Ridge Boulevard, also being the southerly line of said 9.645 acre tract, to a point;

Thence North 05° 08' 39" East, a distance of 323.91 feet, over and across said 9.645 acre tract, to a point;

Thence North 00° 43' 24" East, a distance of 252.48 feet, over and across said 9.645 acre tract, to a point in the line common to said 9.645 acre tract and a 1.407 acre tract conveyed to Robert Tyrone Child by a deed of record in Official Record 26742, B-06;

Thence South 86° 24' 11" East, a distance of 34.47 feet, along the line common to said 9.645 and 1.407 acre tracts, to a point;

Thence South 05° 08' 39" West, a distance of 577.80 feet, over and across said 9.645 acre tract, to the Point of True Beginning, containing 11109.378 square feet, or 0.255 acres, more or less.

The bearings used in the above description are based on the Grid bearing of South 80° 11' 08" East for the centerline of Blacklick Ridge Boulevard as determined by a GPS network of field observation performed in December 2001.

R. D. ZANDE & ASSOCIATES, INC., Jeffrey D. Hofius, P.S. Registered Surveyor No. 7455,

5ST-1
A DESCRIPTION OF A 20.00 FEET-WIDE EASEMENT
LOCATED EAST OF REYNOLDSBURG-NEW ALBANY ROAD
AT MULBERRY STREET IN JEFFERSON TOWNSHIP,
FRANKLIN COUNTY, OHIO

Subterranean Tunnel (Subsurface) Easement- Extending Vertically Between NAVD 88 Elevations 902.00 and 872.80;

Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1 North, Range 16 West, United States Military District, and being a 20.00 feet-wide permanent subterranean easement, said easement being on, over, and across a 1.407 acre tract conveyed to Robert Tyrone Child by a deed of record in Official Record 26742, B-06, all records herein at the Recorder's Office, Franklin County, Ohio, and said 20.00 feet-wide easement being bounded and more particularly described as follows:

Begin for reference, at the Franklin County Engineer's Monument FCGS 3356 found at the centerline intersection of Reynoldsburg-New Albany Road and Mulberry Street:

Thence South 41° 52' 16" West, a distance of 25.25 feet, along the centerline of said Reynoldsburg-New Albany Road, to a point;

Thence South 48° 07' 44" East, a distance of 40.46 feet, over and across said Reynoldsburg-New Albany Road, to a point in the easterly right-of-way line of said Reynoldsburg-New Albany Road marking the common corner of said 1.407 acre tract and a 9.645 acre tract conveyed to D & A Bristol LLC by a deed of record in Instrument 200012280261580;

Thence South 86° 24' 11" East, a distance of 322.92 feet, along the line common to said 1.407 and 9.645 acre tracts, to the Point of True Beginning of the 20 00 feet-wide easement described herein;

Thence along the following consecutive two (2) courses and distances over and across said 1 407 acre tract:

1 North 05° 08' 39" East, a distance of 26.72 feet, to a point;

2. North 08° 41' 48" East a distance of 426.93 feet, to a point in the easterly right-of-way line of said Reynoldsburg-New Albany Road;

Thence North 42° 19' 20" East, a distance of 22.02 feet, along the easterly right-of-way line of said Reynoldsburg-New Albany Road, to a point marking the common corner of said 1.407 acre tract and a 6.966 acre tract conveyed to Robert Tyrone Child, by a General Warranty Deed of record in Instrument No. 199908240215541;

Thence South 05° 29' 05" West, a distance of 139.34 feet, along the line common to said 1.407 and 6.966 acre tracts, to a point;

Thence along the following consecutive two (2) courses and distances over and across said 1.407 acre tract:

1 South 08° 41' 48" West, a distance of 305.53 feet, to a point;

2. South 05° 08' 39" West, a distance of 25.56 feet, to a point in the line common to said 1.407 and 9.645 acre tracts;

Thence North 86° 24' 11" West a distance of 20.01 feet, along the line common to said 1.407 and 9.645 acre tracts, to the Point of True Beginning.

Said easement contains a volume of 255996.4 cubic feet, more or less and the area of the horizontal plane at elevation 872.80 contains 0.201 acres (8767.00 square feet), more or less.

The bearings used in the above description are based on the Grid bearing of South 41° 52' 16" West for the centerline of Reynoldsburg-New Albany Road as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC., Jeffrey D. Hofius, P.S. Registered Surveyor No. 7455

5T-1
A DESCRIPTION OF A 0.040 ACRE TEMPORARY EASEMENT
LOCATED EAST OF REYNOLDSBURG-NEW ALBANY ROAD
AT MULBERRY STREET IN JEFFERSON TOWNSHIP,
FRANKLIN COUNTY, OHIO

Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1 North, Range 16 West, United States Military District and being a 0.040 acre temporary easement, said easement being over and across a 1.407 acre tract conveyed to Robert Tyrone Child by a deed of record in Official Record 26742, B-06, all records herein at the Recorder's Office, Franklin County, Ohio, and said 0.040 acre temporary easement being bounded and more particularly described as follows:

Begin for Reference, at the southeast corner of said 1.407 acre tract, also being the common corner of said 1.407 acre tract and a 6.966 acre tract conveyed to Robert Tyrone Child, by a deed of record in Inst: 199908240215541, also being in the northerly property line of a 9.645 acre tract conveyed to D & A Bristol LLC by a deed of record in Inst: 200012280261580;

Thence North 86°24'11" West, a distance of 36.98 feet, along the line common to said 1.407 and 9.645 acre tracts, to the Point of True Beginning;

Thence North 86°24'11" West, a distance of 33.98 feet, continuing along the line common to said 1.407 and 9.645 acre tracts, to a point; Thence the following 4 (Four) courses and distances are over and across said 1.407 acre tract;

1. North 03°16'47" West, a distance of 49.86 feet, to a point;
2. South 86°09'49" East, a distance of 37.03 feet, to a point;
3. South 08°41'48" West, a distance of 23.08 feet, to a point;
4. South 05°08'39" West, a distance of 26.72 feet, to the Point of True Beginning, containing 1748 square feet, or 0.040 acres, more or less.

The bearings used in the above description are based on the Grid bearing of South 41° 52' 16" West for the centerline of Reynoldsburg-New Albany Road as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC., Jeffrey D. Hofius, P.S. Registered Surveyor No. 7445

5-T2
A DESCRIPTION OF A 0.019 ACRE TEMPORARY EASEMENT
LOCATED EAST OF REYNOLDSBURG-NEW ALBANY ROAD
AT MULBERRY STREET IN JEFFERSON TOWNSHIP,
FRANKLIN COUNTY, OHIO

Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1 North, Range 16 West, United States Military District, and being a 0.019 acre temporary easement, said easement being over, and across a 1.407 acre tract conveyed to Robert Tyrone Child by a deed of record in Official Record 26742, B-06, all records herein at the Recorder's Office, Franklin County, Ohio, and said 0.019 acre temporary easement being bounded and more particularly described as follows:

Beginning, at the southeast corner of said 1.407 acre tract, also being the common corner of said 1.407 acre tract and a 6.966 acre tract conveyed to Robert Tyrone Child, by a deed of record in Inst: 199908240215541, also being in the northerly property line of a 9.645 acre tract conveyed to D & A Bristol LLC by a deed of record in Inst: 200012280261580;

Thence North 86°24'11" West, a distance of 16.98 feet, along the line common to said 1.407 and 9.645 acre tracts, to a point;

Thence the following 3 (Three) courses and distances are over and across said 1.407 acre tract;

1. North 05°08'39" East, a distance of 25.56 feet, to a point;
2. North 08°41'48" East, a distance of 24.16 feet, to a point;
3. South 86°09'49" East, a distance of 15.77 feet, to a point being in the line common to said 1.407 and 7.493 acre tracts;

Thence South 05°29'05" West, a distance of 49.58 feet, along the line common to said 1.407 and 7.493 acre tracts, to the Point of Beginning, containing 831 square feet, or 0.019 acres.

The bearings used in the above description are based on the Grid bearing of South 41°52'16" West for the centerline of Reynoldsburg-New Albany Road as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC., Jeffrey D. Hofius, P.S. Registered Surveyor No. 7385

5ST-2
A DESCRIPTION OF A 0.0152 ACRE EASEMENT AREA
LOCATED EAST OF REYNOLDSBURG-NEW ALBANY ROAD
AND SOUTH OF CENTER STREET,
IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO

Subterranean Tunnel (Subsurface) Easement- Extending Vertically Between NAVD 88 Elevations 918.00 and 873.80;

Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1 North, Range 16 West, United States Military District, and being a permanent 0.0152 acre subterranean easement area where no structure, or part of a structure, shall extend below elevation 918.0 feet, and a maximum allowable surcharge load shall not exceed 4,000 pounds per square foot, and said easement being over, and across a 6.966 acre tract conveyed to Robert Tyrone Child, by a deed of record in Instrument 199908240215541, all records herein at the Recorder's Office, Franklin County, Ohio, and 0.0152 acre subterranean easement area being bounded and more particularly described as follows:

Begin, for reference, at the Franklin County Engineer's Monument FCGS 3353 found at an angle point in the centerline of right-of-way of Reynoldsburg- New Albany Road south of Center Street;

Thence South 42° 22' 39" West, a distance of 27.20 feet, along the centerline of said Reynoldsburg-New Albany Road, to a point;

Thence South 47° 22' 39" East, a distance of 29.04 feet, over and across said Reynoldsburg-New Albany Road, to a point in the easterly right-of-way line of said Reynoldsburg-New Albany Road marking the Point of True Beginning of the 0.0152 acre easement area described herein;

Thence South 08° 41' 48" West, a distance of 169.60 feet, over and across said 6.966 acre tract, to a point in the line common to said 6.966 and a 1.407 acre tract conveyed to said Robert Tyrone Child, by a deed of record in Official Record 26742, B-06;

Thence North 05° 29' 05" East, a distance of 139.34 feet, along the line common to said 6.966 and 1.407 acre tracts, to a point in the easterly right-of-way line of said Reynoldsburg-New Albany Road;

Thence North 23° 03' 41" East, a distance 31.47 feet, along the easterly right- of-way line of said Reynoldsburg-New Albany Road, to the Point of True Beginning.

Said easement contains a volume of 29260.40 cubic feet, more or less, and the area of the horizontal plane at elevation 873.80 contains 0.0152 acres (662 square feet), more or less.

