

Columbus City Bulletin



**Bulletin 30
July 26, 2003**



Proceedings of City Council

Vol. LXXXVIII

Saturday, July 26, 2003

NO. 30

PROCEEDINGS OF CITY COUNCIL REGULAR MEETING NO. 29

MONDAY, JULY 21, 2003 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, President Pro-Tem Michael C. Mentel, Maryellen O'Shaughnessy, Richard W. Sensenbrenner, Charleta B. Tavares, Patsy A. Thomas 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.

PROCEEDINGS OF CITY COUNCIL REGULAR MEETING NO. 30

MONDAY, JULY 21, 2003 AT 6:30 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, President Pro-Tem Michael C. Mentel, Maryellen O'Shaughnessy, Richard W. Sensenbrenner, Charleta B. Tavares, Patsy A. Thomas 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 WEDNESDY, JULY 16, 2003

New Type: C1, C2
To: Valery Petrosian
DBA Russian Home
5941 E Main St
Columbus Ohio 43213

New Type: C1, C2
To: Latonia D Christian Burke
DBA Little Thangz
1174 E Whittier St
Columbus Ohio 43206

New Type: C1, C2
To: Scarlet & Grey Carryout Inc
DBA Scarlet & Grey Cafe II
2598 N High St
Columbus Ohio 43201

New Type: C1, C2
To: AAA Market Inc
1185 Sullivant Ave
Columbus Ohio 43223

Transfer Type: D2, D2X, D3, D3A
To: Ardelia LLC
DBA Old School Lounge
1st FL & BSMT & Patio
744 Frebis Av
Columbus Ohio 43206
From: 744 Frebis LLC
DBA Condo Villa
1st FL & BSMT & Patio
744 Frebis Av
Columbus Ohio 43206

Transfer Type: C1, C2
To: 2343 Sullivant Ave Inc
DBA Sams Drive Thru
2357 Sullivant Av
Columbus Ohio 43204
From: Pamela K Green
DBA Sams Drive Thru
2357 Sullivant Av
Columbus Ohio 43204

ORDINANCES

ORD NO. 1047-2003

To authorize the intra-fund transfer of \$19,000.00 between projects within the Facilities Management Capital Improvement Fund, to authorize the Public Service Director to modify a contract with IL. Bender for professional services associated with the renovation of floors 7, 8, 17, and 18 of the Franklin County Municipal Court Buildings for the Facilities Management Division, to authorize the expenditure of \$19,000.00 from the Facilities Management Capital Improvement Fund for this purpose, to amend the 2002 Capital Improvements Budget, and to declare an emergency (\$19,000.00)

WHEREAS, a contract was originally authorized by Ordinance 1332-99 with JL. Bender for professional services associated with the renovation of floors 7, 8, 17, and 18 of the Franklin County Municipal Court Building; and

WHEREAS, it is necessary to transfer funds within Facilities Management Capital Improvement Fund; and

WHEREAS, it is necessary to modify the contract with JL. Bender for professional design services to renovate floors 7, 8, 17, and 18 of the Franklin County Municipal Court Building; 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 modify a contract with IL. Bender for professional services associated with the renovation of floors 7, 8, 17, and 18 of the Franklin County Municipal Court Building, 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 City Auditor is hereby authorized and directed to appropriate and transfer funds within the Facilities Management Division Capital Improvement Fund as follows

TRANSFER FROM:

Division: 59-07
 Fund: 733
 OCA Code: 642553
 Object Level 1: 06
 Object Level 3: 6620
 Project: 733999
 Title: Facility Renovation
 Amount \$19,000.00

TRANSFER TO:

Division: 59-07
 Fund: 733
 OCA Code: 642553
 Object Level 1: 06
 Object Level 3: 6620
 Project: 570055
 Title: Municipal Court Prosecutor/Probation
 Amount \$19,000.00

SECTION 2. That the Public Service Director be and hereby is authorized to modify a contract with IL. Bender for professional services associated with the renovation of floors 7, 8, 17, and 18 of the Franklin County Municipal Court Buildings for the Facilities Management Division

SECTION 3. That the expenditure of \$19,000.00, or so much thereof in regard to the action authorized in Section 1, be and is hereby authorized and approved as follows:

Division: 59-07
 Fund: 733
 OCA Code: 642553
 Object Level 1: 06
 Object Level 3: 6620
 Project: 570055
 Title: Municipal Court Prosecutor/Probation
 Amount \$19,000.00

SECTION 4. That the 2002 Capital Improvements Budget be and hereby is amended as follows

Service/Facilities Management 59-07

Project 570055	Current CIB	CIB as Amended
Muni-Court Renovation Prosecutor/Probation	\$ 34,696	\$ 53,697

SECTION 5. That for the reason stated in the preamble hereto, which is hereby made a part hereof; this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1051-2003

To authorize the Public Service Director to enter into contract for the Facilities Management Division with Kone, Inc, for elevator maintenance services for various city buildings under the purview of the Facilities Management Division, to authorize the expenditure of \$122,656.11

from the General Fund, and to declare an emergency (\$122,656.11)

WHEREAS, it is necessary to furnish a lull maintenance service contract for the elevators located at City Hall, Beacon Building, 99/109 North Front Street, Central Safety Building, Fire Station 1, Fire Training Facility, 1-71 Complex, Health Department, Columbus Model Neighborhood Building, Municipal Court Building and the skywalk at 300 North High Street, for the Public Service Department, Facilities Management Division, and

WHEREAS, formal proposals were solicited in compliance with Columbus City Codes on February 11, 2003, and

WHEREAS, the Facilities Management Division and professional elevator consultant John Blatt Elevator Consulting, Inc, recommends acceptance of the proposal submitted by Kone, Inc, 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 Kone, Inc, for a elevator maintenance service contract with Kone, Inc, 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 is hereby authorized to enter into contract for the Facilities Management Division with Kone, Inc., for a elevator maintenance service contract for elevators under the purview of the Facilities Management Division.

SECTION 2. That the expenditure of \$122,656.11, or so much thereof as may be necessary in regard to the action authorized in Section 1, be and hereby is authorized and approved as follows:

FROM:

Division:	59-07
Fund:	010
OCA Code:	281006
Object Level 1:	03
Object Level 3:	3372
Amount	\$122,656.11

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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1052-2003

To authorize the Public Service Director to modify a contract for the Facilities Management Division with Raymond Professional Group, Inc. for additional professional engineering services for the renovation of the smoke and fire alarm systems at various city facilities, to authorize the expenditure of \$7,708.00 from the Facilities Management Capital Improvement Fund, and to declare an emergency (\$7,708.00)

WHEREAS, the Public Service Department, Facilities Management Division entered into a contact for professional engineering services for the renovation of smoke and fire alarms at various city facilities, and

WHEREAS, Ordinance Number 0079-00, passed by City Council on January 31, 2000, authorized the Facilities Management Division to enter into a contact for professional engineering services for the renovation of the smoke and fire alarm systems at various city facilities, and

WHEREAS, it is now necessary to modify said contract with Raymond Professional Group, Inc, 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 modify a contract for the Facilities Management Division with Raymond Professional Group, Inc for professional engineering services for the renovation of the smoke and fire alarm systems at various city facilities, 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 is hereby authorized to modify contract E1000230 for the Facilities Management Division with Raymond Professional Group, Inc for professional engineering services for the renovation of the smoke and fire alarm systems at various city facilities

SECTION 2. That the expenditure of \$7,708.00, or so much thereof that may be necessary in regard to the action authorized in Section 1, be and is hereby authorized and approved as follows:

FROM:

Division:	59-07
Fund:	733
OCA Code:	643437
Project:	570030
Object Level 1:	06
Object Level 3:	6620
Amount	\$7,708.00

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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1069-2003

To grant a Variance from the provisions of Sections 3332.039, R-4, Residential District use; 3332.15, Area District requirements; 3332.19, Fronting on a public street; 3332.25, Maximum side yard required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard; for the property located at 882 BRYDEN ROAD (43205), to conform an existing second single-family dwelling unit (a carriage house) on the rear of a lot developed with a single-family dwelling with reduced development standards in the R-4, Residential District, and to declare an emergency. (Council Variance # CVO3-014)

WHEREAS, by application No. CVO3-014, the owner of the property at 882 BRYDEN ROAD (43229) is requesting a Council variance to

permit a second single-family dwelling (a carriage house) on the rear of a lot developed with a single-family dwelling in the R-4, Residential District; and

WHEREAS, Section 3332.039, R-4 Residential District use, requires a separate lot for each principal use, while the applicant proposes to keep an existing second single-family dwelling (a carriage house) on the rear of the same lot that is developed with a single family dwelling; and

WHEREAS, Section 3332.15, Area District requirements, requires each single dwelling have a lot of no less than 5,000 square feet, while the applicant proposes to keep a second single-family dwelling on the same 9,730 square foot lot; and

WHEREAS, Section 3332.19, Fronting on a public street, requires a dwelling unit to have a minimum thirty-five (35) feet of frontage on a public street, while the applicant proposes to maintain no frontage for the second single-family dwelling; and

WHEREAS, Section 3332.25, Maximum side yard required, requires the sum of the widths of each side yard shall equal or exceed twenty (20) percent of the width of the lot, while the applicant proposes to reduce the maximum side yard from 7.4 feet to 4.7 feet for the second single-family dwelling; and

WHEREAS, Section 3332.26, Minimum side yard permitted, requires a side yard of no less than 3 feet, while the applicant proposes a 1.4 foot side yard along the west property line for the second single-family dwelling; and

WHEREAS, Section 3332.27, Rear yard, requires a rear yard totaling no less than twenty-five (25) percent of the total lot area, while the applicant proposes no rear yard for the second single-family dwelling; and

WHEREAS, this variance will permit an existing second single-family dwelling (a carriage house) on the rear of a lot developed with a single-family dwelling. The R-4, Residential District allows up to four units in the same dwelling only. The existing two-story structure is a single-family dwelling unit above three garage parking spaces, and building renovations will conform to the Historic Resources Commission requirements; and

WHEREAS, the Near East Area Commission recommends approval; and

WHEREAS, City Departments recommend approval and note a hardship exists because a variance is necessary to permit refurbishment of the existing carriage house structure consistent with the area's surrounding character; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed use; 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 882 BRYDEN ROAD (43205), in using said property as desired; now, therefore:

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, in that construction on the existing carriage house with single-family apartment has been delayed due to the present requirement that two residential uses cannot exist on the same lot without a variance. The structure has been open to weather and vandalism, and cannot be used in a manner in which it was originally designed before the present code came into effect; as a single family apartment with garage below. For the immediate preservation of the public peace, health and safety, we request an emergency variance; now, therefore;

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

SECTION 1. That a variance from the provisions of Sections 3332.039, R-4, Residential District use; 3332.15, Area District requirements; 3332.19, Fronting on a public street; 3332.25, Maximum side yard required; 3332.26, Minimum side yard permitted; and 3332.27, Rear yard; for the property located at 882 BRYDEN ROAD (43205), insofar as said sections prohibit a second single-family dwelling (a carriage house) on a 9,730 square foot lot with no frontage on a public street, a reduced maximum side yard from 7.4 feet to 4.7 feet, reduced minimum side yard from 3 feet to 1.4 feet, and no rear yard; said property being more particularly described as follows:

Situated in the State of Ohio, in the County of Franklin and in the City of Columbus:

Being Lot number one (1) and the west one-half of Lot number two (2) of George M. Parsons Subdivision of part of lots numbers 4, 5, and 6 of James Bryden and others subdivision of half section 24, Township 5, Range 22, Refugee Lands as the same are numbered and delineated upon the recorded plat thereof, of record in plat book 3, page 348, Recorder's Office, Franklin County, Ohio. Also a portion of the east ½ of said Lot 2, commencing for the same at the northwest corner of said east ½ of said Lot 2; thence easterly along the north line of said Lot 2, 24-1/2 feet; thence southerly parallel with the west line of said Lot 2, 40 feet; thence westerly parallel with the north line of said Lot 2, 24-1/2 feet; thence northerly parallel with said west line of Lot 2 to the place of beginning. Said premises herein first above described are subject to the following exceptions there from: to 40 feet off the northerly end of said Lot number 1, and also a section of said lot number 2, bounded and described as follows:

Beginning at the northwest corner of said Lot number 2, running easterly along the north line of said Lot number 2, 12-1/2 feet; thence southerly and parallel with the west line of said Lot 2, 40 feet; thence westerly and parallel with the north line of said Lot 2, 12-1/2 feet; thence northerly along the west line of Lot 2 to the place of beginning.