The bearings used in the above description are based on the Grid bearing of South 42° 22' 39" West for the centerline of Reynoldsburg-New Albany Road as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC., Jeffrey D. Hofius, P.S. Registered Surveyor No. 7455

5T-3
A DESCRIPTION OF A 0.009 ACRE TEMPORARY EASEMENT AREA
LOCATED EAST OF REYNOLDSBURG-NEW ALBANY ROAD
AND SOUTH OF CENTER STREET,
IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO

Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1 North, Range 16 West, United States Military District, and being a 0.010 acre temporary easement area, said easement being over, and across a 6.966 acre tract conveyed to Robert Tyrone Child, by a deed of record in Instrument 199908240215541, all records herein at the Recorder's Office, Franklin County, Ohio, and said 0.010 acre temporary easement area being bounded and more particularly described as follows:

Beginning, at the southwest corner of said 6.966 acre tract, also being the common corner of said 6.966 acre tract and a 1.407 acre tract conveyed to Robert Tyrone Child, by a deed of record in Official Record 26742 B-06, also being in the northerly property line of a 9.645 acre tract conveyed to D & A Bristol LLC by a deed of record in fast: 200012280261580;

Thence North 05° 29' 05" East, a distance of 49.58 feet, along the line common to said 6.966 and 1.407 acre tracts, to a point;

Thence the following 2 (Two) courses and distances are over and across said 6.966 acre tracts;

1. South 86° 09' 49" East, a distance of 7.13 feet, to a point;

2. South 03° 50' 11" West, a distance of 49.34 feet, to a point;

Thence North 87° 37' 44" West, a distance of 8.55 feet, along the line common to said 6.966 and 9.645 acre tracts, to the Point of Beginning. Containing 388 square feet, or 0.009 acres, more or less. The bearings used in the above description are based on the Grid bearing of South 42° 22' 39" West for the centerline of Reynoldsburg-New Albany Road as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC. Jeffrey D. Hofius, P.S., Registered Surveyor No. 7455

6ST
A DESCRIPTION OF A 0.0567 ACRE EASEMENT AREA
LOCATED EAST OF REYNOLDSBURG-NEW ALBANY ROAD
AT WALNUT STREET, IN JEFFERSON TOWNSHIP,
FRANKLIN COUNTY, OHIO

Subterranean Tunnel (Subsurface) Easement- Extending Vertically Between NAVD 88 Elevations 918.00 and 874.80;

Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1 North, Range 16 West, United States Military District, and being a 0.0567 acre permanent subterranean easement, said easement being on, over, and across a 4.678 acre tract conveyed to Alice D. and Alva E. Cornell by a deed of record in Official Record 5346, E-17, all records herein at the Recorder's Office, Franklin County, Ohio, and said a 0.0567 acre easement being bounded more particularly described as follows:

Begin, for reference, at the Franklin County Engineer's Monument FCGS 3353 found at an angle point in the centerline of right-of-way of Reynoldsburg- New Albany Road south of Center Street;

Thence North 03° 57' 32" East, a distance of 185.89 feet, along the centerline of said Reynoldsburg-New Albany Road, to a point;

Thence South 86° 02' 28" East, a distance of 25.00 feet, over and across said Reynoldsburg-New Albany Road, to the Point of True Beginning of the 0.0567 acre easement area described herein, in the easterly right-of-way line of said Reynoldsburg-New Albany Road, also being the westerly line of said 4.678 acre tract;

Thence North 03° 57' 24" East, a distance of 242.04 feet, along the easterly right-of-way of Reynoldsburg-New Albany Road, also being the westerly line of said 4.678 acre tract, to a point;

Thence North 08° 41' 48" East, a distance of 1.80 feet, over and across said 4.678 acre tract, to a point in the line common to said 4.678 acre tract and a 17.182 acre tract conveyed to Dirken T. Voelker Trustee, by a deed of record in Instrument 199804010076719;

Thence South 87° 15' 36" East, a distance of 20.11 feet, along the line common to said 4.678 and 17.182 acre tracts, to a point;

Thence South 8° 41' 48" West, a distance of 245.09 feet, over and across said 4.678 acre tract, to the Point of True Beginning.

Said easement contains a volume of 106660.80 cubic feet, more or less, and the area of the horizontal plane at elevation 874.80 contains 0.0567 acres (2469 square feet), more or less.

The bearings used in the above description are based on the grid bearing of North 03° 57' 32" East for the centerline of Reynoldsburg-New Albany Road as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC. Jeffrey D. Hofius, P.S., Registered Surveyor No. 7455

7ST
A DESCRIPTION OF A 20.00 FEET EASEMENT
LOCATED EAST OF REYNOLDSBURG-NEW ALBANY ROAD
AND NORTH OF WALNUT STREET,
IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO

Subterranean Tunnel (Subsurface) Easement- Extending Vertically Between NAVD 88 Elevations 918.00 and 875.50;

Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1 North, Range 16 West, United States Military District, and being a 20.00 feet-wide permanent subterranean easement, said easement being on, over, and across a 17.182 acre tract conveyed to Dirken T. Voelker Trustee, by a deed of record in Instrument 199804010076719, all records herein of the Recorder's Office, Franklin County, Ohio, and said 20.00 feet-wide easement being bounded and more particularly described as follows:

Begin, for reference, at the Franklin County Engineer's Monument FCGS 3353 found at an angle point in the centerline of right-of-way of Reynoldsburg-New Albany Road south of Center Street;

Thence North 03° 57' 32" East, a distance of 429.72 feet, along the centerline of said Reynoldsburg-New Albany Road, to a point;

Thence South 86° 02' 28" East, a distance of 25.00 feet, over and across said Reynoldsburg- New Albany Road, to a point in the easterly right-of-way line of said Reynoldsburg-New Albany Road marking common corner of said 17.182 acre tract and a 4.678 acre tract conveyed to Alice D. and Alva E. Cornell by a deed of record in Official Record 05346, E-17;

Thence South 87° 15' 36" East, a distance of 0.15 feet, along the line common to said 17.812 and 4.678 acre tracts, to the Point of True Beginning of the 20.00 feet-wide easement area described herein;

Thence along the following consecutive two (2) courses and distances over and across said 17.182 acre tract;
 1. North 08° 41' 48" East, a distance of 58.73 feet, to a point;
 2. North 04° 06' 57" East, a distance of 49.07 feet, to a point in the line common to said 17.182 and a 19.4871 acre tract conveyed to CSX Transportation, Inc. (Baltimore and Ohio Railroad) by a deed of record in Official Record 13276, B-15;
 Thence North 72° 56' 00" East, a distance of 21.45 feet, along the line common to said 17.182 and 19.4871 acre tracts, to a point;
 Thence along the following consecutive two (2) courses and distances over and across said 17.182 acre tract;
 1. South 04° 06' 57" West, a distance of 57.62 feet, to a point;
 2. South 08° 41' 48" West, a distance of 57.44 feet, to a point in the line common to said 17.182 and 4.678 acre tract;
 Thence North 87° 19' 22" West, a distance of 20.11 feet, along the line common to said 17.182 and 4.678 acre tracts, to the Point of True Beginning.

Said easement contains a volume of 94732.5 cubic feet, more or less, and the area of the horizontal plane at elevation 875.50 contains 0.0512 acres (2229 square feet), more or less.

The bearings used in the above description are based on the Grid bearing of North 3° 57' 32" East for the centerline of Reynoldsburg-New Albany Road as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC., Jeffrey D. Hofius, P.S. Registered Surveyor No. 7455

7T-1, T-2

**A DESCRIPTION OF A 0.0091 AND A 0.1159 ACRE TEMPORARY
 EASEMENT AREA
 LOCATED EAST OF REYNOLDSBURG-NEW ALBANY ROAD
 AND NORTH OF WALNUT STREET,
 IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO**

Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1 North, Range 16 West, United States Military District, and being a 0.0091 and a 0.1159 acre temporary easement area on, over, and across a 17.182 acre tract conveyed to Dirken T. Voelker Trustee, by a deed of record in Instrument 199804010076719, all records herein of the Recorder's Office, Franklin County, Ohio, and said 0.0091 acre and 0.1159 acre temporary easement areas being bounded and more particularly described as follows:

AREA 1 - A 0.0091 ACRE TEMPORARY EASEMENT AREA

Begin, for reference, at the Franklin County Engineer's Monument FCGS 3353 found at an angle point in the centerline of right-of-way of Reynoldsburg-New Albany Road south of Center Street;

Thence North 03° 57' 32" East, a distance of 429.72 feet, along the centerline of said Reynoldsburg-New Albany Road, to a point;

Thence South 86° 02' 28" East, a distance of 25.00 feet, over and across said Reynoldsburg-New Albany Road, to a point in the easterly right-of-way line of said Reynoldsburg-New Albany Road marking the common corner of said 17.182 acre tract and a 4.678 acre tract conveyed to Alice D. and Alva E. Cornell by a deed of record in Official Record 5346, E-17, and also marking the Point of True Beginning of the 0.0091 acre temporary easement area described herein;

Thence North 03° 57' 24" East, a distance of 105.63 feet, along the easterly right-of-way of said Reynoldsburg-New Albany Road, also being the westerly line of said 17.182 acre tract, to a point marking the intersection with the southerly railroad right of way of a 19.4871 acre tract conveyed to CSX Transportation, Inc. (Baltimore and Ohio Railroad) of record in Official Record 13276, B-15;

Thence North 72° 56' 00" East, a distance of 5.50 feet, along the line common to said 17.182 and 19.4871 acre tracts, to a point;

Thence South 04° 06' 57" West, a distance of 49.07 feet, over and across said 17.182 acre tract, to a point;

Thence South 08° 41' 48" West, a distance of 58.73 feet, over and across said 17.182 acre tract, to a point in the line common to said 17.182 and 4.678 acre tract;

Thence North 87° 15' 36" West, a distance of 0.15 feet, along the line common to said 17.182 and 4.678 acre tracts, to the Point of True Beginning, containing 397 square feet, or 0.0091 acres, more or less.

AREA 2 - A 0.1159 ACRE TEMPORARY EASEMENT AREA

Begin, for reference, at the Franklin County Engineer's Monument FCGS 3353 found at an angle point in the centerline of right-of-way of Reynoldsburg-New Albany Road south of Center Street;

Thence North 03° 57' 32" East, a distance of 429.72 feet, along the centerline of said Reynoldsburg-New Albany Road, to a point;

Thence South 86° 02' 28" East, a distance of 25.00 feet, over and across said Reynoldsburg-New Albany Road, to a point in the easterly right-of-way line of said Reynoldsburg-New Albany Road marking the common corner of said 17.182 acre tract and a 4.678 acre tract conveyed to Alice D. and Alva E. Cornell by a deed of record in Official Record 5346, E-17;

Thence South 87° 15' 36" East, a distance of 20.26 feet, along the line common to said 17.182 and 4.678 acre tracts, to the Point of True Beginning of the 0.1159 acre temporary easement area described herein;

Thence North 08° 41' 48" East, a distance of 57.44 feet, over and across said 17.182 acre tract, to a point;

Thence North 04° 06' 57" East, a distance of 57.62 feet, over and across said 17.182 acre tract, to a point in the southerly railroad right of way of said 19.4871 acre tract conveyed to CSX Transportation, Inc. (Baltimore and Ohio Railroad) of record in Official Record 13276, B-15;

Thence North 72° 56' 00" East, a distance of 42.90 feet, along the line common to said 17.182 and 19.4871 acre tracts, to a point;

Thence South 03° 51' 55" West, a distance of 129.30 feet, over and across said 17.182 acre tract, to a point in the line common to said 17.182 and 4.678 acre tract;

Thence North 87° 15' 36" West, a distance of 45.17 feet, along the line common to said 17.182 and 4.678 acre tracts, to the Point of True Beginning, containing 5050 square feet, or 0.1159 acres, more or less.

The bearings used in the above description are based on the grid bearing of North 03° 57' 32" East for the centerline of Reynoldsburg-New Albany Road as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC. Jeffrey D. Hofius, P.S., Registered Surveyor No. 7455

7A-ST

**A DESCRIPTION OF 0.1707 ACRE EASEMENT AREA
 LOCATED EAST OF REYNOLDSBURG-
 NEW ALBANY ROAD AND SOUTH OF BLACKLICK RIDGE BLVD,
 JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO**

Subterranean Tunnel (Subsurface) Easement- Extending Vertically Between NAVD 88 Elevations 910.00 and 876.20;

Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1 North, Range 16 West, United States Military District, and being a 0.1707 acre permanent subterranean easement, said easement being on, over, and across a 5.882 acre tract conveyed

to Freda Ann and Lee R. Gray, by a deed of record in Deed Book 2253, Page 665, all records herein at the Recorder's Office, Franklin County, Ohio, said 0.1707 acre easement area being bounded and more particularly described as follows:

Begin, for reference, at the Franklin County Engineer's Monument FCGS3355 found at an angle point in the centerline of Reynoldsburg-New Albany Road at the north right-of-way of North Street;

Thence North 04° 04' 15" East, a distance of 3.03 feet, along the centerline of said Reynoldsburg-New Albany Road, to a point;

Thence South 86° 02' 36" East, a distance of 35.00 feet, over and across said Reynoldsburg-New Albany Road, to a point in the easterly right-of-way line of said Reynoldsburg-New Albany Road marking the northwest corner of said 5.882 acre tract in south line of a 0.682 acre tract conveyed to Cecil Van De Bogart and Eleanor Van De Bogart, Trustees, by a deed of record in Instrument 199811190298573, said point also marking the Point of True Beginning of the 0.0567 acre easement area described herein;

Thence South 85° 55' 45" East, a distance of 16.78 feet, along the line common to said 5.882 and 0.682 acre tracts, to a point;

Thence South 04° 06' 57" West, a distance of 457.77 feet, over and across said 5.882 acre tract, to a point in the line common to said 5.882 and a 19.487 acre tract conveyed to CSX Transportation, Inc. (Baltimore and Ohio Railroad) by a deed of record in Official Record 13276, B-15;

Thence South 72° 56' 00" West, a distance of 16.62 feet, along the line common to said 5.882 and 19.487 acre tracts, to a point in the easterly right-of-way line of said Reynoldsburg-New Albany Road;;

Thence North 03° 57' 27" East, a distance of 463.76 feet, along the easterly right-of-way line of Reynoldsburg-New Albany Road, to the Point of True Beginning.

Said easement contains a volume of 251404.40 cubic feet, more or less, and the area of the horizontal plane at elevation 876.20 contains 0.1707 acres (7438 square feet), more or less.

The bearings used in the above description are based on the grid bearing of North 04° 04' 15" East for the centerline of Reynoldsburg-New Albany Road as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC. Jeffrey D. Hofius, P.S., Registered Surveyor No. 7455

8ST

A DESCRIPTION OF A 20.00 FEET-WIDE EASEMENT LOCATED EAST OF REYNOLDSBURG-NEW ALBANY ROAD AND NORTH OF NORTH STREET, IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO

Subterranean Tunnel (Subsurface) Easement- Extending Vertically Between NAVD 88 Elevations 910.00 and 877.50;

Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1 North, Range 16 West, United States Military District, and being a 20.00 feet-wide permanent subterranean easement, said easement being on, over, and across a 0.682 acre tract conveyed to Cecil Van De Bogart or Eleanor Van De Bogart, Trustees, by a deed of record in Instrument 199811190298573, all records herein at the Recorder's Office, Franklin County, Ohio, and said 20.00 feet-wide easement being bounded and more particularly described as follows:

Begin, for reference, at the Franklin County Engineer's Monument FCGS 3355 found at an angle point in the centerline of Reynoldsburg-New Albany Road at the north right-of-way of North Street;

Thence North 04° 04' 15" East, a distance of 3.03 feet, along the centerline of said Reynoldsburg-New Albany Road, to a point;

Thence South 86° 02' 36" East, a distance of 31.78 feet, over and across said Reynoldsburg-New Albany Road, to a point in the easterly right-of-way line of said Reynoldsburg-New Albany Road, also being the south line of said 0.682 acre tract, said point marking the Point of True Beginning of the 20.00 feet-wide easement area described herein;

Thence North 04° 06' 57" East, a distance of 99.00 feet, over and across said 0.682 acre tract, to a point in the line common to said 0.682 acre tract and a 6.003 acre tract conveyed to Guy Richard Maxey and Esther Marie Maxey by a deed of record in Official Record 9849, J-10;

Thence South 85° 55' 45" East, a distance of 20.00 feet, along the line common to said 0.682 and 6.003 acre tracts, to a point;

Thence South 04° 06' 57" West, a distance of 99.00 feet, over and across said 0.682 acre tract, to a point in the line common to said 0.682 and a 5.882 acre tract conveyed to Freda A. and Lee R. Gray by a Warranty Deed in Deed Book 2253, Page 665;

Thence North 85° 55' 42" West, a distance of 20.00 feet, along the line common to said 0.682 and 5.882 acre tracts, to the Point of True Beginning.

Said easement contains a volume of 64350.00 cubic feet, more or less, and the area of the horizontal plane at elevation 877.50 contains 0.0455 acres (1980 square feet), more or less.

The bearings used in the above description are based on the Grid bearing of North 4° 04' 15" East for the centerline of Reynoldsburg-New Albany Road as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC., Jeffrey D. Hofius, P.S. Registered Surveyor No. 7455

9ST

A DESCRIPTION OF A 20.00 FEET-WIDE EASEMENT LOCATED EAST OF REYNOLDSBURG-NEW ALBANY ROAD AND NORTH OF NORTH STREET, IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO

Subterranean Tunnel (Subsurface) Easement- Extending Vertically Between NAVD 88 Elevations 910.00 and 877.70;

Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1 North, Range 16 West, United States Military District, and being a 20.00 feet-wide permanent subterranean easement, said easement being on, over, and across a 6.003 acre tract conveyed to Guy Richard Maxey and Esther Marie Maxey, by a deed of record in Official Record 9849, J-10, all records herein at the Recorder's Office, Franklin County, Ohio, and said 20.00 feet-wide easement being bounded and more particularly described as follows:

Begin, for reference, at the Franklin County Engineer's Monument FCGS 3355 found at an angle point in the centerline of Reynoldsburg-New Albany Road at the north right-of-way of North Street;

Thence North 04° 04' 15" East, a distance of 102.03 feet, along the centerline of said Reynoldsburg-New Albany Road, to a point;

Thence South 86° 02' 55" East, a distance of 30.00 feet, over and across said Reynoldsburg-New Albany Road, to a point in the easterly right-of-way line of said Reynoldsburg-New Albany Road marking the common corner of said 6.003 and a 0.682 acre tract conveyed to Cecil Van De Bogart and Eleanor Van De Bogart by a deed of record in Instrument 199811190298573;

Thence South 86° 55' 45" East, a distance of 1.86 feet, along the line common to said 6.003 and 0.682 acre tracts, to the Point of True Beginning of the 20.00 feet-wide easement described herein;

Thence North 04° 06' 57" East, a distance of 119.73 feet, over and across said 6.003 acre tract, to a point in the line common to said 6.003 acre tract and a 8.59 acre tract conveyed to Patricia A. Mulbarger, by a deed of record in Official Record 9844, J-05;

Thence South 85° 27' 02" East, a distance of 20.00 feet, along the line common to said 6.003 and 8.59 acre tracts, to a point;

Thence South 04° 06' 57" West, a distance of 119.57 feet, over and across the said 6.003 acre tract, to a point in the line common to said 6.003 and 0.682 acre tracts;

Thence North 85° 55' 45" West, a distance of 20.00 feet, along the line common to said 6.003 and 0.682 acre tracts, to the Point of True Beginning.

Said easement contains a volume of 77261.60 cubic feet, more or less, and the area of the horizontal plane at elevation 877.70 contains 0.0549 acres (2392 square feet), more or less.

The bearings used in the above description are based on the Grid bearing of North 04° 04' 15" East for the centerline of Reynoldsburg-New Albany Road as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC. Jeffrey D. Hofius, P.S., Registered Surveyor No. 7455

10T

A DESCRIPTION OF A 0.4620 ACRE TEMPORARY EASEMENT AREA LOCATED EAST OF REYNOLDSBURG-NEW ALBANY ROAD AND NORTH OF NORTH STREET, IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO

Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1 North, Range 16 West, United States Military District, and being a 0.4620 acre temporary easement area on, over, and across a 8.59 acre tract conveyed to Patricia A. Mulbarger by a deed of record in Official Record 9844, J-04, all records herein at the Recorder's Office, Franklin County, Ohio, and said 0.4620 acre temporary area easement being bounded and more particularly described as follows:

Begin, for reference, at the Franklin County Engineer's Monument FCGS 3355 found at an angle point in the centerline of Reynoldsburg-New Albany Road at the north right-of-way of North Street;

Thence North 04° 04' 15" East, a distance of 221.78 feet, along the centerline of said Reynoldsburg-New Albany Road, to a point;

Thence South 86° 02' 55" East, a distance of 30.00 feet, over and across said Reynoldsburg-New Albany Road, to a point in the easterly right-of-way line of said Reynoldsburg-New Albany Road marking the common corner of said 8.59 and a 6.003 acre tract conveyed to Guy Richard Maxey and Esther Marie Maxey, by a deed of record in Official Record 9849, J-10, and also marking the Point of True Beginning of the 0.4620 acre temporary easement area described herein;

Thence North 04° 04' 15" East, a distance of 115.00 feet, along the right-of-way of said Reynoldsburg-New Albany Road, also being the west line of said 8.59 acre tract, to a point;

Thence South 85° 27' 02" East, a distance of 175.01 feet, over and across said 8.59 acre tract, to a point;

Thence South 04° 04' 15" West, a distance of 115.00 feet, over and across said 8.59 acre tract, to a point in the line common to said 8.59 and 6.003 acre tracts;

Thence North 85° 27' 02" West, a distance of 175.01 feet, along the line common to said 8.59 and 6.003 acre tracts, to the Point of True Beginning, containing 20125 square feet, or 0.4620 acres, more or less.

The bearings used in the above description are based on the grid bearing of North 04° 04' 15" East for the centerline of Reynoldsburg-New Albany Road as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC., Jeffrey D. Hofius, P.S. Registered Surveyor NO. 7455

10ST

A DESCRIPTION OF A 0.0660 ACRE EASEMENT AREA LOCATED EAST OF REYNOLDSBURG-NEW ALBANY ROAD AND NORTH OF NORTH STREET, IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO

Subterranean Tunnel (Subsurface) Easement- Extending Vertically Between NAVD 88 Elevations 915.00 and 878.00;

Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1 North, Range 16 West, United States Military District, and being a 0.0660 acre permanent subterranean easement area, and said easement being on, over, and across a 8.59 acre tract conveyed to Patricia A. Mulbarger by a deed of record in Official Record 09844, J-04, all records herein at the Recorder's Office, Franklin County, Ohio, and said 0.0660 acre easement area being bounded and more particularly described as follows:

Begin, for reference, at the Franklin County Engineer's Monument FCGS 3355 found at an angle point in the centerline of Reynoldsburg-New Albany Road at the north right-of-way of North Street;

Thence North 04° 04' 15" East, a distance of 221.78 feet, along the centerline of said Reynoldsburg-New Albany Road, to a point;

Thence South 86° 02' 55" East, a distance of 30.00 feet, over and across said Reynoldsburg-New Albany Road, to a point in the easterly right-of-way line of said Reynoldsburg-New Albany Road marking the common corner of said 8.59 and a 6.003 acre tract conveyed to Guy Richard Maxey and Esther Marie Maxey, by a deed of record in Official Record 9849, J-10;

Thence South 85° 27' 02" East, a distance of 1.95 feet, along the line common to said 8.59 and 6.003 acre tracts, to the Point of True Beginning of the 0.0660 acre easement area described herein;

Thence North 04° 06' 57" East, a distance of 57.69 feet, over and across said 8.59 acre tract, to a point;

Thence North 04° 00' 43" West, a distance of 14.22 feet, over and across said 8.59 acre tract, to a point in the easterly right-of-way line of said Reynoldsburg-New Albany Road, also being the west line of said 8.59 acre tract;

Thence North 04° 04' 15" East, a distance of 142.24 feet, along the right-of-way of said Reynoldsburg-New Albany Road, also being the west line of said 8.59 acre tract, to a point;

Thence South 04° 00' 43" East, a distance of 156.47 feet, over and across said 8.59 acre tracts, to a point;

Thence South 04° 06' 57" West, a distance of 59.26 feet, over and across said 8.59 acre tract, to a point in the line common to said 8.59 and 6.003 acre tracts;

Thence North 85° 27' 02" West, a distance of 20.00 feet, along the line common to said 8.59 and 6.003 acre tracts, to the Point of True Beginning.