SECTION 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used for a second single-family dwelling (a carriage house) on the rear of a lot developed with a single-family dwelling, or those uses permitted in the R-4, Residential District.

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

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 from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same.

Passed as amended July 21, 2003, Matthew D. Habash, President of Council / Approved as amended July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1501-2003

To authorize the Public Service Director to enter into a contract for the Facilities Management Division with Dove Building Services for custodial services at the Franklin County Municipal Court Building for the period July 2003 through February 2004, to authorize the expenditure of \$171,071.00 from the General Fund, and to declare an emergency (\$171,071.00)

WHEREAS, it is necessary to enter into a contract for custodial services at the Franklin County Municipal Court Building, and

WHEREAS, formal competitive bids were opened on April 28, 2003, and

WHEREAS, Dove Building Services is the lowest, most responsive bidder, and

WHEREAS, the length of the contract will be July 1, 2003 through February 28, 2004, and

WHEREAS, an emergency exists in the usual daily operation of the Facilities Management Division, Public Service Department, in that it is immediately necessary to enter into contract with Dove Building Services for custodial services at the Franklin County Municipal Court Building, 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 is hereby authorized and directed to enter into a contract for the Facilities Management

Division with Dove Building Services for custodial services at the Franklin County Municipal Court Building for the period July 1, 2003 through February 28, 2004.

SECTION 2. That the expenditure of \$171,071.00, or so much thereof as may be necessary in regard to the action authorized in Section 1, is hereby authorized as follows:

FROM:
 Division: 59-07
 Fund: 010
 OCA Code: 281014
 Object Level 1: 03
 Object Level 3: 3396
 Amount \$ 171,071.00

SECTION 3. That for the reason 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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1512-2003

To authorize the Public Service Director to enter into a contract for the Transportation Division with Gaddis and Son, Inc./Decker Construction Company, A Joint Venture, for construction of the Resurfacing and Curb Ramps 2003, UIRF Project; to authorize the expenditure of \$774,482.53 from the Voted 1995, Voted 1999 Streets and Highways Fund, and to declare an emergency. (\$774,482.53)

WHEREAS, bids were received and tabulated on May 29, 2003, for the Resurfacing and Curb Ramps 2003, UIRF Project; and

WHEREAS, a satisfactory bid has been received; and

WHEREAS, it is necessary to provide for construction inspection costs; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that the contract should be let immediately so that the work may proceed without delay, thereby preserving the public health, peace, 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 a contract with Gaddis and Son, Inc./Decker Construction Company, A Joint Venture, 739 Mulberry Street, Columbus, Ohio, 43219, for the construction of the Resurfacing and Curb Ramps 2003, UIRF Project in the amount of \$673,457.53 for the Transportation Division in accordance with the specifications and plans on file in the office of the Director of Public Service, which are hereby approved; to obtain and pay for the necessary inspection costs associated with the project up to a maximum of \$101,025.00.

SECTION 2. That for the purpose of paying the cost of the contract and inspection, the sum of \$774,482.53, or so much thereof as may be needed, is hereby authorized to be expended from 1995, 1999 Voted Streets and Highways Fund, no. 704, for the Transportation Division, Dept/Div. 59-09, OCA Code 644385, Object Level Three 6631 and project 440005.

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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1519-2003

To amend the 2002 Capital Improvements Budget; to authorize the transfer of \$11,291.31 within the Voted Street Lighting and Electricity Distribution Fund; to authorize capital expenditures for the purchase of materials and services required for the construction of street lighting projects; and to authorize the expenditure up to an amount not to exceed \$47,000.00 from the Voted Street Lighting and Electricity Distribution Improvements Fund (\$47,000.00)

WHEREAS, the Division of Electricity requires capital expenditures for the construction of street lighting projects; and WHEREAS, said capital expenditures will be in accordance with Columbus City Codes, Chapter 329; and

WHEREAS, an amendment to the 2002 Capital Improvements Budget Ordinance 1674-02 is necessary to reflect the additional authority made available from an auditor's certification cancellation; and

WHEREAS, transfer of funds within the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund is necessary to provide funding in the appropriate project; now, therefore,

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

SECTION 1. That capital expenditures, in an amount not to exceed ~7,000, required by the Division of Electricity during the construction of street lighting projects shall be in accordance with the provisions of Chapter 329 and Title 39 of the Columbus City Codes, 1959, and are hereby authorized

SECTION 2. That the 2002 Capital Improvements Budget Ordinance No. 1674-02 is hereby increased as follows, to provide sufficient budget authority for capital expenditures necessary for the construction of street lighting projects as stated in Section 1.

DIVISION OF ELECTRICITY, DIVISION 60-07				
FUND	PROJECT NUMBER	PROJECT NAME	CURRENT CIB AMOUNT	AMENDED CIB AMOUNT
553	670003	Street Lighting	1,103,225	1,114,516
553	670103	138KV Line North/Morse Road	1,801	-0-

SECTION 3. That the City Auditor is hereby authorized and directed to transfer \$11,291.31 within the Voted 1995 and 1999 Street Lighting and Electricity Distribution Improvements Fund No 553, from Project No.670103, 138KV Line North/Morse Road, OCA 644369, Object Level Three 6621, to Project No.670003, Street Lighting, OCA 675017, Object Level Three 6625.

SECTION 4. That to pay the cost of the aforesaid capital expenditures, the expenditure up to an amount not to exceed \$47,000.00, or so much thereof as may be needed, is hereby authorized from Voted Street Lighting and Electricity Distribution Improvement Fund 553, Division No.60-07, Project 670003, OCA 675017, Object Level Three 6625.

SECTION 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law
 Passed July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1521-2003

To accept the application (AN03-006) of Christ the King Church for the annexation of certain territory containing 119.655± Acres in Orange Township.

WHEREAS, a petition for the annexation of certain territory in Orange Township was duly filed by Christ the King Church on March 18, 2003; and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Delaware County, Ohio, and the annexation of said hereinafter described territory to the city of Columbus was approved by said Commissioners by order dated April 28, 2003; and

WHEREAS, the Board of County Commissioners of Delaware County certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on May 1, 2003; and

WHEREAS, sixty days from the date of said filing have now elapsed in accordance with the provisions of the Ohio Revised Code; and

WHEREAS, it is in the best interest of the city of Columbus to accept the annexation of the territory sought to be annexed by the aforesaid petition; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the proposed annexation as applied for in the petition of Christ the King Church being the majority of owner(s) of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Delaware County, Ohio March 18, 2003 in which said petition prayed for annexation to the city of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the city of Columbus by the Board of County Commissioners by order dated April 28, 2003, be and the same is hereby accepted and said territory is hereby annexed to the city of Columbus Said territory is described as follows:

Situated in the State of Ohio, County of Delaware, Township of Orange, Farm Lots 14, 15, and 22, Section 4, Township 3, Range 18, United States Military Lands and being 42.066 acres out of said Farm Lot 14 and being 72.071 acres out of said Farm Lot 15, and being 5.518 acres out of said Farm Lot 22 and being part of a 120.0 acre tract of land as conveyed to Christ The King Lutheran Church of record in Deed Book 521, Page 348 (all records being of the Recorder's Office, Delaware County, Ohio) and being more particularly described as follows;

Beginning for reference at the centerline intersection of Tahoma Street as shown on the plat of Prestwick Commons Section 1 as recorded in Plat Cabinet 2 Slide 138 and the centerline of East Powell Road (County Road 14 being 60.00 feet wide);

Thence South 86° 40' 07" East with the centerline of said East Powell Road, a distance of 972.01 feet to the intersection of the westerly line of a 5.01 acre tract as conveyed to Frank W. and Martha P. Otto of record in Deed Book 428, Page 102;

Thence South 03° 02' 02" West with the westerly line of said 5.01 acre tract together with the easterly line of said 120.0 acre tract, a distance of 30.00 feet to the southerly right of way line of said East Powell Road and the true point of beginning;

Thence South 03° 02' 02" West continue with the westerly line of said 5.01 acre tract together with the easterly line of said 120.0 acre tract, a distance of 973.85 feet to the southwesterly corner of said 5.01 acre tract and being a point on the line common to said Farm Lot 22 and said Farm Lot 15;

Thence South 86° 39' 53" East with the southerly line of said 5.01 acre tract and with the line common to said Farm Lot 22 and 15 and with the southerly line of a 5.01 acre tract as conveyed to Ramos and Brenda K Hector, Tax Parcel Number 31842302006000 and with the southerly line of a 5.01 acre tract as conveyed to Raymond and Lois Roten of record in Deed Book 429, Page 59 and the southerly line of a 5.01 acre tract as conveyed to Richard L. and Barbara S. Adkins of record in Deed Book 418, Page 30 and the southerly line of a 5.248 acre tract as conveyed to Alfred W. and Shirley E. McCormick of record in Deed Book 412, Page 552 and with the southerly line of a 5.14 acre tract of land as conveyed to Robert A. JR. and Jill M. Clifford, Tax Parcel Number 31843101012000 together with the northerly line of said 120.0 acre tract, a distance of 1968.60 feet to the northeasterly corner of said 120.0 acre tract and being the northwesterly corner of a tract of land as conveyed to N.P. Limited Partnership, Tax Parcel Number 318431011010000;

Thence South 02° 56' 08" West with the easterly line of said 120.0 acre tract together with the said westerly line of the NP Limited tract, a distance of 500.00 feet to the southwesterly corner of said N.P. Limited tract;

Thence South 86° 38' 14" East with the southerly line of said N.P. Limited tract together with the northerly line of said 120.0 acre tract, a distance of 299.95 feet to a point on the westerly line of a 6.250 acre tract of land as conveyed to M.I. Schottenstein Homes Inc. of record in Official Record Volume 84, Page 2244 and being a point on the westerly corporation line of the City of Columbus, Ordinance Number 1161-00 dated May 5th, 2000;

Thence South 02° 56' 08" West with the westerly line of said 6.250 acre tract together with the easterly line of said 120.0 acre tract and with the westerly line of said corporation line and with the westerly line of a 5.146 acre tract as conveyed to Powell Road South LTD. of record in Official Record Volume 83, Page 129 and through an original 386.107 acre tract as conveyed to N.P. Limited Partnership of record in Deed Book 486, Page 556, a distance of 1471.14 feet to the southeasterly corner of said 120.0 acre and being a point on the northerly right of way line of Fashion Mall Parkway as recorded in Plat Cabinet 2, Slide 670 and also being a point on the northerly corporation line of the City of Columbus, Ordinance Number 3310-90 dated December 20th, 1990;

Thence North 87° 03' 40" West with the southerly line of said 120.0 acre tract together with the northerly right of way line of said Fashion Mall Parkway and with the northerly line of tract of land as conveyed to NP. Limited Partnership, Tax Parcel Number 31843101013000 and with the northerly line of said corporation line, a distance of 3088.37 feet to the southwesterly corner of said 120.0 acre tract and being a point on the easterly line of an original 52.338 acre tract, Tract 1 as conveyed to N.P. Limited Partnership of record in Deed Book 533, Page 490 and also being an angle point on the easterly line of said corporation line (Ordinance Number 3310-90);

Thence North 03° 05' 27" East with the westerly line of said 120.0 acre tract together with the easterly line of said original 52.338 acre tract and with the easterly line of the corporation line of The City of Columbus, Ordinance Number 33 10-90, a distance of 599.99 feet to an angle point of said 120.0 acre tract and also being the northeasterly corner of said original 52.338 acre tract and being the southeasterly corner of a 3.636 acre tract as conveyed to NP. Limited Partnership of record in Deed Book 671, Page 487 and being the southwesterly corner of Prestwick Commons 4 subdivision as recorded in Plat Cabinet 2, Slide 322 and being a point on the southerly corporation line of The City of Columbus, Ordinance Number 1497-97 dated June 23, 1997;

Thence South 86° 44' 19" East with the northerly line of said 120.0 acre tract together with the southerly line of said Prestwick Commons 4 and with the southerly line of Prestwick Commons 2 of record in Plat Cabinet 2, Slide 182 and with the southerly line of said corporation line (Ordinance Number 1497-97), a distance of 714.99 feet to an angle point of said 120.0 acre tract and also being the southeasterly corner of said Prestwick Commons 2 and being an angle point of said corporation line (Ordinance Number 1497-97);

Thence with the westerly line of said 120.0 acre tract together with the easterly line of said Prestwick Commons 2 and with the easterly corporation line (said Ordinance Number 1497-97), the following five(5) courses;

- 1) North 03° 05' 27" East, a distance of 1063.92 feet to a point;
- 2) North 03° 01' 35" East, a distance of 534.64 feet to a point;
- 3) North 73° 06' 25" West, a distance of 34.00 feet to a point;
- 4) North 16° 06' 25" West, a distance of 99.00 feet to a point;
- 5) North 20° 41' 25" West, a distance of 371.30 feet to the southeasterly corner of a 2.25 acre tract of land as conveyed to Edie A.