Said easement contains a volume of 106412.00 cubic feet, more or less, and the area of the horizontal plane at elevation 878.00 contains 0.0660 acres (2876 square feet), more or less.

The bearings used in the above description are based on the Grid bearing of North 04° 04' 15" East for the centerline of Reynoldsburg-New Albany Road as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC., Jeffrey D. Hofius, P.S. Registered Surveyor No. 7455,

11ST
A DESCRIPTION OF A 0.0007 ACRE EASEMENT AREA
LOCATED WEST OF REYNOLDSBURG-NEW ALBANY ROAD
AND SOUTH OF TAYLOR ROAD,
IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO

Subterranean Tunnel (Subsurface) Easement- Extending Vertically Between NAVD 88 Elevations 915.00 and 879.7;
 Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1 North, Range 16 West, United States Military District, and being a 0.0007 acre permanent subterranean easement area, and said easement area being on, over, and across a 0.949 acre tract conveyed to Erin Stanley Vickers and John L. Vickers, Co-Trustees, by a deed of record in Instrument No. 200203200071673, all records herein at the Recorder's Office, Franklin County Ohio, and said 0.007 acre easement area being bounded and more particularly described as follows:

Begin, for reference, at the Franklin County Engineer's Monument FCGS 5521 found at an angle point in the centerline of Reynoldsburg-New Albany Road at intersection of the centerline of Taylor Road;

Thence South 04° 04' 15" West, a distance of 40.95 feet, along the centerline of said Reynoldsburg-New Albany Road, to a point;

Thence North 85° 55' 45" West, a distance of 40.00 feet, over and across said Reynoldsburg-New Albany Road, to a point in the westerly right-of-way line of said Reynoldsburg-New Albany Road marking the northeasterly corner of said 0.949 acre tract, and the Point of True Beginning of the 0.0007 acre easement area described herein;

Thence South 04° 04' 15" West, a distance of 21.41 feet, along the westerly right-of-way of said Reynoldsburg-New Albany Road, also being the east line of said 0.949 acre tract, to a point;

Thence North 04° 00' 43" West, a distance of 21.56 feet, over and across said 0.949 acre tract, to a point in the southerly right-of-way line of said Taylor Road, also being the north line of said 0.949 acre tract;

Thence South 87° 08' 45" East, a distance of 3.03 feet, along the southerly right-of-way of said Taylor Road, also being the north line of said 0.949 acre tract, to the Point of True Beginning.

Said easement contains a volume of 1129.6 cubic feet, more or less, and the area of the horizontal plane at elevation 879.70 contains 0.0007 acres (32 square feet), more or less.

The bearings used in the above description are based on the grid bearing of North 04° 04' 15" East for the centerline of Reynoldsburg-New Albany Road as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC., Jeffrey D. Hofius, P.S. Registered Surveyor No. 7455,

12P
A DESCRIPTION OF A 30 FEET-WIDE EASEMENT
LOCATED WEST OF REYNOLDSBURG-NEW ALBANY ROAD
AND NORTH OF TAYLOR ROAD,
IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO

Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1, Range 16, United States Military Lands, and being a 30 feet-wide easement, and said easement being on, over, and across a 8.943 acre tract conveyed to Jesse E. Howard Trust, by a deed of record in Official Record 1455, Page J11, all records herein at the Recorder's Office, Franklin County, Ohio, and said 20.00 feet-wide easement being bounded and more particularly described as followed:

Begin, for reference, at the Franklin County Engineer's Monument FCGS 5521 found at an angle point in the centerline of Reynoldsburg-New Albany Road at intersection of the centerline of Taylor Road;

Thence North 03°52'58" East, a distance of 121.93 feet, along the centerline of said Reynoldsburg-New Albany Road, to a point;

Thence North 86°07'02" West, a distance of 45.61 feet, over and across said Reynoldsburg-New Albany Road, to a point in the westerly right-of-way line of said Reynoldsburg-New Albany Road, also being an easterly line of said 8.943 acre tract, said point also being the Point of True Beginning;

Thence the following three (3) courses and distances over and across said 8.943 acre tract:

1. North 86°32'01" West, a distance of 30.00 feet, to a point;
2. North 03°27'59" East, a distance of 30.00 feet, to a point;

3. South 86°32'01" East, a distance of 30.00 feet, to a point in the westerly right-of-way line of said Reynoldsburg-New Albany Road; Thence South 03°27'59" West, a distance of 30.00 feet, along a westerly right-of-way line of said Reynoldsburg-New Albany Road, also being an easterly line of said 8.943 acre tract, to the Point of True Beginning. Containing 900 square feet, or 0.0207 acres, more or less.

The bearings used in the above description are based on the grid bearing of North 03° 52' 58" East for the centerline of Reynoldsburg-New Albany Road as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC., Jeffrey D. Hofius, P.S. Registered Surveyor No. 7455

12ST
A DESCRIPTION OF A 0.0390 ACRE EASEMENT AREA
LOCATED WEST OF REYNOLDSBURG-NEW ALBANY ROAD
AND NORTH OF TAYLOR ROAD,
IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO

Subterranean Tunnel (Subsurface) Easement- Extending Vertically Between NAVD 88 Elevations 915.00 and 879.90;
 Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1, Range 16, United States Military Lands, and being a 0.0390 acre permanent subterranean easement area, and said easement being on, over, and across a 8.943 acre tract conveyed to Jesse E. Howard Trust, by a deed of record in Official Record 1455, Page J11, all records herein at the Recorder's Office, Franklin County, Ohio, and said 20.00 feet-wide easement being bounded and more particularly described as followed:

Begin, for reference, at the Franklin County Engineer's Monument FCGS 5521 found at an angle point in the centerline of Reynoldsburg-New Albany Road at intersection of the centerline of Taylor Road;

Thence North 03°52'58" East, a distance of 38.05 feet, along the centerline of said Reynoldsburg-New Albany Road, to a point;

Thence North 86°07'02" West, a distance of 54.11 feet, over and across said Reynoldsburg-New Albany Road, to a point in the westerly right-of-way line of said Reynoldsburg-New Albany Road, also being an easterly line of said 8.943 acre tract, said point also being the Point of True Beginning;

Thence the following three (3) courses and distances over and across said 8.943 acre tract:

1. North 04°00'03" West, a distance of 108.35 feet, to a point;

2. North 85°59'17" East, a distance of 20.00 feet, to a point;
 3. South 04°00'43" East, a distance of 26.02 feet, to a point in a westerly right-of-way line of said Reynoldsburg-New Albany Road, also being an easterly line of said 8.943 acre tract;
 Thence South 03°27'59" West, a distance of 78.01 feet, along a westerly right-of way line of said Reynoldsburg-New Albany Road, also being an easterly line of said 8.943 acre tract, to a point;
 Thence South 59°10'24" West, a distance of 11.03 feet, along a westerly right-of way line of said Reynoldsburg-New Albany Road, also being an easterly line of said 8.943 acre tract, to the Point of True Beginning.
 Said easement containing 29052.90 cubic feet, more or less, and the area of the horizontal plane at elevation 879.90 contains 0.0390 acres (1699 square feet), more or less.
 The bearings used in the above description are based on the grid bearing of North 03° 52' 58" East for the centerline of Reynoldsburg-New Albany Road as determined by a GPS network of field observation performed in December 2001.
 R.D. ZANDE & ASSOCIATES, INC., Jeffrey D. Hofms, P.S. Registered Surveyor No. 7455

12T
A DESCRIPTION OF A 0.275 ACRE TEMPORARY EASEMENT AREA
LOCATED WEST OF REYNOLDSBURG-NEW ALBANY ROAD
AND NORTH OF TAYLOR ROAD,
IN JEFFERSON TOWNSHIP, FRANKLIN COUNTY, OHIO

Situate in the State of Ohio, County of Franklin, Township of Jefferson, and lying in Section 4, Township 1, Range 16, United States Military Lands, and being a 0.275 acre temporary easement area, and said easement being on, over, and across a 8.943 acre tract conveyed to Jesse E. Howard Trust, by a deed of record in Official Record 1455, Page J11, all records herein at the Recorder's Office, Franklin County, Ohio, and said 20.00 feet-wide easement being bounded and more particularly described as followed:

Begin, for reference, at the Franklin County Engineer's Monument FCGS5521 found at an angle point in the centerline of Reynoldsburg-New Albany Road at intersection of the centerline of Taylor Road;

Thence North 03°52'58" East, a distance of 43.33 feet, along the centerline of said Reynoldsburg-New Albany Road, to a point;

Thence North 86°07'02" West, a distance of 45.04 feet, over and across said Reynoldsburg-New Albany Road, to a point in the westerly right-of-way line of said Reynoldsburg-New Albany Road, also being an easterly line of said 8.943 acre tract, said point also being the Point of True Beginning;

Thence South 59°10'24" West, a distance of 36.47 feet, along the westerly right-of way line of said Reynoldsburg-New Albany Road, also being an easterly line of said 8.943 acre tract, to a point, said point being a common corner of the westerly right-of-way of said Reynoldsburg-New Albany Road and the northerly right-of-way line of Taylor Road;

Thence North 87°08'45" West, a distance 49.87 feet, along the northerly right-of-way line of said Taylor Road, also being a southerly line of said 8.943 acre tract, to a point;

Thence the following two (2) courses and distances over and across said 8.943 acre tract:

1. North 03°27'59" East, a distance of 154.23 feet, to a point;

2. South 86°32'01" East, a distance of 80.00 feet, to a point in the westerly right-of-way line of said Reynoldsburg-New Albany Road, also being an easterly line of said 8.943 acre tract;

Thence South 03°27'59" West, a distance of 133.14 feet, along a westerly right-of way line of said Reynoldsburg-New Albany Road, also being an easterly line of said 8.943 acre tract, to the Point of True Beginning. Containing 11999 square feet, or 0.275 acres, more or less.

The bearings used in the above description are based on the grid bearing of North 03° 52' 58" East for the centerline of Reynoldsburg-New Albany Road as determined by a GPS network of field observation performed in December 2001.

R.D. ZANDE & ASSOCIATES, INC., Jeffrey D. Hofius, P.S. Registered Surveyor No. 7455

Section 2. That the City Attorney be and hereby is authorized to cause a written notice of the adoption of this resolution to be served upon the owners, persons in possession of or persons having a real or possible interest of record in the above described premises in the manner provided by law.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this resolution is declared to be an emergency measure and shall take effect and be in force from and after its adoption and approval by the Mayor, or ten days after adoption if the Mayor neither approves nor vetoes the same.

Adopted November 18, 2002 Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk.

RES NO. 202X-02

To honor and recognize the Mu Iota Chapter of Omega Psi Phi Fraternity in Columbus, Ohio, on Founder's Day 2002.