Clyde, Trustee and Lillian F. Trustee, Tax Parcel Number 31842302009000;

Thence with the easterly line of said 2.25 acre tract together with the westerly line of said 120.0 acre tract and leaving said corporation line (Ordinance Number 1497-97), the following two courses;

- 1) North 10° 46' 25" West, a distance of 138.60 feet to a point;
- 2) North 33° 09' 53" West, a distance of 238.95 feet to a point on the southerly right of way line of said Powell Road;

Thence South 86° 40' 07" East with the southerly right of way line of said Powell Road, a distance of 488.96 feet to the true point of beginning and containing 119.655 acres of land to be annexed to the City of Columbus pursuant to Ohio Revised Code 70920 of which 3.314 acres are out of Tax Parcel Number 31842302008000, 68.188 acres is out of Tax Parcel 31843201001000, 6.087 acres all of Tax Parcel Number 31842302008000 and 42.066 acres all of Tax Parcel 31843201002000.

Section 2. That the City Clerk is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof, the City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the Board of Elections thereof and do such other things as may be required by law.

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

Passed July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk.

ORD NO. 1527-2003

To accept the application (AN03-009) of Bishop James A. Griffin for the annexation of certain territory containing 107.71± Acres in Orange Township.

WHEREAS, a petition for the annexation of certain territory in Orange Township was duly filed by Bishop James A Griffin on March 19, 2003; and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Delaware County, Ohio, and the annexation of said hereinafter described territory to the city of Columbus was approved by said Commissioners by order dated April 28, 2003; and

WHEREAS, the Board of County Commissioners of Delaware County certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on May 1, 2003; and

WHEREAS, sixty days from the date of said filing have now elapsed in accordance with the provisions of the Ohio Revised Code; and

WHEREAS, it is in the best interest of the city of Columbus to accept the annexation of the territory sought to be annexed by the aforesaid petition; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the proposed annexation as applied for in the petition of Bishop James A Griffin being the majority of owner(s) of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Delaware County, Ohio March 19, 2003 in which said petition prayed for annexation to the city of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the city of Columbus by the Board of County Commissioners by order dated April 28, 2003, be and the same is hereby accepted and said territory is hereby annexed to the city of Columbus Said territory is described as follows:

Situate in the State of Ohio, County of Delaware, Township of Orange, lying in Farm Lots 7 and 8, Section 3, Township 3, Range 18, United States Military District, and being part of that 68.274 acre tract conveyed to Clarence G. Issenmann, Bishop of the Diocese of Columbus by deed of record in Deed Book 294, Page 258, of which being changed to James A Griffin, Bishop of the Roman Catholic Diocese of Columbus, in the Affidavit of Succession of the Roman Bishops of Columbus, of record in Deed Book 380, Page 613 and/or Deed Book 468, Page 197, part of a 7.626 acre tract conveyed to Orange Investment Company by deed of record in Deed Book 506, Page 12, part of a 34.761 acre tract conveyed to Orange Investment Company by deed of record in Deed Book 506, Page 10, and all of a 7.581 acre tract conveyed to Jomar by deed of record in Deed Book 522, Page 480, all being of record in the Recorder's Office, Delaware County, Ohio, and being more particularly described as follows:

Beginning, at a point at the northeast corner of Lot 131 of THE WOODS OF OLENTANGY SECTION 3, PART 2, a subdivision of record in Plat Cabinet 2, Slide 321 and at the southeast corner of said 68.274 acre tract, said point being at an angle point of the Existing City of Columbus Corporation Line, Ordinance Number 758-98, of record in Plat Cabinet 2, Slide 74, same being in the westerly right-of-way line of the Norfolk & Southern Railroad;

Thence North 87° 26' 32" West, a distance of 1272.28 feet, along the Existing City of Columbus Corporation Line and the line common to said 68.274 acre tract and said THE WOODS OF OLENTANGY SECTION 3 PART 2, to a point at the angle point of said Existing City of Columbus Corporation Line, same being at the northwesterly corner of said THE WOODS OF OLENTANGY SECTION 3 PART 2;

Thence North 87° 26' 32" West, a distance of 259.99 feet, along the common line of said 68.274 acre tract and O.W. ROLL SUBDIVISION, a subdivision of record in Plat Book 4, Page 303, to a point at the common corner of said 7.581 acre tract and O.W. ROLL SUBDIVISION;

Thence South 01° 22' 22" West, a distance of 1317.17 feet, along the line common to said 7.581 acre tract and O.W. ROLL SUBDIVISION, to a point at a common corner of said 7.581 acre tract and a 4.03 acre tract conveyed to Donald E. and Barbara J. Craven;

Thence North 87° 38' 09" West, a distance of 863.01 feet, along the line common to said 7.581 acre tract, said 34.761 acre tract, said 4.03 acre tract, a 6.81 acre tract conveyed to The Chakroff Family Limited Partnership, and a 3.92 acre tract conveyed to Joseph L. Krejsa, to a point at a common corner of said 34.761 acre tract and a 5.13 acre tract conveyed to Rennob Inc.

Thence North 02° 58' 29" West, a distance of 367.00 feet, along a line common to said 34.761 acre and 5.13 acre tracts, to a point at a common corner said 34.761 acre and 5.13 acre tracts;

Thence North 87° 38' 09" West, a distance of 602.96 feet, along a line common to said 34.761 acre and 5.13 acre tracts, to a point in the easterly right-of-way line of U.S. Route 23;

Thence North 03° 01' 06" West, a distance of 1910.60 feet, along the easterly right-of-way line of said U.S. Route 23, to a point in the northerly line of said 68.274 acre tract;

Thence South 87° 12' 21" East, a distance of 3104.27 feet, along the line common to said 68.274 acre tract and a 68.813 acre tract conveyed to Clarence G. Issenmann Bishop of the Diocese of Columbus by deed of record in Deed book 294, Page 355, to a point, also being in the westerly right-of-way line of said Norfolk & Southern Railroad;

Thence South 02° 49' 20" East, a distance of 936.33 feet, along the westerly right-of-way line of said Norfolk & Southern Railroad, and said 68.274 acre tract, to the Point of Beginning, and containing 107.71 acres, more or less, of which 66.83 acres lies within Farm Lot 7 and 40.88 acres lies within Farm Lot 8.

The above description was prepared from existing Delaware County records obtained from the Delaware County Recorder's Office and an actual field survey performed by RD. Zande & Associates, Inc This description was prepared for the intention to represent territory to be annexed to the City of Columbus

The bearings given in the above description are based on the grid bearing of North 87° 26' 32" West, for the north line of THE WOODS OF OLENTANGY SECTION 3, PART 2, as established by a network of GPS observations performed in January, 2002.

The above description is intended to be used as an Expedited Type 2 annexation with a total perimeter of 10,633.61 feet, a length of contiguity of 1,272.28 feet and a twelve (12) percent contiguity with the existing City of Columbus Corporation Line.

Section 2. That the City Clerk is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof, the City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the Board of Elections thereof and do such other things as may be required by law.

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

Passed July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Timothy McSweeney, City Clerk.

ORD NO. 1545-2003

To authorize the Finance Director to enter into a contract, for a 604on chiller with cooling and heating coils, from an established State of Ohio Contract with Trane AMS, for the Division of Water, to authorize the expenditure of \$70,000.00 from the Water Works Enlargement Voted 1991 Bonds Fund, and to declare an emergency. (\$70,000.00)

WHEREAS, the Dublin Road Water Plant needs a 60-ton chiller with cooling and heating coils, and

WHEREAS, the State of Ohio has established State Contract 775632E with the Trane AMS for this type of equipment, and

WHEREAS, an emergency exists in the usual daily operation of the Division of Water, Department of Public Utilities, in that it is immediately necessary to authorize the Finance Director to enter into a contract, with Trane AMS, for a60-ton chiller with cooling and heating coils, based on the above mentioned State of Ohio contract, for the Dublin Road Water Plant, for the immediate 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 Finance Director be and is hereby authorized to enter into a contract with Trane AMS, for a 60-ton chiller with cooling and heating coils, from an established State of Ohio Contract, for the Division of Water, Department of Public Utilities.

Section 2. That the expenditure of \$70,000.00 or as much thereof as may be needed is hereby authorized from Water Works Enlargement Voted 1991 Bonds Fund No.606, Department 60, Division 09, OCA Code 642900, Object Level One 06, Object Level Three 6623, Project No.690278 to pay the cost thereof

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

Passed July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1567-2003

To authorize the Public Service Director to enter into contract for the Facilities Management Division with Kalkreuth Roofing and Sheet Metal for renovation of the roof at the Fire Training Academy, to authorize the expenditure of \$342,531.00 from the Fire Division's Capital Improvement Budget, and to declare an emergency (\$342,531.00)

WHEREAS, it is necessary to renovate the roof at the Fire Training Academy, and

WHEREAS, formal competitive bids were taken to renovate said roof; and

WHEREAS, Kalkreuth Roofing and Sheet Metal is the lowest and best responsive and responsible 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 enter into contract with Kalkreuth Roofing and Sheet Metal Inc to renovate the roof at the Fire Training Academy , 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 is hereby authorized to enter into a contract for the Facilities Management Division with Kalkreuth Roofing and Sheet Metal for renovation of the roof at the Fire Training Academy

SECTION 2. That the expenditure of \$342,531.00, or so much thereof in regard to the action authorized in Section 1, be and is hereby authorized and approved as follows:

FROM:

Division:	30-04
Fund:	701
OCA Code:	644559
Object Level One:	06
Object Level Three:	6620
Project:	340103
Title:	Fire Facility Renovation
Amount	\$342,531.00

SECTION 3. That for the reason 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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1606-2003

To authorize the Director of Public Utilities to execute a construction contract with the Complete General Construction Company, Inc., and a contract modification with URS Corporation, for the Blacklick Sanitary Interceptor Sewer Capacity Augmentation, Part 2 Project, to authorize the appropriation, transfer and expenditure of \$5,187,926.00 from the Sewer System Reserve Fund to the Ohio Water Pollution Control Loan Fund; to amend the 2002 Capital Improvements Budget; for the Division of Sewerage and Drainage, and to declare an emergency (\$5,187,926.00)

WHEREAS, three competitive bids for the construction of the Blacklick Sanitary Sewer Interceptor Capacity Augmentation, Part 2 Project, was received on May 14, 2003, and

WHEREAS, the Division of Sewerage and Drainage has determined it necessary to modify an existing contract with URS Corporation in order to provide engineering services during construction, construction administration and inspection services that are required for the successful completion of the aforementioned project; and

WHEREAS, it is immediately necessary to both appropriate funds from the Sewer System Reserve Fund and to transfer said funds into the Ohio Water Pollution Control Loan Fund; in order to temporarily fund this expenditure, until such time as the City receives the financial assistance agreement from the Ohio Water Development Authority; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage in that is immediately necessary to authorize the Director of Public Utilities to award and execute a construction contract; to modify a professional engineering services contract modification; that are necessary to allow the immediate commencement of the construction services pursuant to providing the required system capacity within the Blacklick Sanitary Interceptor; thereby preserving the public health, peace 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 No 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, 2003, the sum of \$5,785,116.00 is hereby appropriated to the Division of Sewerage and Drainage, Division 60-05, Object Level One 10, Object Level Three 5502, OCA Code 901654.