WHEREAS, the Mu Iota Chapter of Omega Psi Phi Fraternity in Columbus, Ohio was founded in 1945;and,

WHEREAS, Manhood, scholarship, perseverance, and uplift were adopted as the fraternity's cardinal principles; and,

WHEREAS, the Mu Iota Chapter was established to serve the professional and post-graduate ranks for members in the Columbus community as well as to serve as a migration path for the Iota Psi undergraduate chapter at The Ohio State University which was established in 1928; and,

WHEREAS, the Mu Iota Chapter has served the Columbus community by participating in and performing many social and philanthropic activities; and,

WHEREAS, the chapter does not emphasize achieving public notoriety as a group, but encourages all of its members to expand on their individual potential by exercising their unique knowledge, skills and abilities for the uplifting and social enrichment of the community; and,

WHEREAS, the men of the Mu Iota Chapter of Omega Psi Phi have demonstrated leadership and positive influence in many areas affecting the Columbus community especially in the areas of law; secondary education, education administration, medicine and government; and,

WHEREAS, the men of the Mu Iota Chapter have had much success in supporting social and charitable causes such as the Mid-Ohio Food Bank, UNCF Walkathon and phone bank; Adopt-a-street program; Neighborhood House; Academic tutoring; the Mu Iota Chapter Annual Talent Hunt and the Mu Iota Chapter David C. Jones Scholarship Golf Outing; and,

WHEREAS, the men of the Mu Iota Chapter have awarded over \$60,000 to cover 80 high school seniors in pursuit of a college education; and,

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

That this Council does hereby honor and recognize the Mu Iota Chapter of Omega Psi Phi Fraternity in Columbus, Ohio, on its Founder's Day 2002.

BE IT FURTHER RESOLVED:

That a copy of this Resolution be presented to the leadership of the Omega Psi Phi Fraternity Mu Iota Chapter as a token of our esteem.
Adopted November 18, 2002 Matthew D. Habash, President of Council / Approved November 19, 2002 Michael B. Coleman, Mayor /
Attest, Timothy McSweeney, City Clerk.

BIDS WANTED - PURCHASING OFFICE

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if a corporation, the name and address of the President and Secretary.

EQUAL OPPORTUNITY CLAUSE:

Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article 1, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

WITHHOLDING OF INCOME TAX: All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

DELINQUENT PERSONAL PROPERTY TAX: All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

LOCAL CREDIT: For all contracts except professional service contracts: In determining the lowest bid for purpose of awarding a contract not exceeding \$20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$20,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus or the County of Franklin in official documents filed with Secretary of State, State of Ohio, or a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSAL CALL (614) 645-7599

BID OPENING DATE 12/05/02

BID FOR PUBLIC ADDRESS SYSTEM

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on December 05, 2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

SPECIAL NOTICE: Prevailing Wages apply

Envelopes must be plainly marked: Health Department

Bid for Public Address System Solicitation No. SA000347RFM in accordance with specifications on file in the Purchasing Office.

Prebid Meeting Nov. 26, 2002 at 10:00 A.M., 240 Parsons Ave., Columbus, OH 43215

Joel Taylor, Finance Director

(11/16/02; 11/23/02)

BID FOR PURCHASE OF RAIN GAUGE EQUIPMENT

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on December 05, 2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: Sewerage and Drainage

Bid for Purchase of Rain Gauge Equipment Solicitation No. SA000346BGB in accordance with specifications on file in the Purchasing

Office.

Joel Taylor, Finance Director

(11/16/02; 11/23/02)

BID FOR PURCHASE OF GLOSS FLOOR FINISH

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on Thursday, December 5, 2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: Recreation & Parks

Bid for Purchase of Gloss Floor Finish Solicitation No. SA000354JRM in accordance with specifications on file in the Purchasing Office.

Joel Taylor, Finance Director

(11/23/02; 11/30/02)

BID FOR PURCHASE OF MEDICAL EQUIPMENT

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on Thursday, December 5, 2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

SPECIAL NOTICE: Prevailing Wages apply

Envelopes must be plainly marked: Health

Bid for Purchase of Medical Equipment Solicitation No. SA000362DRM in accordance with specifications on file in the Purchasing Office.
Joel Taylor, Finance Director
(11/23/02; 11/30/02)

BID FOR PURCHASE OF POTASSIUM PERMANGANATE

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on Thursday, December 5, 2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: Water

Bid for Purchase of Potassium Permanganate Solicitation No. SA000361JRM in accordance with specifications on file in the Purchasing Office.
Joel Taylor, Finance Director
(11/23/02; 11/30/02)

BID FOR PURCHASE OF SODA ASH

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on Thursday, December 5, 2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: Water

Bid for Purchase of Soda Ash Solicitation No. SA000360JRM in accordance with specifications on file in the Purchasing Office.
Joel Taylor, Finance Director
(11/23/02; 11/30/02)

BID FOR PURCHASE OF QUICKLIME

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on Thursday, December 5, 2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: Water

Bid for Purchase of Quicklime Solicitation No. SA000359JRM in accordance with specifications on file in the Purchasing Office.
Joel Taylor, Finance Director
(11/23/02; 11/30/02)

BID FOR PURCHASE OF CARBON DIOXIDE

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on Thursday, December 5, 2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: Water

Bid for Purchase of Carbon Dioxide Solicitation No. SA000358JRM in accordance with specifications on file in the Purchasing Office.
Joel Taylor, Finance Director
(11/23/02; 11/30/02)

BID FOR PURCHASE OF LIQUID CHLORINE

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on Thursday, December 5, 2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: Water

Bid for Purchase of Liquid Chlorine Solicitation No. SA000357JRM in accordance with specifications on file in the Purchasing Office.
Joel Taylor, Finance Director
(11/23/02; 11/30/02)

BID FOR PURCHASE OF LIQUID CAUSTIC SODA

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on Thursday, December 5, 2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: Water

Bid for Purchase of Liquid Caustic Soda Solicitation No. SA000356JRM in accordance with specifications on file in the Purchasing Office.
Joel Taylor, Finance Director
(11/23/02; 11/30/02)

BID FOR PURCHASE OF ALUMINUM SULFATE

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on Thursday, December 5, 2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: Water

Bid for Purchase of Aluminum Sulfate Solicitation No. SA000355JRM in accordance with specifications on file in the Purchasing Office.
Joel Taylor, Finance Director
(11/23/02; 11/30/02)

BID FOR SWEEPER BROOM REFILLS

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on DECEMBER 5, 2002 and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: FLEET MANAGEMENT

Bid for SWEEPER BROOM REFILLS Solicitation No. SA-000351 GRW in accordance with specifications on file in the Purchasing Office.
Joel Taylor, Finance Director
(11/23/02; 11/30/02)

BID OPENING DATE 12/12/02**BID FOR 18 FT, 24 CU YD TRASH BODY W/ KNUCKLE BOOM LOADER**

Sealed proposals for the following items will be received by the Purchasing Office at its office at 50 West Gay Street, 1st Floor, Columbus, Ohio 43215, until 11:00a.m. Local Time on DECEMBER 12, and at that time will be publicly opened and read. Proposals received after the time for opening of bid will be returned to the bidder unopened. The City will not be responsible for late mail or other deliveries.

Envelopes must be plainly marked: REFUSE COLLECTION

Bid for 18 FT, 24 CU YD TRASH BODY w/ KNUCKLE BOOM LOADER Solicitation No. SA-000353 GRW in accordance with specifications on file in the Purchasing Office.
Joel Taylor, Finance Director
(11/23/02; 11/30/02; 12/07/02)

BIDS WANTED - OTHER DIVISIONS

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if a corporation, the name and address of the President and Secretary.

EQUAL OPPORTUNITY CLAUSE:

Each responsive bidder shall submit, with its bid, a contract compliance certification number or a completed application for certification. Compliance with the provisions of Article 1, Title 39, is a condition of the contract. Failure to comply with this Article may result in cancellation of the contract.

WITHHOLDING OF INCOME TAX: All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractor's employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

DELINQUENT PERSONAL PROPERTY TAX: All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor the affidavit required by said section of the Ohio Revised Code. Said affidavit, when filed with City Auditor, is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

LOCAL CREDIT: For all contracts except professional service contracts: In determining the lowest bid for purpose of awarding a contract not exceeding \$20,000.00, a local bidder shall receive a credit equal to five percent (5%) of the lowest bid submitted by a non-local bidder. In determining the lowest bid for purposes of awarding a contract in excess of \$20,000.00, a local bidder shall receive a credit equal to one percent (1%) or \$20,000.00, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is a person, corporation or business which (a) has listed its principal place of business as being located within the corporation limits of the City of Columbus or the County of Franklin in official documents filed with Secretary of State, State of Ohio, or a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or County of Franklin.

FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSAL CALL THE LISTED DIVISION

BID FOR DEPOSIT OF PUBLIC MONEY

Notice is hereby given in accordance with Chapter 321 of the Columbus City Codes, 1959 to all banks, and building and loan or savings associations or companies situated in Franklin County, Ohio, whose application for deposit of public money has been approved by the Columbus Depository Commission that bids will be accepted by the City Treasurer for the deposit of inactive funds:

The City Treasurer will accept such bids by telephone (645-7727) or in person between the hours of 8:00 a.m. and 10:45 a.m. Monday through Friday. Such bids should specify the time span of the certificate of deposit, the rate of interest being offered, the amount of funds being bid upon, and the beginning and ending date for which said bid is applicable. By order of the Columbus Depository Commission.

THOMAS ISAACS, Chairman
HUGH J. DORRIAN, Secretary
JOEL S. TAYLOR, Member

BID OPENING DATE 12/4/02

REFUGEE ROAD 16" WATER MAIN, DIVISION OF WATER, CONTRACT NO. 941, CIP NO. 405

Sealed proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio, at the office of the Director of Public Utilities of the City of Columbus, Ohio, at his office located at 910 Dublin Road, 4th Floor, Columbus, Ohio, until 3:00 pm local time, on December 4, 2002, and publicly opened and read at the hour and place for Refugee Road 16" Water Main. The work for which proposals are invited consists of the installation of a water main and appurtenances and such other work as may be necessary to complete the contract in accordance with the plans and specifications. Copies of the Contract Documents and the plans are on file in the office of the Distribution Design Engineer, Utilities Complex, 2nd Floor, 910 Dublin Road, Columbus, Ohio, 43215, and are available to prospective bidders through the office of EMH & T, Inc., 170 Mill Street, Gahanna, Ohio 43230. The cost of each set of Contract Documents is \$50.00 (Fifty Dollars), for which said amount will be refunded for one (1) complete set returned in good and unmarked condition.

Proposals must be submitted on the proper forms contained in the Bid Submittal Documents and the Bid Submittal Documents containing the Proposal must be submitted IN THEIR ENTIRETY in a sealed envelope marked Bid for: REFUGEE ROAD 16" WATER MAIN, DIVISION OF WATER, CONTRACT NO. 941, CIP NO. 405
PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting of either a Proposal bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the Treasurer - City of Columbus, Ohio. The amount of the guaranty shall not be less than ten (10) percent of the bid, including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.
PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Submittal Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction & Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

CONSTRUCTION AND MATERIAL SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio, Construction and Materials Specifications, latest edition, and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Material Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 W. Broad St., 3rd Floor, Columbus, Ohio, 43215, (614) 645-8290; at the offices of The Construction Inspection Division, 1800 E. 17th Avenue, Columbus, Ohio, 43219, (614) 645-3182; and at the office of the Director of Public Utilities, 910 Dublin Rd., 4th Floor, Columbus, Ohio, 43215, (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with the bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio, to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, to hold bids for a period of 60 days after the bid opening, and/or to advertise for new proposals, when it is in the best interests of the City.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under the laws of any other state.

Each proposal shall contain the full name and address of every person, firm or corporation interested in the same, and if corporation, the name and address of the President and Secretary.

EQUAL OPPORTUNITY CLAUSE:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment upgrading, demotion, or termination; rates of pay or other forms of compensation; and selection for training. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices summarizing the provision of this Equal Opportunity Clause.

(2) The contractor will, in all solicitations of advertisements for employees placed by or on behalf of the contractor, state that the contractor is an equal-opportunity employer.

(3) It is the policy of the City of Columbus that business concerns owned and operated by minority and female persons shall have the maximum practicable opportunity to participate in the performance of contracts awarded by the City.

(4) The contractor shall permit access to any relevant and pertinent reports and documents by the Administrator for the sole purpose of verifying compliance with this Article, and with the regulations of the Contract Compliance Office. All such materials provided to the Administrator by the contractor shall be considered confidential.

(5) The contractor will not obstruct or hinder the Administrator or his deputies and assistants in the fulfillment of the duties and responsibilities imposed by Article I, Title 39.

(6) The contractor and each subcontractor will include a summary of this Equal Opportunity Clause in every subcontract. The contractor will take such action with respect to any subcontractor as is necessary as a means of enforcing the provisions of the Equal Opportunity Clause.

(7) The contractor agrees to refrain from subcontracting any part of this contract or contract modification thereto to a contractor not holding a valid certification number as provided for in Article I, Title 39.

(8) Failure or refusal of a contractor or subcontractor to comply with the provisions of Article I, Title 39, may result in cancellation of this contract or any other action prescribed in C.C. 3905.05.

WITHHOLDING OF INCOME TAX:

All bidders are advised that in order for a contract to bind the City, each contract must contain the provisions found in Section 361.34 C.C.C. with regard to income taxes due or payable to the City of Columbus for wages, salaries and commissions paid to the contractors' employees as well as requiring those contractors to ensure that subcontractors withhold in a like manner.

DELINQUENT PERSONAL PROPERTY TAX:

All bidders are charged with notice of Section 5719.042 of the Ohio Revised Code and agree that if this contract is awarded to them, the successful bidder, prior to the time the contract is entered into, will submit to the City Auditor, a statement of Delinquent Personal Property Tax. Such statement is thereby incorporated into and made a part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as a part thereof.

CONTACT PERSON:

Charles M. Turner, P.E., Division of Water, Engineer's Office, 910 Dublin Road, 2nd Floor, Columbus, Ohio, 43215, (614) 645-7677.
(11/16/02; 11/23/02)

BID OPENING DATE 12/4/02**BID FOR HVAC PREVENTATIVE MAINTENANCE FOR THE DIVISION OF COMMUNICATIONS**

Sealed bids will be received by the Department of Public Service, Division of Facilities Management of the City of Columbus, Ohio at their office, located at 90 West Broad Street, basement, Room B16, Columbus, Ohio 43215 until 3:00 p.m. local time, on Tuesday, December 17, 2002 and publicly opened and read at the hour and place for HVAC PREVENTATIVE MAINTENANCE FOR THE DIVISION OF COMMUNICATIONS.

A pre-bid meeting will be held Monday, November 25, 2002 at 10:00 a.m., at City Hall, 90 West Broad Street, Room B-09, Division of Facilities Management. The work for which bids are invited consist of preventative HVAC maintenance at all Division of Communications locations.

Copies of the Contract Documents are available in the office of Facilities Management, 90 West Broad Street, Basement Level, Room B16, Columbus, Ohio 43215 beginning Monday, November 18, 2002. The first set of contract documents are available to prospective bidders at no cost. Additional sets are available to prospective bidders at a non-refundable cost of \$25.00.

Proposals must be submitted on the proper forms contained in the Bid Documents and the Bid Documents containing the Proposals must be submitted IN THEIR ENTIRETY in a sealed envelopment marked: Bid for: HVAC PREVENTATIVE MAINTENANCE FOR THE DIVISION OF COMMUNICATIONS.

FAILURE TO RETURN THE BID PACKET AND REQUIRED INFORMATION MAY RESULT IN REJECTION OF THE PROPOSAL. PROPOSAL GUARANTY

The bidder is required to submit a Proposal Guaranty, consisting either of a Proposal Bond, in the form provided in the Bid Submittal Documents with a surety or sureties licensed to conduct business in the State of Ohio, or a certified check drawn on a solvent bank made payable to the

Treasurer - City of Columbus, Ohio. The amount of the guaranty shall be expressed in dollars and cents and shall not be less than ten (10) percent of the bid including all alternates submitted which increase the bid. All bonds signed by an agent must be accompanied by a certified copy of the authority to act.

PREVAILING WAGE RATE

Attention of the bidder is called to the special requirements which are included in the Bid Documents regarding prevailing rates of wages to be paid.

CONTRACT PERFORMANCE AND PAYMENT BOND

A contract performance and payment bond of 100 percent of the amount of the contract with a surety or sureties licensed to conduct business in the State of Ohio according to Section 103.05 of the City of Columbus Construction and Materials Specifications, latest edition, will be required to assure the faithful performance of the work.

OSHA/EPA REQUIREMENTS

Contractors are subject to all applicable federal, state and local laws, ordinances, rules and regulations pertaining to services or products to be provided under this contract.

CONSTRUCTION AND MATERIALS SPECIFICATIONS

Numbered paragraphs to which reference is made in these Bid Submittal Documents refer to the City of Columbus, Ohio Construction and Material Specifications, latest edition and will become part of the terms and conditions of the contract to be awarded. Said specifications are hereby made a part of these Bid Submittal Documents. Bidders are required to examine Section 100, General Provisions, for the requirements necessary to submit a proposal. Copies of said Construction and Materials Specifications may be examined and/or purchased at the office of the Director of Public Service, 90 West Broad Street, Room 301, Columbus, Ohio 43215, (614) 645-8290, at the office of the Transportation Division, 1800 East 17th Avenue, Columbus, Ohio 43219, (614) 645-3182, at the Director of Public Utilities, 910 Dublin Road, 4th Floor, Columbus, Ohio 43215, (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS AND EQUAL OPPORTUNITY CLAUSE

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification. Any questions or inquiries concerning this should be directed to the Equal Business Opportunity Commission Office.

The City of Columbus encourages the participation of Minority and female owned business enterprises. Each bidder must identify any subcontractors who are minority or female owned businesses (M/FBE's) as defined in Title 39 of the Columbus City Code along with the scope of work and anticipated cost.*

This information is gathered and monitored by the Equal Business Opportunity Commission Office (EBOCO). Please contact EBOCO (614) 645-4764 for assistance with identifying potential M/FBE subcontractors. Equal Business Opportunity Commission Office, 109 N. Front Street 4th Floor, Columbus, Ohio 43215, (614) 645-4764.

*While the participation of minority and female owned businesses is encouraged the level of minority or female participation will not be a condition of the bid award.

BID CANCELLATION AND REJECTIONS

The right is reserved by the Director of Public Service of the City of Columbus, Ohio to cancel the Advertisement for Bids, to reject any and/or all bids, to waive technicalities, or to advertise for new proposals, when it is in the best interest of the City. Also, the right is reserved by the Public Service Director to hold bids for a period of 180 days after the bid opening for evaluating both the proposals and the contractors. The award of the contract may be made at any time during that period.

SPECIAL REQUIREMENTS

Particular attention is called to the statutory requirements of the State of Ohio relative to licensing of corporations organized under laws of any other state.

LINDA K. PAGE, DIRECTOR, PUBLIC SERVICE DEPARTMENT

JOHNNY B. SCALES, ADMINISTRATOR, DIVISION OF FACILITIES MANAGEMENT

(11/16/02; 11/23/02)

**PROFESSIONAL SERVICES
REQUEST FOR PROPOSAL (RFP)
REQUEST FOR STATEMENT OF QUALIFICATIONS (RFSQ)**

**REQUEST FOR STATEMENTS OF QUALIFICATION (RFSQ)
AND REQUEST FOR PROPOSAL (RFP)
FOR
PROFESSIONAL SERVICES FOR RENOVATION OF FIRE STATION 18
FACILITIES MANAGEMENT DIVISION
DEPARTMENT OF PUBLIC SERVICE
CITY OF COLUMBUS**

Qualifications and proposals will be received by the Division of Facilities Management's Administrator, Room B16, 90 West Broad Street, Columbus, Ohio 43215, until Thursday, December 19, 2002 by 4:00 p.m., for professional design services as requested by the Division of Facilities Management.

The scope of the work shall be for complete design services, but not necessarily limited to: master plan and design of a new facility to accommodate the operational needs of the Division of Fire.

A pre-proposal meeting is scheduled for Monday, November 25, 2002 at 1:00 p.m. the Division of Facilities Management, City Hall, 90 West Broad Street, Room B-16, Columbus, Ohio.

Any interested firms may pick up the Request for Proposal beginning Monday, November 18 2002 in the Division of Facilities Management, Room B16, Columbus, Ohio 43215. Request for proposals will not be available after the pre-proposal meeting.

Criteria will be based on:

- 1) Location of Lead consultant and Sub-consultants.
- 2) Competence to perform, based on training, education, experience of personnel, ability to perform competently and expeditiously, workload, personnel and equipment.
- 3) Past performance.
- 4) Present workload with the Department of Public Service at time of submitting proposal.
- 5) Understanding of project.
- 6) Complete tasks defined.
- 7) Innovative approach of project.
- 8) Proposed schedule.
- 9) Cost containment.

All consultants will be subject to the provisions of the City of Columbus Contract Compliance Program regarding equal employment opportunity.

Copies of the qualification questionnaire proposals are available upon request beginning Monday, November 18, 2002 at the Division of Facilities Management, Room B16, 90 West Broad Street, Columbus, Ohio 43215. If you have any questions, please contact Janet Curatti at (614) 645-7170.

LINDA K. PAGE, DIRECTOR, DEPARTMENT OF PUBLIC SERVICE
JOHNNY B. SCALES, ADMINISTRATOR, FACILITIES MANAGEMENT
(11/16/02; 11/23/02)

REOUEST FOR PROPOSALS

The City of Columbus Department of Development, Housing Division is requesting proposals from interested developers to use available HOME Investment Partnership funds for rental housing projects affordable to low income households. Proposed projects must meet the goals and objectives of the City's 2000-2003 Consolidated Plan. Proposals must be submitted no later 3:00 p.m., Monday, February 7, 2003.

To obtain an RFP, please contact: Tracy L. Swanson, City of Columbus, Department of Development, Housing Division, 50 West Gay Street, Third Floor, Columbus, OH 43215, (614)645-1819, email @ tlswanson@cmhmetro.net.
(11/23/02)

PUBLIC NOTICES

**CITY BULLETIN NOTICE
MEETING SCHEDULE
CITY OF COLUMBUS RECORDS COMMISSION**

The regular meetings of the City of Columbus Records Commission for the calendar year 2003 are scheduled as follows:

Monday, February 3, 2003
Monday, May 12, 2003
Monday, September 29, 2003

The location of these meetings will be City Hall, 90 West Broad Street, 2nd Floor, Mayor's Conference Room. They will begin promptly at 10:00 am

Every effort will be made to adhere to the above schedule, but the City of Columbus Records Commission reserves the right to change the date, time or location of any meeting; or to hold additional meetings. To confirm the meeting date, time and locations or to obtain agenda information, contact the Office of the City of Columbus Records Commission Coordinator at (614) 645-8539.
(10/2002; 10/2003)

**NOTICE
2001-2002 MONTHLY MEETING SCHEDULE FOR THE VEHICLE FOR HIRE BOARD**

The Regular monthly meetings of the Columbus Vehicle for Hire Board will be scheduled for the last Thursday of every month at 10:00 a.m. The location of the meeting will be the License Section Conference Room at 240 Greenlawn Avenue, Columbus, Ohio 43223.