Section 2. That the City Auditor is hereby authorized to transfer \$5,785,116.00 to the Ohio Water Pollution Control Loan Fund No.666, into the appropriate project accounts 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 the \$5,785,116.00 is hereby appropriated for the Blacklick Sanitary Sewer Interceptor Capacity Augmentation, Part 2 Project within Fund 666, Division No.60-05; Project 650492; OCA 666492 as follows: Complete General Construction Contract; \$5,187,926.00; Object Level 3 No. 6630 URS Corporation; \$597,190.00; Object Level 3 No. 6676

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. That the Director of Public Utilities be, and hereby is, authorized to award and execute a contract for construction of the Blacklick Sanitary Sewer Interceptor Capacity Augmentation, Part 2 Project, with the lowest and best bidder, Complete General Construction Company, 1221 East Fifth Avenue, Columbus, Ohio 43219, in the amount of \$5,187,926.00 in accordance with the terms and conditions of the Contract on file in the office of the Division of Sewerage and Drainage.

Section 7. That the Director of Public Utilities be, and hereby is, authorized to execute professional engineering services contract modification no.3 with URS Corporation, 277 West Nationwide Boulevard, Columbus, Ohio, In-, in the amount of \$597,190.00, for engineering services during construction, construction administration and inspection services, in accordance with the terms and conditions of the Contract on file in the office of the Division of Sewerage and Drainage's Sewer System Engineering Section

Section 8. That for the purpose of paying the cost of construction contract, together with the professional engineering services contract modification, the expenditure of \$5,785,116.00, or as much thereof as may be needed, is hereby authorized from the Ohio Water Pollution Control Loan Fund No. 666; Division 60-05; Project 650492; OCA Code 666492: Complete General Construction Contract; \$5,187,926.00; Object Level 3 No.6630 URS Corporation; \$597,190.00; Object Level 3 No.6676

Section 9. That the 2002 Capital Improvements Budget Ordinance No.1674-02 is hereby amended as follows, in order to provide sufficient budget authority for the execution of a capital improvements project reimbursement agreement as referenced in the preamble hereto.

CURRENT:

650492- Blacklick San. Sewer Interceptor Cap. Augment- \$ 5,504,316.00

AMENDED TO:

650492- Blacklick San. Sewer Interceptor Cap. Augment- \$11,289,432.00

Section 10. 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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1616-2003

To authorize and direct the Finance Director to issue purchase orders for bulk fuel deliveries and vehicle parts, supplies and accessories for the Fleet Management Division, to authorize and direct the expenditure of \$2,138,450.00 from the Fleet Maintenance Fund. (\$2,138,450.00)

WHEREAS, Universal Term Contracts (UTC) have been established through the formal competitive bid process, and

WHEREAS, the Fleet Management Division, Public Service Department, has a need to purchase bulk fuel deliveries and vehicle parts, supplies and accessories to repair motor vehicles through the remainder of 2003, now, therefore,

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

Section 1 That the Finance Director is hereby authorized and directed to issue purchase orders for the Public Service Department, Fleet Management Division, per the terms and conditions of Universal Term Contracts, as follows

State Bid OT919199-E
WD Tire Warehouse
CC# 311138036 expires 11/2/04

Tires
 Object Level Three 2282
 Contract period 5/1/99-4/30/04

Bid SA 000213GRW
 Dick Masheter Ford
 CC# 310729896, expires 10/31/04
 OEM Auto Parts
 Object Level Three 2284
 Contract period 4/1/02 - 3/31/04

State Bid OT919199-E
 B & S Transport
 CC# 341234696, expires 11/15/03
 Tires
 Object Level Three 2282
 Contract period 5/1/99-4/30/04

Bid SA 000213GRW
 Byers Chevrolet
 CC# 314139860 expires 11/4/05
 OEM auto parts
 Object Level Three 2284
 Contract period 4/1/02-3/31/04

Bid SA 000312 GRW
 Best Equipment
 CC# 351097778, expires 12/10/04
 OEM Truck Parts
 Object Level Three 2284
 Contract period 10/1/02 - 9/30/04

County Bid B98-56
 BP Products North America
 CC# 362440313, expires 10/9/04
 Bulk diesel deliveries
 Object Level Three 2286
 Contract period 1/1/98 - 12/31/04

County Bid B98-56
 BP Products North America
 CC# 362440313 expires 10/9/04
 Bulk gasoline deliveries
 Object Level Three 2280
 Contract period 1/1/98 - 12/31/04

Solicitation SA000207JAY
 US Bank Voyager Fleet Systems
 CC# 760476053, expires April 10, 2005
 Credit card motor fuel purchases
 Object Level Three 2280 and 2286
 Contract Period June 5, 2002 - July 1, 2005

Section 2. That the sum of \$2, 138,450.00, or so much thereof as may be necessary, is hereby authorized to be expended from the Fleet Maintenance Fund, 513, Department No. 59-05, OCA Code 591347, Object Level One 02 as follows to pay the cost thereof

Object Level Three Code	Amount
2280	\$1,089,000.00
2282	\$ 110,000.00
2284	\$ 420,000.00
2286	\$ 519,450.00
Total	\$2,138,450.00

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

Passed as amended July 21, 2003, Matthew D. Habash, President of Council / Approved as amended July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1624-2003

To authorize and direct the Public Service Director to enter into a contract for the Facilities Management Division with eS Architecture and Development for architectural services for Fire Station 34, to authorize the expenditure of \$32,500.00 from the Public Safety Voted Bond Fund, Fire Station #34 Project; and to declare an emergency. (\$32,500.00)

WHEREAS, there is a need to continue architectural services through the completion of construction of Fire Station #34; and
 WHEREAS, the Facilities Management Division solicited informal bids for final architectural services for Fire Station 34, and

WHEREAS, eS Architecture and Development was selected by the Facilities Management Division to continue this project through its completion; 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 enter into a contract for architectural services for Fire Station 34, 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 Public Service Director be and is hereby authorized and directed to enter into a contract with eS Architecture and Development for architectural services for Fire Station 34.

Section 2. That the expenditure of \$32,500.00, or so much thereof as may be necessary, be and is hereby authorized from the Safety Voted Bond Fund, Fund 701, Division of Fire No.30-04, Object Level One 06, Object Level Three 6682, OCA 644559, Fire Station #34 Project 340115.

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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1631-2003

To accept the application (AN03-007) of Mabel M. George, et al. for the annexation of certain territory containing 232.9± Acres in Plain Township.

WHEREAS, a petition for the annexation of certain territory in Plain Township was duly filed by Mabel M George, et al. on February 26, 2003; and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Franklin County, Ohio, and the annexation of said hereinafter described territory to the city of Columbus was approved by said Commissioners by order dated April 1, 2003; and

WHEREAS, the Board of County Commissioners of Franklin County certified the transcript of the proceedings in connection with the said annexation with the map and petition required in connection therewith to the City Clerk who received the same on May 15, 2003; and

WHEREAS, sixty days from the date of said filing have now elapsed in accordance with the provisions of the Ohio Revised Code; and

WHEREAS, it is in the best interest of the city of Columbus to accept the annexation of the territory sought to be annexed by the aforesaid petition; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the proposed annexation as applied for in the petition of Mabel M George, et al. being the majority of owner(s) of real estate in the territory sought to be annexed and filed with the Board of County Commissioners of Franklin County, Ohio February 26, 2003 in which said petition prayed for annexation to the city of Columbus, Ohio, of certain territory adjacent thereto as hereinafter described, and which said petition was approved for annexation to the city of Columbus by the Board of County Commissioners by order dated April 1, 2003, be and the same is hereby accepted and said territory is hereby annexed to the city of Columbus Said territory is described as follows:

Situated in the State of Ohio, County of Franklin, Township of Plain, located in Sections 4, 6 and 7, Quarter Township 2, Township 2, Range 16, 16, United States Military Lands, and being all of Tracts I, II, III and IV as conveyed to Mabel M George, Trustee et al 3, by deed of record in Instrument Number 200202060034876, all of the remainder of that 39.250 acre tract as conveyed to Kenneth R George et al 3 by deed of record in Instrument Number 19981200319343, and all of the remainder of that 82.65 acre tract conveyed to Carl L. and Ila M. Souder by deed of record in Official Record 32269B03 (all references refer to the records of the Recorder's Office, Franklin County, Ohio and more particularly bounded and described as follows:

Beginning at the southeasterly corner of Lot 105 of that subdivision entitled "Jo-El Acres" of record in Plat Book 46, Page 6, being an angle in the existing City of Columbus Corporation Line as established by Ordinance No 2647-96 of record in Official Record 34003C15;

thence northerly with an easterly line of said "Jo-El Acres," with said existing City of Columbus Corporation Line, a distance of approximately 857 feet to a northeasterly corner thereof in the southerly line of said 82.65 acre tract;

thence westerly with said southerly line, and said existing City of Columbus Corporation Line, a distance of approximately 700 feet to the southeasterly corner of that tract conveyed to Robert N Phillips;

thence northerly with the easterly line of said Phillips tract and the easterly line of that tract conveyed to Richard L and Marjorie Windle, a distance of approximately 2600 feet to a point in the southerly right-of-way line of Walnut Street;

thence easterly, with said southerly right-of-way line a distance of approximately 1355 feet to a point in the westerly line of that 1.044 acre tract conveyed to Christopher C. and Dawn A. Carroll;

thence southerly partly with the westerly line of said 1.044 acre tract and partly with the easterly line of that tract conveyed to Lois A English, a distance of approximately 2625 feet to the southwesterly corner thereof;

thence easterly with said southerly line a distance of approximately 1375 feet to the southeasterly corner thereof;

thence northerly with the easterly line of said English tract, a distance of approximately 772 feet to a corner thereof; the southwesterly corner of that tract as conveyed to Paul S. Hillenbrand;

thence easterly with the southerly line of said Hillenbrand tract and across the right-of-way line of said Harlem Road, a distance of approximately 793 feet to a point in the easterly right-of-way line of said Harlem Road;

thence northerly with said easterly right-of-way line, a distance of approximately 450 feet to a point;

thence westerly across Harlem Road, partly with the northerly line of that tract conveyed to Thomas G and Victoria A. Wilker, a distance of approximately 800 feet to the northwesterly corner thereof;

thence northerly with the westerly line of said English tract, a distance of approximately 1220 feet to a point in the southerly line of that 0.500 acre tract conveyed to Jane A. Lefebvre;

thence easterly with the southerly line of said 0.500 acre tract, a distance of approximately 99 feet to the southeasterly corner thereof;

thence northerly with the easterly line of said 0.500 acre tract, a distance of 201 feet to a point of said southerly right-of-way line of Walnut Street;

thence easterly with said southerly right-of-way line, a distance of approximately 1125 feet to a point in the westerly line of that tract as conveyed to Kevin B. and Valeria A. Karikomi;

thence southerly with said westerly line, a distance of approximately 302 feet to the northeasterly corner of that tract as conveyed to Jack A. Kemp;

thence westerly, partly with the northerly line of said Kemp tract and partly with the northerly line of that 1.009 acre tract conveyed to Earl W. and Thelma L. Kemp, a distance of approximately 981 feet to a point in the easterly right-of-way line of said Harlem Road;

thence southerly with said easterly right-of-way line, a distance of approximately 285 feet to a point;

thence westerly across the westerly line of Harlem Road, partly with the northerly line of said 2.368 acre tract conveyed to George E.