The Dates are as follows:

November 29, 2001
December 27, 2001
January 31, 2002
February 28, 2002
March 28, 2002
April 25, 2002
May 30, 2002
June 27, 2002
July 25, 2002
August 29, 2002
September 26, 2002
October 31, 2002
November 28, 2002
December 26, 2002

The VFHB will use reasonable efforts to hold its meetings in conformity with this schedule, but the VFHB reserves the right to change the date, time, or location of any meeting; or to hold additional meetings. To confirm meeting dates, please contact Lisa Davis, Recording Secretary, in the License Section Office at (614) 645-7471; or E-mail to imdavis@cmhmetro.net.
(11/01; 12/02)

**NOTICE
2001-2002 MONTHLY MEETING SCHEDULE FOR THE COLUMBUS CHARITABLE SOLICITATION BOARD**

The Regular monthly meetings of the Columbus Charitable Solicitations Board will be scheduled for the third Thursday of every month at 10:00 a.m., with the exception of February and March, which will be the second Thursday of the month at 10:00 a.m. The location of the meeting will be the License Section Conference Room at 240 Greenlawn Avenue, Columbus, Ohio 43223.

The Dates are as follows:

November 8, 2001 (Due to Holidays)
December 6, 2001 (Due to Holidays)
January 17, 2002
February 14, 2002
March 14, 2002
April 18, 2002
May 16, 2002
June 20, 2002
July 18, 2002
August – NO MEETING
September 19, 2002
October 17, 2002
November 7, 2002 (Due to Holidays)
December 5, 2002 (Due to Holidays)

The CSB will use reasonable efforts to hold its meetings in conformity with this schedule, but the CSB reserves the right to change the date, time, or location of any meeting; or to hold additional meetings. To confirm meeting dates, please contact Lisa Davis, Recording Secretary, in the License Section Office at (614) 645-7471

Applications can be obtained by mail: Charitable Solicitations Board; c/o License Section, 240 Greenlawn Avenue; Columbus, Ohio 43223; or phone (614) 645-7471; or E-mail to imdavis@cmhmetro.net.
(11/01; 12/02)

**OFFICIAL NOTICE
CIVIL SERVICE COMMISSION COMPETITIVE EXAMINATION ANNOUNCEMENTS
APPLY DAILY MONDAY THROUGH FRIDAY 8:00 A.M. TO 4:30 P.M.**

The Civil Service Commission continuously administers competitive examinations. Information regarding examinations, for which the Civil Service Commission is currently accepting applications, is posted at the Commission offices located at 50 West Gay Street, 6th Floor, Columbus, Ohio. **Please note that all visitors to the Beacon Building are required to produce a picture ID, authenticating their identity, in order to visit the applications area.** Interested applicants should regularly check this location for examination announcements. Also, please visit our website at www.csc.cmhmetro.net

(1/02; 12/02)

**EXHIBIT A
NOTICE OF REGULAR MEETINGS COLUMBUS RECREATION AND PARKS COMMISSION**

The Recreation and Parks Commission, appointed and organized under the Charter of the City of Columbus, Section 112-1 is empowered to equip, operate, direct and maintain all the existing recreational and park facilities. In addition, said Commission exercised certain powers and duties as specified in Sections 112-1 and 112-2 of the Columbus City Charter.

Please take notice that meetings of the Recreation and Parks Commission will be held at the Recreation and Parks Operations Complex conference room 420 W. Whittier Street at 8:30 a.m. on the following dates (unless otherwise posted):

Wednesday, January 9, 2002
Wednesday, February 13, 2002
Wednesday, March 13, 2002
Wednesday, April 10, 2002
Wednesday, May 8, 2002
Wednesday, June 12, 2002
Wednesday, July 10, 2002
August Recess – No meeting
Wednesday, September 11, 2002
Wednesday, October 9, 2002
Wednesday, November 13, 2002
Wednesday, December 11, 2002

In the event no proper business exists the meeting may be cancelled without further notice. For further information you may contact the Recreation and Parks Department, 90 West Broad Street, Room 115, Columbus, Ohio 43215 (Telephone: [614] 645-3300).

Wayne A. Roberts, Director

(01/02; 12/02)

**NOTICE
MEETING SCHEDULE CITY OF COLUMBUS RECORDS COMMISSION**

The regular meetings of the City of Columbus Records Commission for the calendar year 2002 are scheduled as follows:

Monday, February 4, 2002
Monday, May 13, 2002
Monday, September 30, 2002

The location of these meetings will be City Hall, 90 West Broad Street, 2nd Floor, Mayor's Conference Room. They will begin promptly at 10:00 a.m.

Every effort will be made to adhere to the above schedule, but the City of Columbus Records Commission reserves the right to change the date, time or location of any meeting; or to hold additional meetings. To confirm meeting date, time and location or to obtain agenda information, contact the Office of the City of Columbus Records Commission Coordinator at (614) 645-8539.

(11/2001; 11/2002)

**CITY TREASURER
CITY OF COLUMBUS, OHIO
APPLICATION FOR
DEPOSIT OF PUBLIC MONEY**

Notice is hereby given in accordance with Chapter 321 of the Columbus City Codes, 1959 to all banks, building and loan or savings association or companies situated in Franklin County, Ohio duly organized under the laws of the State of Ohio or of the United States, that application for deposit of public money for fiscal year 2003 will be accepted by the Columbus Depository Commission at the Office of the City Auditor, Secretary of said Commission until 2:00 p.m., December 10, 2002.

Said application shall determine the eligibility of the applicant to place active and inactive deposits of public money with the City Treasurer for the period beginning January 1, 2003 and ending December 31, 2003. Said Application shall be in such a form prescribed by the Commission and shall contain such information as the Commission shall require.

Applications may be obtained from the Office of: Thomas M. Isaacs, City Treasurer, 90 West Broad Street, Rm. 111, Columbus, Ohio 43215, 645-7728

All information and statements contained on said application shall be verified by affidavit.

Address envelope containing application to: Hugh J. Dorrian, Secretary, Columbus Depository Commission, City Hall, 90 West Broad Street, Columbus, Ohio 43215

By order of the Columbus Depository Commission.

Thomas M. Isaacs, Chairperson

Hugh J. Dorrian, Secretary

Joel Taylor, Member

(11/09; 11/16; 11/23; 11/30; 12/07)

**MEETING NOTICE
BREWERY DISTRICT COMMISSION**

The regular meeting of the Brewery District Commission will be held on Thursday, December 5, 2002, at 6:15 p.m. in the Community Training Center, 109 N. Front Street, ground floor. Copies of the agenda may be obtained by calling 645-7964. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Neighborhood Services Division is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior to the scheduled meeting time. To schedule an interpreter, please call 645-7964 or TDD 645-6802

(11/23/02; 11/30/02)

**MEETING NOTICE
GERMAN VILLAGE COMMISSION**

The regular meeting of the German Village Commission will be held on Tuesday December 3, 2002, at 4:00 p.m. at the German Village Meeting Haus, 588 S. Third Street. Copies of the agenda may be obtained by calling 645-7964. A Sign Language Interpreter, to "Sign" this meeting, will be made available for anyone with a need for this service, provided the Neighborhood Services Division is made aware of this need and given a reasonable notice of at least forty-eight (48) hours prior the scheduled meeting time. To schedule an interpreter, please call 645-7964 TDD 645-6802.

(11/23/02; 11/30/02)

RESULTS

The Development Commission of the City of Columbus held a public hearing on the following applications on THURSDAY, November 14, 2002, beginning at 6:00 P.M. at the CITY OF COLUMBUS, 1-71 NORTH COMPLEX at 757 Carolyn Avenue, Columbus, OH 43224 in the lower level HEARING ROOM.

Further information may be obtained by calling the Building Services Section Zoning Information at 645-7314

THE FOLLOWING CASES WERE HEARD ON THE 6:00 P.M. AGENDA:

1. **APPLICATION:** Z01-096
 Location: 669 SOUTH GALLOWAY ROAD (43119), being 58.5± acres located on the west side of Galloway Road, 675± feet south of Sullivant Avenue. (Westland Area Commission)
 Existing Zoning: R, Rural District.
 Request: PUD-8, Planned Unit Development District.
 Proposed Use: Single-family residential development.
 Applicant(s): Dominion Homes, Inc. ; c/o Donald T. Plank, Esq.; 145 East Rich Street, Columbus, Ohio 43215.
 Property Owner(s): Larry L. Worthington, John T. Worthington, Margaret Worthington & Elizabeth Wirth; c/o The applicant.
 Case Planner: Don Bier, 645-0712; drbier@cmhmetro.net
 Development Commission recommended Disapproval (4-1).

2. **APPLICATION:** Z02-069
 Location: 568 WILSON ROAD (43204), being 2.94± acres located on the east side of Wilson Road, 510± feet south of Fisher Road (Greater Hilltop Area Commission).
 Existing Zoning: R, Rural District.
 Request: L-M, Limited Manufacturing District.
 Proposed Use: Automotive recycling and sales.
 Applicant(s): Cyrus W. Young Trust, c/o Shirlee J. Hara, Trustee.; c/o Crabbe, Brown & James, LLP; 500 South Front Street, Suite 1200, Columbus, Ohio 43215.
 Property Owner(s): The Applicant.
 Case Planner: Don Bier, 645-0712; drbier@cmhmetro.net
 Development Commission recommended Approval (5-0).

3. **APPLICATION:** Z02-071
 Location: 3715 WEST DUBLIN-GRANVILLE ROAD (43017), being 0.71 ± acres located on the south side of West Dublin-Granville Road, 522± feet east of Sawmill Road.
 Existing Zoning: C-3, Commercial District.
 Request: L-C-4, Limited Commercial District.
 Proposed Use: Automobile sales.
 Applicant(s): Tansky Partners; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street; Columbus Ohio 43215.
 Property Owner(s): The Applicant.
 Case Planner: Don Bier, 645-0712; drbier@cmhmetro.net
 Development Commission recommended Approval (5-0).

4. **APPLICATION:** Z02-072
 Location: 2832 SUNBURY ROAD (43219), being 2.1± acres located on the east side of Sunbury Road, 240± feet north of Agler Road (Northeast Area Commission).
 Existing Zoning: SR, Suburban Residential and AR-3 Apartment Residential Districts.
 Request: R-2, Residential District
 Proposed Use: Single-family residential development.
 Applicant(s): Benchmark Homes; c/o Jeffrey L. Brown, Atty.; 37 West Broad Street, Columbus, Ohio 43215.
 Property Owner(s): David Guttridge, TR; c/o The Applicant.
 Case Planner: Shannon Pine, 645-2208; spine(5)cmhmetro.net
 Development Commission recommended Approval (5-0).

5. **APPLICATION:** Z01-064
 Location: 6261 WRIGHT ROAD (43110), being 72.22± acres located at the southeast corner of Wright Road and Gender Road.