McMillin, a distance of approximately 321 feet to the northwesterly corner thereof;
 thence southerly with the westerly line of said 2.368 acre tract, a distance of approximately 417 feet to the southwesterly corner thereof;
 thence easterly, partly with the southerly line of said 2.368 acre tract and partly with the southerly line of said Kemp tract, a distance of approximately 512 feet to a point;
 thence with the southerly perimeter of said Kemp tract, the following courses and distances:
 easterly, a distance of approximately 302 feet to a point;
 easterly, a distance of approximately 61 feet to a point;
 northerly, a distance of approximately 96 feet to a point;
 southerly, a distance of approximately 290 feet to a point;
 northerly, a distance of approximately 220 feet to a point;
 easterly, a distance of approximately 59 feet to a point;
 northerly, a distance of approximately 62 feet to a point;
 northerly, a distance of approximately 69 feet to a point;
 northerly, a distance of approximately 117 feet to a point;
 northerly, a distance of approximately 90 feet to a point;
 easterly, a distance of approximately 94 feet to the southeasterly corner of said Kemp tract, in the westerly line of said Karikomi tract;
 thence southerly, with said westerly line, a distance of approximately 1070 feet to the southwesterly corner thereof in the northerly line of that tract as conveyed to Albert and Helen Vesner;
 thence westerly with said northerly line, a distance of approximately 804 feet to a point in the easterly right-of-way line of Harlem Road;
 thence northerly with said easterly right-of-way line, a distance of approximately 150 feet to a point;
 thence across said right-of-way line of Harlem Road and partly with the northerly line of that 1.670 acre tract conveyed to Charles L. Hastilow, a distance of approximately 537 feet to the northwesterly corner thereof;
 thence southerly, with said westerly line of said Hastilow tract, a distance of approximately 139 feet to the southwesterly corner thereof;
 thence easterly with said southerly line of said Hastilow tract, a distance of approximately 486 feet to a point in westerly right-of-way line of Harlem Road;
 thence southerly with said westerly right-of-way line, a distance of approximately 1385 feet to a point in the northerly line of that 4.548 acre tract conveyed to John N Cantela;
 thence westerly with the northerly line of said Cantela tract, a distance of approximately 886 feet to the northwesterly corner thereof;
 thence southerly, partly with the westerly line of said Cantela tract and partly with the westerly line of those tracts conveyed to Elmer R Duritsky (4.548 acre) and Vincent E. and Karen S. Golden (5.068 acre) a distance of approximately 473 feet to a corner of said Golden tract;
 thence westerly with a northerly line of said Golden tract, a distance of approximately 297 feet to a corner thereof;
 thence northerly with an easterly line of said Golden tract, a distance of 380 feet to a corner thereof;
 thence westerly with a northerly line of said Golden tract, a distance of approximately 66 feet to a corner thereof; a corner of that subdivision entitled "Jo-El Acres," an angle point in the existing City of Columbus Corporation Line established by Ordinance No.2647-96 of record in Official Record 34003C15;
 thence with the northerly perimeter of said "Jo-El Acres," said existing City of Columbus Corporation Line, the following courses and distances:
 northerly, a distance of approximately 101 feet to a point;
 northerly, a distance of approximately 105 feet to a point;
 northerly, a distance of approximately 120 feet to a point;
 westerly, a distance of approximately 105 feet to a point;
 northerly, a distance of approximately 311 feet to a corner thereof;
 westerly, a distance of approximately 1392 feet to the Point of Beginning and containing approximately 232.9 acres of land, more or less.
 Section 2. That the City Clerk is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition for annexation, a copy of the transcript of proceedings of the Board of County Commissioners relating thereto, and a certificate as to the correctness thereof; the City Clerk shall then forthwith deliver one copy to the County Auditor, one copy to the Board of Elections thereof and do such other things as may be required by law.
 Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law
 Passed July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO 1641-2003

To authorize and direct the Finance Director to establish a purchase order for the Fleet Management Division for the rebuilding of an Articulating Wheel Loader owned by the Sewerage & Drainage Division, to authorize and direct the expenditure of \$126,145.30 from the Fleet Maintenance Fund, to waive the competitive bidding requirements of the Columbus City Codes, and to declare an emergency (\$126,145.30)
 WHEREAS, BT- 16411, a Caterpillar Articulating Wheel Loader, is in need of a rebuilding, and
 WHEREAS, Ohio Cat is the Central Ohio Caterpillar authorized dealership, 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 establish a purchase order for the rebuilding of B~ 16411, 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 hereby is authorized and directed to issue a purchase order to Ohio Cat for the rebuilding of BT-16411, a Caterpillar Articulating Wheel Loader.
 Section 2. That the expenditure of \$126,145.30, or so much thereof as may be needed, is hereby authorized and directed to be expended from the Fleet Maintenance Fund, 513, Department No. 59-05, Object Level One 03, Object Level Three 3373, OCA Code 591347 to pay the cost thereof
 Section 3. That in accordance with Section 329.27 of the Columbus City Codes, City Council finds it to be in the best interest of the City of Columbus that the competitive bidding requirements of Section 329.06 of the Columbus City Codes be and are hereby waived.
 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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1658-2003

To authorize the Public Service Director to enter into a contract for the Facilities Management Division with Storts Excavation Inc. for renovation of a parking area at 120 West Gay Street, to authorize the expenditure of \$4 1,225.00 from the Facilities Management Capital Improvement Fund, and to declare an emergency (\$41,225.00)

WHEREAS, it is necessary to renovate the storm sewer located at 120 West Gay Street; and
 WHEREAS, formal competitive bids were opened on May 20, 2003; and

WHEREAS, an emergency exists in the usual daily operation of the Facilities Management Division, Public Service Department, in that it is immediately necessary to enter into contract with Storts Excavation Inc for renovation of a parking area at 120 West Gay Street, 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. The Public Service Director is hereby authorized to enter into a contract for the Facilities Management Division with Storts Excavation Inc for renovation of a parking area at 120 West Gay Street.

SECTION 2. That the expenditure of \$4 1,225.00, or so much thereof as may be necessary, is hereby authorized and approved as follows.

FROM	
Division:	59-07
Fund:	733
OCA Code:	643437
Object Level One:	06
Object Level Three:	6630
Project:	570030
Amount	\$41,225.00

SECTION 3. That for the reason 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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO 1666-2003

To authorize the Director of Finance to establish a purchase order with Gen-Probe for the purchase of chlamydia and gonorrhea test kits for the Health Department in accordance with sole source provisions; to authorize the expenditure of \$90,000 from the Health Special Revenue Fund and the Health Department Grants Fund; and to declare an emergency (\$90,000)

WHEREAS, the Health Department provides chlamydia and gonorrhea testing for patients of the STD Clinic and various other clinics in the City of Columbus; and,

WHEREAS, the Health Department is in need of DNA test kits to provide the chlamydia and gonorrhea testing; and,

WHEREAS, Gen-Probe is the sole supplier of DNA probe test kits; and,

WHEREAS, an emergency exists in the usual daily operation of the Health Department in that it is immediately necessary to enter into a contract with Gen-Probe 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 Director of Finance is hereby authorized to establish a purchase order with Gen-Probe for the purchase of chlamydia and gonorrhea test kits

SECTION 2. That the total expenditure of \$62,294 is hereby authorized from the Health Special Revenue Fund, Fund No 250, Department of Health, Department No. 50, Object Level One 02, Object Level Three 2293, OCA Code 502054.

SECTION 3. That the total expenditure of \$27,706 is hereby authorized from the Health Department Grants Fund, Fund No. 251, Department of Health, Department No.50, Object Level One 02, Object Level Three 2293, Grant Number 503003, OCA Code 503003.

SECTION 4. That this purchase is in accordance with the provisions of the Columbus City Code, Section329.07(e), "Sole Source Procurement"

SECTION 5. 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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO 1671-2003

To authorize and direct the Director of the Office of Education to accept a grant in the amount of \$10,000.00 and enter into an agreement with SBC for funding to purchase mobile community classroom lap top computers, to authorize an appropriation of \$10,000.00 from the unappropriated balance of the Education Private Grant Fund No. 291 to the Office of Education.(\$ 10,000.00)

WHEREAS, SBC has awarded the City of Columbus, Office of Education, a grant to purchase mobile community classroom lap top computers; and,

WHEREAS, it is necessary to accept said grant and appropriate said funds; now, therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Director of the Office of Education be and is hereby authorized and directed to accept a grant in the amounts of \$10,000.00 and enter into an agreement with SBC for the purchase of mobile community classroom lap top computers.

Section 2. That from the unappropriated monies in the Education Private Grant Fund Na 291, 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 December31, 2003, the sum of\$10,000.00 is appropriated to the Office of Education Department No.40-04, as follows:

Grant No.	OCA Code	Object Level	Amount
400002	400002	2193	\$10,000

Section 3. That the monies in the foregoing Section 2 shall be paid upon order of the Director of the Office of Education, 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 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law

Passed July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO 1674-2003

To authorize the City Attorney to acquire fee simple title and lesser interests, contract for professional services; to authorize the transfer and expenditure of \$89,000.00 from the Sewer System Permanent Improvements Fund; to amend the 2002 Capital Improvements Budget; in connection with the Big Walnut Sanitary Trunk Extension Project and the Hiawatha Park/Atwood Relief Sewer Project; and to declare an emergency (\$89,000.00)

WHEREAS, the Division of Sewerage and Drainage, Department of Public Utilities, has developed construction plans and specifications for the sanitary sewer improvement projects known as the Big Walnut Sanitary Trunk Extension, Part 2 Project and the Hiawatha Park/Atwood Relief Sewer Project; and

WHEREAS, in order to construct the aforementioned sanitary improvements it has been determined necessary for this City Council to authorize the City Attorney to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the professional services necessary to complete said acquisition; 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 authorize the transfer and expenditure of funds; to authorize the City Attorney to procure the required easements necessary to construct the aforementioned vital sanitary sewer improvements; and to amend the 2002 Capital Improvements; for the preservation of the public health, peace, property and safety; now, therefore:

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

Section 1. That the City Auditor is hereby authorized and directed to appropriate a total of \$89,000.00 from the Unallocated Balance of the Sewer System Permanent Improvements Fund No 671, Project Account 671999.

Section 2. That the City Auditor is hereby authorized and directed to transfer \$89,000.00 from within the Sewer System Permanent Improvements Fund No. 671, for the Division of Sewerage and Drainage as follows

FROM:		
671999-	Unallocated Balance-	\$89,000.00
TO:		
650033-	Big Walnut Sanitary Subtrunk-	\$69,000.00
650646-	Hiawatha Park/Atwood Relief Sewer-	\$20,000.00

Section 3. That the City Attorney be, and hereby is, authorized to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the professional services necessary in connection with the Big Walnut Sanitary Trunk Extension, Part 2 Project and the Hiawatha Park/Atwood Relief Sewer Project.

Section 4. That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the 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 the expenditure of \$89,000.00, or as much hereof as may be needed, be and the same hereby is authorized from the Sewer System Permanent Improvements Fund No 671; Division 60-05; within the following projects:

- Project No.650033; Big Walnut Sanitary Subtrunk; OCA Code 671033; \$69,000.00
- Project No.650646; Hiawatha Park/Atwood Relief Sewer; OCA 671646; \$20,000.00

Section 6. That the 2002 Capital Improvements Budget Ordinance No.1674-02 is hereby amended as follows, in order to provide sufficient budget authority for the aforementioned easement acquisition services as referenced in the preamble hereto.

CURRENT:		
650492-	Big Walnut Sanitary Trunk Extension-	\$875,000.00
650646-	Hiawatha Park/Atwood Relief Sewer-	\$2,151,112.00
AMENDED TO:		
650492-	Big Walnut Sanitary Trunk Extension-	\$944,000.00
650646-	Hiawatha Park/Atwood Relief Sewer-	\$235,112.00

Section 7. That the City Attorney be, and hereby is, authorized to expend \$69,000.00, or so much thereof as may be necessary, from the Sewer System Permanent Improvements Fund, in order to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the professional services necessary, in connection with the Big Walnut Sanitary Trunk Extension, Part 2 Project as follows:

Project # 650033; Dept./Div. 60-05; Fund# 671; Object Level Three; 6601; OCA Code 671033; Amount \$69,000.00

Section 8. That the City Attorney be, and hereby is, authorized to expend \$20,000.00, or so much thereof as may be necessary, from the Sewer System Permanent Improvements Fund, in order to acquire fee simple title and lesser interests in and to certain parcels of real estate and to contract for the professional services necessary, in connection with the Hiawatha Park/Atwood Relief Sewer Project as follows:

Project # 650646; Dept./Div. 60-05; Fund# 671; Object Level Three 6601; OCA Code 671646; Amount \$20,000.00

Section 9. 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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO 1677-2003

To authorize the Public Service Director to enter into a contract with Decker Construction Company for construction of the UIRF Traffic Calming 2003 project, to authorize the expenditure of \$756,053.00 from the Voted 1995, Voted 1999 Streets and Highways Fund for the Transportation Division, and to declare an emergency (\$756,053.00)

WHEREAS, bids were received and tabulated on June 19, 2003, for the UIRF Traffic Calming 2003 project; and

WHEREAS, a satisfactory bid has been received; and

WHEREAS, it is necessary to provide for construction inspection costs; and

WHEREAS, the low bid received was satisfactory as it pertains to the Responsible Contractor requirements; and

WHEREAS, an emergency exists in the usual daily operation of the Transportation Division, Public Service Department, in that the contract should be let immediately so that the work may proceed without delay, thereby preserving the public health, peace, 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 a contract with Decker Construction Company, 3040 McKinley Avenue, Columbus, Ohio 43204, for the construction of the UIRF Traffic Calming 2003 Project in the amount of \$661,250.00 for the Transportation Division in accordance with the specifications and plans on file in the office of the Public Service Director, which are hereby approved; to obtain and pay for the necessary inspection costs associated with the project up to a maximum of \$94,803 .00.

SECTION 2. That for the purpose of paying the cost of the contract and inspection, the sum of \$756,053.00, or so much thereof as may be needed, is hereby authorized to be expended from 1995, 1999 Voted Streets and Highways Fund, No. 704, for the Transportation Division, Dept/Div. 59-09, OCA Code 644385, Object Level Three 6631 and Project 440005.

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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO 1681-2003

To authorize the Public Service Director to enter into a contract for the Epoxy Pavement Markings -2003 project for the Transportation Division; to authorize the expenditure of \$61,662.92 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$61,662.92)

WHEREAS, bids were received and tabulated on May 29,2003, for the Epoxy Pavement Markings -2003 project; and

WHEREAS, the low bid received was satisfactory as it pertains to the Responsible Contractor requirements; and

WHEREAS, the City is in need of applying Epoxy Pavement Markings on its concrete bridge decks; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that the contract should be awarded 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 Public Service Director be and hereby is authorized to enter into a contract with Kneisel Contracting Corporation, 3461 Mustafa Drive, Cincinnati, Ohio 45241 for the Epoxy Pavement Markings - 2003 project in the amount of \$61,662.92 for the Transportation Division in accordance with the plans and specifications on file in the office of the Transportation Administrator, which are hereby approved.

SECTION 2. That for the purpose of paying the cost of the contract, the sum of \$61,662.92 or so much thereof as may be necessary is hereby authorized to be expended from the 1995, 1999 Voted Streets and Highways Fund, Fund 704, Department No. 59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6631, OCA Code 644385 and Project 530282 for the Epoxy Pavement Markings - 2003 project.

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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO 1685-2003

To authorize the Public Service Director to enter into a contract with G & G Cement Contractors for the 2003 On-Call Brick Rehabilitation project for the Transportation Division; to authorize the expenditure of \$55,000.00 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$55,000.00)

WHEREAS, bids were received and tabulated on June 12,2003, for the 2003 On-Call Brick Rehabilitation project; and

WHEREAS, a satisfactory and responsible bid was received; and

WHEREAS, it is necessary to provide funds for the cost of construction inspection; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that the contract should be awarded 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 Public Service Director be and hereby is authorized to enter into a contract with G & G Cement Contractors, 2489 Switzer Road, Columbus, Ohio 43219 for the 2003 On-Call Brick Rehabilitation project in the amount of \$50,000.00 in accordance with the plans and specifications therefore on file in the office of the City Engineer, which are hereby approved, and to obtain the necessary inspection costs and to pay up to a maximum of \$5,000.00 therefore.

SECTION 2. That for the purpose of paying the cost of the 2003 On-Call Brick Rehabilitation project contract and inspection costs, the sum of \$55,000.00 or so much thereof as may be needed, is hereby authorized to be expended from Fund 704, the 1995, 1999 Voted Streets and Highways Fund Transportation Division, Department No.59-09, Object Level One Code 06, Object Level Three Code 6631, OCA Code 644385 and Project 530282.

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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO 1700-2003

To authorize the Public Service Director to enter into an agreement with the Mid-Ohio Regional Planning Commission (MORPC) to assess and develop a strategic plan for the future of the Columbus Computerized Traffic Signal System for the Transportation Division, to authorize the expenditure of \$20,000.00 from the 1995, 1999 Voted Streets and Highways Fund, and to declare an emergency. (\$20,000.00)

WHEREAS, the Mid-Ohio Regional Planning Commission is conducting an assessment of the Columbus Computerized Traffic Signal System to determine current and future needs and develop a strategic plan for the future of this system; and

WHEREAS, it is necessary and critical to conduct this study to plan the future build-out of the Columbus Computerized Traffic Signal System; and

WHEREAS, the City has agreed to participate in the funding of this project in the amount of \$20,000.00; and

WHEREAS, an emergency exists in the usual daily operation of the Transportation Division, Public Service Department, in that it is immediately necessary to enter into an agreement with the Mid-Ohio Regional Planning Commission to conduct an assessment of the Columbus Computerized Traffic Signal System, 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 hereby is authorized and directed to enter into an agreement with the Mid-Ohio Regional Planning Commission to conduct an assessment of the Columbus Computerized Traffic Signal Assessment project

SECTION 2. That the expenditure of \$20,000.00, or so much thereof as may be necessary, be and is hereby authorized from the 1995, 1999 Voted Streets and Highways Fund, Fund 704, Department No.59-09, Transportation Division, as follows:

Project No.	Project	O.L. 01/O.L. 03 Codes	OCA Code
530161	Roadway Improvements	06/6631	644385

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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1703-2003

To authorize the Director of the Department of Development to enter into a Columbus Downtown Office Incentive Program agreement with CityNet as provide in Columbus City Council Resolution 144X-02 adopted July 22, 2002.

WHEREAS, the City desires to increase employment opportunities and encourage establishment of new jobs in the City in order to improve the overall economic climate of the City and its citizens; and

WHEREAS, Resolution 144X-02, adopted July 22, 2002, authorized the Department of Development to establish the Columbus Downtown Office Incentive program; and

WHEREAS, The Department of Development has received a completed application for the Columbus Downtown Office Incentive Program from CityNet; and

WHEREAS, CityNet estimates that it will create 110 new jobs at 343 North Front Street, with a projected payroll of \$11,000,000 generating estimated City of Columbus income tax revenue of \$220,000 annually; 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 the Columbus Downtown Office Incentive Program agreement with CityNet, pursuant to Columbus City Council Resolution 144X-02, for an annual cash payment equal to 50% of the total income tax withholding for the new positions located in downtown Columbus for a term of five (5) years based on the estimated addition of 110 jobs at 343 North Front Street.

Section 2. This employment at CityNet is the result of relocating 110 new jobs to the Downtown as defined in Columbus City Code Title 33 Section 3359.03 downtown district boundary.

Section 3. As provided in the program guidelines the proposed ten(10) year lease qualifies CityNet for a five (5) year incentive term. The term beginning in calendar year 2004, with the incentive payment made in the first quarter of the following year based on actual City of Columbus income tax withholding paid by employees for the preceding year

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

Passed July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1709-2003

To authorize the Board of Health to enter into a revenue contract with the Franklin County Department of Job and Family Services for the provision of home visiting services to their Title XX Program, in an amount not to exceed \$516,537.00, and to declare an emergency. (\$516,537)

WHEREAS, the Franklin County Department of Job and Family Services has a need for home health services for their Title XX Program; and

WHEREAS, the City's Community Health Division wishes to continue their efforts to provide needed home health services; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to enter into a revenue contract with Franklin County Department of Job and Family Services 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 Board of Health is hereby authorized and directed to enter into a revenue contract with the Franklin County Department of Job and Family Services for their Title XX Program, in an amount not to exceed \$516,537.00, for the period July 1, 2003 through June30, 2004.

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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1710-2003

To rezone 4049 LIVINGSTON AVENUE (43227), being 0.50± acres located on the south side of Livingston Avenue, 100± feet east of Streible Road, From: C-3, Commercial District, To: CPD, Commercial Planned Development District and to declare an emergency. (Rezoning # Z03-027)

WHEREAS, application #Z03-027 is on file with the Building Services Division of the Department of Development requesting rezoning of 0.50± acres from C-3 Commercial District to CPD, Commercial Planned Development District; and

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

WHEREAS, the City Departments recommend approval of said zoning change because the requested CPD, Commercial Planned Development District would allow redevelopment of the site with a drive-thru only restaurant The proposed CPD text establishes development standards consistent with the zoning and development patterns of the area and;

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to pass this ordinance an emergency measure because of the need to begin construction as soon as possible 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 Official Zoning Map of the City of Columbus, as adopted by Ordinance No 0179-03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows

4049 LIVINGSTON AVENUE (43227), being 0.50± acres located on the south side of Livingston Avenue, 100± feet east of Streible Road, and being more particularly described as follows:

Situated in the County of Franklin in the State of Ohio and in the City of Columbus and bounded and described as follows

Being a part of Half Section 34, Section 20, Township 12, Range 21, Refugee Lands, beginning at a point in the center line of East Livingston Avenue, and in the north line of said Half Section 34, Section 20, Township 12, Range 21, Refugee Lands 225 feet west from the northeast corner of said half section; thence southerly in a straight line parallel to the east line of said half section 230 feet to a point; thence westerly in a straight line parallel to the north line of said half section 100 feet to a point; thence northerly in a straight line parallel to the east line of said half section 230 feet to a point in the center line of said East Livingston Avenue; thence in the center line of said East Livingston Avenue easterly 100 feet to the place beginning, containing approximately one half of an acre of land

EXCEPTING THEREFROM the following described real estate:

Being the northerly 10 feet of a 0.50 acre tract of land, said 0.50 acre tract of land being described in a deed to Henry A Justus of record in Deed Book No.1091, page 71, Franklin County, Ohio Deed Records, said 10 foot strip being adjacent to and parallel with the south line of Livingston Avenue (30 feet south of center line) and extending eastwardly 100 feet, more or less, from the east line of a tract of land owned by Oakla E Brown (et al), to the west line of a tract of land owned by Frank X. and Ida Resch, and the part to be acquired being further identified as Parcel No 16 shown on Sheet 2 of the right-of-way plans for the improvement of Livingston Avenue from Courtright Road to Hamilton Road, Drawing No C-1 852, Dr. D, on file in the office of the Chief Engineer, City of Columbus, Ohio, and also as being part of Franklin County, Ohio Auditors Parcel No.118463 and containing 1,000 square feet, more or less.