Existing Zoning: R, Rural District.
 Request: NC, Neighborhood Center, and NE, Neighborhood Edge Districts.
 Proposed Use: Traditional Neighborhood Development.
 Applicant(s): c/o George McCue, Atty.; 500 South Front Street, Suite 1200, Columbus, Ohio 43215.
 Property Owner(s): Franklin and Patricia Ickes; c/o The applicant.
 Case Planner: Don Bier, 645-0712; drbier(a)cmhmetro.net

Development Commission recommended Approval (5-0).

THE FOLLOWING CASES WERE HEARD ON THE 7:00 P.M. AGENDA:

6. APPLICATION: Z02-009
 Location: 4201 SOUTH HAMILTON ROAD (43232), being 165.7± acres located at the southwest corner of Hamilton Road and Winchester Pike.
 Existing Zoning: C-4, Commercial, L-C-4, Limited Commercial, and R-1, Residential Districts.
 Request: L-C-4, Limited Commercial and L-AR-12, Limited Apartment Residential Districts.
 Proposed Use: Commercial and multi-family residential development.
 Applicant(s): Hamilton & 33, LLC; c/o David Dye, Atty.; 10 West Broad Street, Suite 2400, Columbus, Ohio 43215.
 Property Owner(s): Ebright Investment Co.; c/o Baker Rentals; 3319 East Livingston Avenue; Columbus, Ohio 43227.
 Case Planner: Don Bier, 645-0712; drbier@cmhmetro.net
 Development Commission recommended Approval (4-0).

7. APPLICATION: Z02-049
 Location: 2591 JOHNSTOWN ROAD (43219), being 6.32± acres located on the south side of Johnstown Road, 120± feet southwest of North Cassady Avenue.
 Existing Zoning: L-M, Limited Manufacturing and R-2, Residential District.
 Request: L-M, Limited Manufacturing District.
 Proposed Use: Warehousing and outdoor storage.
 Applicant(s): Pasquale Giammarco and Sandro Treonze; c/o William F. Newman, Atty.; 600 South High Street; Columbus, Ohio 43215.
 Property Owner(s): The Applicant.
 Case Planner: Don Bier, 645-0712; drbier@cmhmetro.net
 Development Commission recommended Approval (4-0)

(11/23/02)

PUBLIC HEARING
BY COLUMBUS CITY COUNCIL

The following Rezoning/Variance Ordinances will be heard by City Council on Monday, December 02, 2002 at approximately 6:30 p.m. in Council Chambers, Second Floor, City Hall, 90 West Broad Street, Columbus, Ohio 43215.

1748-02 To rezone 3553 REFUGEE ROAD (43232), being 1.87± acres located on the south side of
Z02-062 Refugee Road, 1110± feet east of Weyburn Road, From: R, Rural District, To: C-2, Commercial

1749-02 To rezone 740 LAKE SHORE DRIVE (43235), being 0.93± acres located on the east side of
Z02-052 Lake Shore Drive, 725± feet north of West Fifth Avenue, From: M, Manufacturing District, To:
 R-2F, Residential District.

1750-02 To rezone 1818 HILLIARD-ROME ROAD (43026), being 30.62± acres located on the east side
Z02-050 of Hilliard-Rome Road, 675± feet north of Preferred Place, From: L-C-4, Limited Commercial
 District, To: L-C-4, Limited Commercial District.

1751-02 To grant a Variance from the provisions of Sections 3355.02, C-4, Commercial District and
CV02-050 3309.141, Basic Height District Established, for property located at 148-150 WEST FIFTH
 AVENUE (43201), to permit ground floor residential use in the C-4, Commercial District.

1752-02 To grant a Variance from the provisions of Sections 3355.02, C-4, Commercial District Use, for
CV02-040 the property located at 2594 SULLIVANT AVENUE (43204), to permit an existing
 single-family dwelling in the C-4, Commercial District.

1753-02 To rezone 44 WILLIAMS ROAD (43207), being 0.404± acres located on the north side of
Z02-035 Williams Road, 200± feet east of South High Street, From: R-2, Residential District, To: L-C-4,
 Limited Commercial District.

1754-02 To rezone 421 RATHMELL ROAD (43207), being 28.91± acres located on the south side of
Z02-045 Rathmell Road, 950± feet west of Parsons Avenue, From: R, Rural District, To: PUD-6,
 Planned Unit Development District.

0513-01 To rezone 3861 EAST LIVINGSTON AVENUE (43227), being 0.98± acres located on the south
Z00-108 side of East Livingston Avenue, 400± feet west of Vilardo Lane, From: C-3, Commercial
 District, To: C-4, Commercial District.
(TABLED 4/9/01) (REQUESTED TO BE DEFEATED)

0245-02 To grant a Variance from the provisions of Section 3332.039, R-4, Residential District use; CV99-044A3332.05, Area District lot width requirements; 3332.15, Area District requirements; 3332.19, Fronting; 3332.25, Maximum side yards required; 3332.26, Minimum side yard permitted; 3332.27, Rear yard; and 3342.28, Minimum number of parking spaces required; for the property located at 352 EAST STEWART AVENUE (43206), to permit a lot split for two single family dwellings with reduced development standards in the R-4, Residential District.
(TABLED 3/4/02) (REQUESTED TO BE DEFEATED)

0832-02 To rezone 2764 FREEDOM TRAIL (43068), being 0.92± acres located on the east side of
Z02-012 Freedom Trail, 180± feet south of Tussing Road, From: CPD, Commercial Planned Development District, To: L-C-5, Limited Commercial District.
(TABLED 6/10/02) (REQUESTED TO BE DEFEATED)

(11/23/02; 11/30/02)

**EMERGENCY BY ORDER OF THE DIRECTOR OF PUBLIC SERVICE
PARKING METER ENFORCEMENT**

Whereas, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that certain traffic control devices must be authorized immediately in order to preserve the public health, peace, property, and safety; now, therefore,

Under the power vested in me by Chapters 2105 and 2155 of the Traffic Code of Columbus, Ohio, I hereby authorize the following:

SECTION 2105.03 - TRAFFIC REGULATIONS BY SERVICE DIRECTOR

Beginning Friday, November 22, 2002, at 4:00 p.m. through 12:00 Noon on Sunday, November 24, 2002, no parking will be permitted on the following streets:

12th Avenue from Pearl Alley to Indianola Avenue
13th Avenue from Pearl Alley to Indianola Avenue
Chittenden Avenue from Pearl Alley to Indianola Avenue
Norwich Avenue from Pearl Alley to Indianola Avenue

Parking meters will be bagged and signs will be posted to reflect this Order. Any existing traffic restrictions, prohibitions, or traffic control devices which conflict with this Order shall be declared null and void.

(11/23/02)

**TABLE OF CHANGES IN YOUR 1959
COLUMBUS CITY CODE**

Code	Ordinance	2002	Page	Subject
To revise Chapter 3372	1095-02	29	1495	To revise Chapter 3372 (Urban Commercial Overlay) of the Columbus City Codes by adoption of new Sections 3372.601, 3372.603, 3372.605, 3372.607, 3372.609, 3372.611, 3372.613 and 3372.615.
To amend Section 3101.01	2279-01	29	1497	To amend Section 3101.01 of the Columbus City Codes, 1959, to change the composition of the Development Commission by eliminating the Public Service Director as the seventh member; to allow the Mayor to appoint, with the approval of City Council, all qualified regular and alternate members of the Commission without regard to occupation or employer; and to declare an emergency.
To amend the Columbus City Codes	1145-02	29	1498	To amend the Columbus City Codes, 1959, by increasing the penalty for speeding in a school zone from a minor misdemeanor to a 4th degree misdemeanor, with a mandatory court appearance and a maximum fine \$250; and to make the Code consistent with the Ohio Revised Code; and to declare an emergency.
To supplement the Columbus City Codes	1143-02	30	1561	To supplement the Columbus City Codes, 1959, by amending C.C. 3303, 3351, 3353, and 3355 to: standardize the definition of dwelling unit among three different codes; augment the definition of hotel and motel; clarify where dwelling units may be constructed in commercial districts; update terminology and make language and grammatical changes.
To supplement and amend various sections of the Columbus Building Code	1144-02	30	1569	To supplement and amend various sections of the Columbus Building Code, Title 41, in order to allow for the registration of all general contractors responsible for all work on multi-family, commercial, industrial and institutional structures as governed by the Ohio Basic Building Code (OBC) as well as all new one, two, and three family dwellings for a flat fee as already prescribed in the Building Services Fee Schedule.
To establish new chapter 1934 of the Columbus City Codes	1183-02	30	1584	To establish new chapter 1934 of the Columbus City Codes, 1959, thereby establishing the authority to assess and collect an emergency medical services reimbursement fee.
To repeal ordinance 1128-02	1335-02	31	1686	To repeal ordinance 1128-02 in order to correct a numbering conflict in Chapter 3372 and to supplement the Columbus City Codes, 1959, by the enactment of new sections in Chapter 3372, Planning Overlay, in order to create the "High Street: North of Morse Road Planning Overlay" for that portion of the High Street corridor from Morse Road-Rathbone Avenue to the city of Worthington corporate line; and to declare an emergency.
To enact new Chapter 373	0754-02	31	1689	To enact new Chapter 373 of the Columbus City Codes, 1959, to provide for an excise tax upon the short-term rental of passenger vehicles and to provide for administration and collection of the tax by the City Auditor.
To repeal existing Chapters 3101 and 3103	1368-02	38	1768	To repeal existing Chapters 3101 and 3103 of the Columbus City Code, 1959, and to reorganize existing code language and create new Chapters 3101, 3103, and 3105 in Title 31, "Planning and Platting," to better organize and update the enabling sections of the Planning and Platting Code to be similar to other development related titles and construction, thereby paralleling the Zoning and Building Codes.
To supplement and amend various sections	1415-02	39	1801	To supplement and amend various sections in Title 13, "Refuse Collection Code", in order to allow for the streamlining of code enforcement through the centralization of enforcement staff in the Department of Development while still allowing for the regulation of refuse collection by the Department of Public Service.
To amend Chapter 1105	1447-02	39	1807	To amend Chapter 1105 of the Columbus City Codes, 1959, to modify the current method of assessing front footage fees for tapping into City of Columbus water lines.
To amend Chapters 1105 and 1147	1448-02	39	1808	To amend Chapters 1105 and 1147 of the Columbus City Codes, 1959 to eliminate unnecessary language regarding the grace period and penalty assessment dates of water and sewer bills.
To correct an inadvertent omission in Chapter 3372	1463-02	40	1844	To correct an inadvertent omission in Chapter 3372 (Urban Commercial Overlay) of the Columbus City Codes through a minor amendment to Section 3372.611 (Design Standards).
To amend the Columbus City Codes	1534-02	44	2017	To amend the Columbus City Codes, 1959, by the enactment of new sections in Chapter 3380, Standards For Areas of Special Graphics Control, in order to create the "Morse Road Special Graphics Control Area" for that portion of the Morse Road corridor from Interstate 71 to the centerline of Sunbury Road (map attached), and to repeal existing Sections 3380.101 and 3380.103.
To supplement the Columbus City Codes	1535-02	44	2019	To supplement the Columbus City Codes, 1959, by the enactment of new sections in Chapter 3372, Planning Overlay, in order to create the "Morse Road Planning Overlay" for that portion of the Morse Road corridor from Interstate 71 to the centerline of Sunbury Road (map attached).