**To Rezone From: C-3 Commercial 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 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, "PRELIMINARY SITE PLAN", and text titled, "CPD TEXT", both signed by Jeffrey L Brown, Attorney for the Applicant, and dated July 1, 2003, and the text reading as follows:

CPD TEXT

PROPOSED DISTRICT: CPD, Commercial Planned Development
PROPERTY ADDRESS: 4049 East Livingston Avenue
OWNER: Wendy's International Inc.
APPLICANT: Wendy's International Inc.
DATE OF TEXT: 7/1/03
APPLICATION NUMBER: Z03-027

1. INTRODUCTION: The site contains an existing restaurant which the applicant wants to demolish and then rebuild with a new facility.
2. PERMITTED USES: Those uses permitted in Section 3355.03, C-3 Permitted Uses of the Columbus City Code and a drive-thru only restaurant
3. DEVELOPMENT STANDARDS: Unless otherwise indicated in this text or the Site Plan, the development standards for C-3, as contained in Chapter 3355 of the Columbus City Code shall apply.
 - A. Density, Lot, and/or Setback Commitments: N/A
 - B. Access, Loading, Parking, and/or Other Traffic Related Commitment~
 1. All circulation, curb cuts and access points shall be subject to the approval of the Division of Transportation
 - C. Buffering, Landscaping, Open Space, and / or Screening Commitments
 1. The developer shall install one shade tree for each 40 feet of frontage (grouped or spaced), along East Livingston Avenue.
 2. For all parking areas along East Livingston Avenue, a minimum screening height of 130 inches (60 inches maximum) shall be maintained along this frontage for the shielding of auto headlights as measured from the elevation of the nearest section of an adjacent parking area Such screening can be accomplished by the use of mounding, or landscaping material
 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 Shade trees 2½" caliper; Ornamental trees 1½" caliper; Evergreen trees 5 feet in height Tree caliper is measured six (6) inches from the ground
 - D. Building Design and/or Interior-Exterior Treatment Commitments: N/A

- E. Lighting, Outdoor Display Areas, and/or other Environmental Commitments
1. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturers type to insure compatibility.
 2. Accent lighting shall be permitted provided such light source is concealed from adjacent right-of-way.
 3. Any wall-mounted lighting shall be shielded to prevent offsite spillage
 4. Light poles in the parking lot shall not exceed 28 feet in height and for those light poles within 100 feet of residentially zoned property the developer shall have light shields.
 5. Any new light poles shall not exceed 18 feet in height within 100 feet of residentially zoned property or .1 foot-candle light output when measured horizontally at ground level at the property line
- F. Graphics and/or Signage Commitments.
1. The existing pylon sign shall remain as is.
 2. All other graphics and signage shall comply with the Graphics Code, Article 15, Title 33 of the Columbus City Code as it applies to C-3 and any variance to those requirements will be submitted to the Columbus Graphics Commission for consideration.
- G. Miscellaneous Commitments
- A. CPD Criteria
1. Natural Environment The site is developed with a restaurant
 2. Existing Land Use: Commercial uses to the east, south and west; residential to the north across East Livingston Avenue.
 3. Proposed Use: Commercial
 4. Transportation and Circulation: Access will be from East Livingston Avenue
 5. Visual Form of the Environment The visual form of the development will be established at the time of construction
 6. View and Visibility: View and visibility of the development shall be determined at the time of construction
 7. Emissions: No adverse emissions are expected from this development
- B. Variances
1. The lot width is reduced from 120 feet to 100 feet
 2. Reduce the required number of parking spaces from 19 to 18.

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 as amended July 21, 2003, Matthew D. Habash, President of Council / Approved as amended July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1713-2003

To rezone 1231 BROOKWOOD PLACE (42209), being 5.7± acres located on the west side of College Avenue, 1050± feet south of East Livingston Avenue, From L-AR-3, Limited Apartment Residential District and R-3, Residential District, To L-AR-3, Limited Apartment Residential District (Z03-029).

WHEREAS, application #Z03-029 is on file with the Building Services Division of the Department of Development requesting rezoning of 5.7± acres from L-AR-3, Limited Apartment Residential District and R-3, Residential District to L-AR-3 Limited Apartment Residential District, and

WHEREAS, the Development Commission recommends approval of said zoning change and

WHEREAS, the City Departments recommend approval of said zoning change because now, therefore
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

Section 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No 0179-03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows

LEGAL DESCRIPTION

TRACT I

Situate in the State of Ohio, County of Franklin, City of Columbus and being part of Reserve A Berwick, as the same is shown of record in Plat Book 19, pages 25, 26, and 27, Recorders Office, Franklin County, Ohio and being more particularly described as follows:

For reference, beginning at a point in the westerly line of Brookwood Place, same point being the northeasterly corner of Lot No. 1171 of said Berwick, as the same is shown of record in Plat Book 19, pages 25, 26, and 27 of the aforementioned records; thence from said beginning point and along a curve to the right with a radius of 1244 ft. and along the westerly line of Brookwood Place, the chord of which bears N 58 deg. 40" W. a distance of 156.22 ft. to a point at the end of said curve; thence N. 40 deg. 00" W. and along the line tangent to the last mentioned curve along the westerly line of Brookwood Place, a distance of 140.0 ft. to a point at the beginning of a curve; thence with said curve to the right having a radius of 1840 ft. and along the westerly line of Brookwood Place, a radius of 1840 ft. and along the westerly line of Brookwood Place, the long chord of which bears N 29 deg. 45' W. a distance of 654.82 ft. to a point at the end of said curve; thence N. 19 deg. 30" W. and along the line tangent to the last mentioned curve and along the westerly line of Brookwood Place, a distance of 436.30 ft. to a point at the beginning of a curve; thence with said curve to the right having a radius of 271 ft. and along the westerly line of Brookwood Place, the long chord of which bears N 6 deg. 23" 08" W. a distance of 122.98 ft. to the point of beginning of the herein described, said point also being the northeasterly corner of a certain 2.177 Acre Tract; thence from said point to true beginning, S 78 deg. 47' 39" W. and along the northerly line of the said 2.177 Acre Tract a distance of 641.43 ft. to a point in the centerline of Alum Creek and in the westerly line of the aforementioned Reserve A, said point also being the northwesterly corner of the above mentioned 2.177 Acre Tract; thence N. 50 deg. 28' 40" W. and along the centerline of Alum Creek and the westerly line of said Reserve A a distance of 446.15 ft. to a point thence N. 88 deg. 49" E. and along the northerly line of said Reserve A, a distance of 1056.17 ft. to a point at the northeasterly corner of said Reserve A and in the westerly line of Brookwood Place; thence along a curve to the right having a radius of 218 ft. and along the westerly line of Brookwood Place, the long chord of which bears S 28 deg. 28' W. a distance of 64.7 ft. to a point at the end of said curve; thence along a curve to the left having a radius of 271 ft. and along the westerly line of Brookwood Place, the long chord to which bears S 21 deg. 51' 50" W. a distance of 141.51 ft. to the place of beginning, containing 4.692 acres, more or less; subject to all easements and restrictions shown of record, and part of Brookwood Place vacated adjacent (Ordinance 1443-63).

TRACT 2

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Reserve A of Berwick, as same is delineated upon the recorded plat thereof, of record in Plat Book 19, Page 25, Recorders Office, Franklin County, Ohio, and being part of the 2.0928 acre tract conveyed to Aryeh Gorenstein as shown of record in Official Record 19812-1-10, said Recorders Office, and being more particularly described as follows Commencing at found iron pin at the northeast corner of said 2.0928 acre tract. a southeast corner of an original 4.692 acre tract conveyed to Columbus Jewish Federation (Deed Book 3440. Page 341) and in the westerly right-of-way line of Brookwood Place (60 feet wide);

Thence, along part of the northerly line of said 2.0928 acre tract and part of the southerly line of said 4.692 acre tract, South 79 degrees 20 minutes 52 seconds West, 193.00 feet to a set iron pin at the TRUE POINT OF BEGINNING of this description;

Thence, across said 2.0928 acre tract, South 24 degrees 11 minutes 50 seconds West, 213.05 feet to a point in the westerly line of said 2.0928 acre tract and in the center of Alum Creek (passing a reference iron pipe set at 100.00 feet);

Thence, along part of the westerly line of said 2.0928 acre tract and said centerline of Alum Creek. North 77 degrees 39 minutes 05 seconds West, 300.17 feet to an angle point;

Thence, continuing along the westerly line of said 2.0928 acre tract and said centerline of Alum Creek, North 50 degrees 32 minutes 06 seconds West, 75.00 feet to a point at the northwest corner of said 2.0928 acre tract, and the southwest corner of said 4.692 acre tract,

Thence, along part of the northerly line of said 2.0928 acre tract and part of the southerly line of said 4.692 acre tract, North 79 degrees 20 minutes 52 seconds East, 446.13 feet to the place of beginning CONTAINING 1.013 ACRES, (passing a found iron pipe at 139.14 feet) subject however, to all legal, highways, easements, leases and restrictions of record, and of records in the respective utility offices.

The foregoing description was based on a Boundary Survey made by Albert H Andrews, P.S. #5669, in December, 1983. Iron pins set are 30" x 1" (O.D.) with an orange plastic cap inscribed P.S. 6579". Basis of bearings is the southerly line of said 4.692 acre tract held as South 79 degrees 20 minutes 52 seconds West.

**To Rezone From: L-AR-3, Limited Apartment Residential District and R-3, Residential District,
To: L-AR-3, Limited Apartment Residential District**

Section 2. That a Height District of One Hundred Ten (110) feet is hereby established on the LAR-3, Limited Apartment Residential 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 L-AR-3, Limited Apartment Residential District and Application among the records of the Building Services Division as required by Section 3370.03 of the Columbus City Codes; said text being titled, "LIMITATION TEXT", signed by Jeffrey Brown, Attorney for the applicant, dated June 30, 2003, and reading as follows:

LIMITATION OVERLAY TEXT

PROPOSED DISTRICT:	L-AR-3
PROPERTY ADDRESS:	1231 Brookwood Place
OWNER:	Columbus Jewish Federation et al
APPLICANT:	Columbus Jewish Federation
DATE OF TEXT:	6/30/03
APPLICATION NUMBER:	Z03-029

1. INTRODUCTION: The rezoning request expands the original site which was zoned in 1990.
2. PERMITTED USES: These uses permitted in Section 3333.03 (AR-3) of the Columbus City Code.
- 3 DEVELOPMENT STANDARDS: Unless otherwise indicated in the written text, the applicable development standards are contained in Chapter 3333 of the Columbus City Code.

A. Density, Lot, and/or Setback Commitments

1. Maximum number of dwelling units shall be 82 units.

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

1. There shall be no access to Brookwood Place for this site.

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

1. The trees between the floodway line and the property' line shall remain in their natural state subject to utility crossings, bike path and sound forestry management This restriction shall not apply to the cleaned mound area within the floodway

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

N/A

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

N/A

F. Graphics and/or Signage Commitments

N/A

G. Miscellaneous Commitments

1. The applicant has agreed to provide pedestrian and bike access from the bridge that crosses Alum Creek thru the site to College Avenue. The exact location of the access shall be negotiated between the applicant and the City's Recreation and Parks Department

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

Passed July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1719-2003

To authorize the Director of Finance to establish a purchase order with Amerisource Corporation for the purchase of various pharmaceuticals for the Health Department; to authorize the expenditure of \$80,000 from the Health Special Revenue Fund to pay the cost thereof; and to declare an emergency (\$80,000)

WHEREAS, the Health Department maintains supplies of various medications for its Tuberculosis patients; and,

WHEREAS, a universal term contract has been established with Amerisource Corporation for the purchase of pharmaceuticals; and,

WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to establish a purchase order with Amerisource Corporation 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 Director of Finance is hereby authorized to establish a purchase order with Amerisource Corporation for the purchase of various pharmaceuticals

SECTION 2. That the expenditure of \$80,000 is hereby authorized from the Health Special Revenue Fund, Fund No 250, Department of Health, Division No.50-01, Object Level One 02, Object Level Three 2207, OCA 501882.

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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1730-2003

To authorize the Public Service Director to enter into a contract with G & G Cement Contractors for construction of the Long Street and Mt. Vernon Ave. @ 17th St. Project; to authorize the expenditure of \$448,740.44 from the Voted 1995, Voted 1999 Streets and Highways Fund for the Transportation Division; and to declare an emergency (\$448,740.44)

WHEREAS, bids were received and tabulated on June 26, 2003, for the Long Street and Mt. Vernon Ave. @ 17th St. Project; and

WHEREAS, a satisfactory bid has been received; and

WHEREAS, it is necessary to provide for construction inspection costs; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that the contract should be let immediately so that the work may proceed without delay, thereby preserving the public health, peace, 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 a contract with G & G Cement Contractors, 2849 Switzer Avenue, Columbus, Ohio 43219, for the construction of the Long Street and Mt. Vernon Ave. @ 17th St. Project in the amount of \$375,082.94 for the Transportation Division in accordance with the specifications and plans on file in the office of the Public Service Director, which are hereby approved; to obtain and pay for the necessary inspection costs associated with the project up to a maximum of \$73,657.50 therefore.

SECTION 2. That for the purpose of paying the cost of the contract and inspection, the sum of \$448,740.44, or so much thereof as may be needed, is hereby authorized to be expended from 1995, 1999 Voted Streets and Highways Fund, no. 704, for the Transportation Division, Dept / Div. 59-09, OCA Code 644385, Object Level Three 6631 and project 440005

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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1732-2003

To authorize and direct the Director of Recreation and Parks to accept a grant in the amount of \$121,766.00 and enter into agreements with the State of Ohio - Department of Natural Resources Nature works program, for improvements to Sills Park , to authorize an appropriation of \$121,766.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department, and to declare an emergency (\$121,766.00)

WHEREAS, the State of Ohio - Department of Natural Resources Nature works program, have awarded the City of Columbus, Recreation and Parks Department, a grant for improvements to Sills Park; and

WHEREAS, it is necessary to accept said grant and appropriate said funds; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to accept and appropriate said grant funds 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 accept grants in the amount of \$121,766.00 and enter into agreements with the State of Ohio- Department of Natural Resources Nature works program, for improvements to Sills Park

SECTION 2. That from the unappropriated monies in the Recreation and Parks Grant Fund No 286, 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, 2003, the sum of \$121,766.00 is appropriated to the Recreation and Parks Department, Department No.51-01, as follows:

Fund Type; Grant, Dept No.; 51-01, Fund No.; 286, Grant No.; 513026, Obj Lvl 3; 6621, OCA Code; 513026, Amount; \$121,766.00

SECTION 3. That the monies in the foregoing Section 2 shall be paid upon order of the Director of Recreation and Parks, 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 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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1739-2003

To authorize the Director of the Recreation and Parks Department to execute those documents, as requested by Columbia Gas of Ohio, Inc., necessary to grant a perpetual non-exclusive easement in, under, across, over and through certain City owned real property located in the vicinity of Sancus Boulevard and Brockwell Drive and to declare an emergency

WHEREAS, The City of Columbus is the owner of certain real property located in the vicinity east of Sancus Boulevard and Brockwell Drive, more fully describe in the body of this legislation; and

WHEREAS, Columbia Gas of Ohio, Inc., desires to tie into an existing gas main within the Worthington Glen Condominiums and extend that line to provide service to the Lazelle Community Center; and

WHEREAS, the gas line will cross the aforementioned City owned real property and therefore Columbia Gas of Ohio, Inc., has requested they be granted a perpetual easement; and

WHEREAS, after investigation, it has been determined that the granting of a perpetual easement will not adversely affect the City, and will provide service to a proposed City Recreation Center and should be granted at no charge and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, that it is immediately necessary to authorize the Director of the Recreation and Parks Department to execute those instruments prepared by the Real Estate Division, Department of Law, necessary to grant a perpetual non-exclusive easement in, under, across, over and through certain real property located in the vicinity of Sancus Boulevard and Brockwell Drive 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 the Recreation and Parks Department be and hereby is authorized to execute those documents prepared by the Department of Law, Real Estate Division necessary to grant a perpetual nonexclusive easement in, under, across, and through the following described real property, for so long as said easement is used for the purposes herein mentioned, to install, construct, reconstruct, operate, maintain, repair and

remove a gas pipeline and appurtenance thereto (the "improvement"):

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 1, Township 2, Range 18, United States Military Lands. Being part of a 14.396 acre tract of land as conveyed to City of Columbus, Ohio, as recorded in Inst 199906080144687 and also being part of a 39.152 acre tract of land as conveyed to City of Columbus, Ohio, as recorded in O.R. 28345, G-14. All references to records being on file in the Office of the Recorder, Franklin County, Ohio

Beginning at a point at the intersection of the North line of said 14.396 acre tract with the Southwest corner of said 39.152 acre tract, and being the True Place Of Beginning:

Thence, along the West line of said 39.152 acre tract, N 03° 12' 41" E, a distance of 100.00 feet to a point;

Thence, with the next (2) new lines crossing said 39.152 acre tract, S 86° 56' 01" E, a distance of 20.00 feet to a point;

Thence S 03° 12' 41" W, a distance of 100.00 feet to a point on the North line of said 14.396 acre tract;

Thence, with the North line of said 14.396 acre tract also being the South line of said 39.152 acre tract, S 86° 56' 01" E, a distance of 205.00 feet to a point;

Thence, with the next (3) new lines crossing said 14.396 acre, S 03° 12' 41" W, a distance of 20.00 feet to a point;

Thence N 86° 56' 01" W, a distance of 225.00 feet to a point;

Thence N 03° 12' 41" E, a distance of 20.00 feet to said True Point Of Beginning, and containing 6,500.02 square feet (0.149 acres) of land.

For purposes of this description, the bearings were based upon the North line of said 14.396 acre tract as being S 86° 56' 01" E.

Prior Instrument Reference: Instrument Number 199906080144687, O.R. Vol.28345, Pg. G-14,

Recorder's Office, Franklin County, Ohio

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 passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes the same

Passed July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1743-2003

To authorize the Safety Director to renew and modify an existing contract with Sagem Morpho, Inc for the Division of Police for the continuation of maintenance support, and to authorize the expenditure of \$176,181.32 for the Division of Police from the General Fund, and to declare an emergency. (\$176, 181.32)

WHEREAS, the Division of Police purchased an Automated Identification Management System (AIMS) by means of a Request For Proposal (RFP) process in March, 1992 and subsequent maintenance support contract from Sagem Morpho, Inc.; and

WHEREAS, the accurate and continual operation of the AIMS system is critical to police identification and investigations; and

WHEREAS, the term of the maintenance contract expired February 28, 1999, and the Division of Police renewed the contract (ord. #1245-99, passed 6-7-99) to provide another 5, 1-year terms; and

WHEREAS, the Division wants to purchase the fifth and final 1-year maintenance term allowable under the current maintenance contract; and

WHEREAS, funds from the Division of Police 2003 General funds comprise this purchase and those funds have been budgeted and appropriated; and

WHEREAS, an emergency exists in the usual operation of the Division of Police, Department of Public Safety, in that the 4 maintenance term has expired and it is immediately necessary to purchase the fifth maintenance term for the continuation of system maintenance and support 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 Safety Director be and is hereby authorized to purchase the fifth maintenance term from Sagem Morpho, Inc. in the total amount of \$176,181.32, for the Division of Police, Department of Safety.

Section 2. That the expenditure of \$176,181.32 or so much thereof as may be needed, be and the same is hereby authorized is follows:

Division	Fund	Obj. Lev. 1	Obj. Lev 3	OCA	Amount
30-03	010	03	3372	300798	\$176,181.32

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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1746-2003

To authorize and direct the Director of Recreation and Parks to modify the purchase contract to purchase 32,772.30 SF of property between Spring and Long Streets for the development of North Bank Park. Increase auditor's certificate AC#020432, to authorize the expenditure of \$99,818.00 from the Recreation and Parks Grant Fund, and to declare an emergency. (\$99,818.00)

WHEREAS, it is necessary to modify the purchase contract for property between Spring and Long Streets for the development of North Bank Park; 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 purchase contract and increase Auditor's Certificate AC#020432 for land purchase for development of North Bank Park in accordance with purchase agreement on file in the City of Columbus Real Estate Department

SECTION 2. That the expenditure of \$99,818.00, or so much thereof as may be necessary, be and is hereby authorized from the Recreation and Parks Grant Fund, as follows, to pay the cost thereof

Fund Type; Grant, Dept No.; 51-01; Fund No.; 286, Grant No.; 510206, Obj Lvl 3; 6601, OCA Code; 510206; Amount; \$99,818.00

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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1747-2003

To authorize the Director of Public Utilities to enter into a lease agreement for the Division of Sewerage and Drainage for the lease of City-owned land, just south of the Southerly Wastewater Treatment Plant on US. Route 23, for agricultural purposes with JRS Farms. (\$0)

WHEREAS, proposals were received by the Division of Sewerage and Drainage on June 25, 2003 and the highest bid was received from JRS Farms, 10060 State Route 762, Orient, Ohio 43146; and,

WHEREAS, there is approximately three hundred and nine (309) acres, more or less, of City-owned tillable cropland, located approximately 1/2 mile south of State Route 665, between State Route 104 and U.S. Route 23, not necessary to the Division of Sewerage and Drainage at this time; and,

WHEREAS, the property will be used for agricultural purposes from January 1, 2004 to and including December 31, 2008 on a year to year basis; now, therefore,

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

Section 1. That the Director of Public Utilities is hereby authorized to enter into a five(S) year lease agreement with JRS Farms for the lease of approximately three-hundred and nine (309) acres, more or less, of City-owned tillable cropland, located approximately 1/2 mile south of State Route 665, between State Route 104 and U.S. Route 23, for agricultural purposes for a total lease amount of a five (5) year period of \$154,994.40, due in six equal payments of \$15,499.44 due on or before March 15 and October 15 of each year.

Section 2. That in consideration for the same, JRS Farms will pay to the Division of Sewerage and Drainage the sum of \$154,994.40 to be deposited into the Sewerage System Operating Fund 650.

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

Passed July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1753-2003

To authorize and direct the Director of Recreation and Parks to enter into a revenue generating contract with Summit Vision, Inc. for a high ropes course at Walnut Bluffs Campground area at Hoover Reservoir and to declare an emergency

WHEREAS, on June 13, 2003, the Recreation and Parks Department received only one bid for the revenue generating contract for High ropes course at Walnut Bluffs Campground area at Hoover Reservoir; and

WHEREAS, the revenue generating contract will be awarded to the sole bidder; now, therefore

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

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

SECTION 1. That the Director of the Recreation and Parks Department be and is hereby authorized and directed to enter into a revenue generating contract with Summit vision, Inc for a high ropes course at Walnut Bluffs Campground area at Hoover Reservoir, for a multiyear term beginning Aug 15th, 2003, in accordance with specifications on file in the Recreation and Parks Department

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 its passage if the Mayor neither approves nor vetoes the same

Passed July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1763-2003

To authorize the Director of the Recreation and Parks Department to execute those documents necessary to purchase approximately 9.75 acres of land along Big Walnut Creek, South of Nafzger Park and North of Helsel Park, to pay all costs associated with the purchase of said land, to authorize the expenditure of \$79,100.00 from the Voted 1995 and 1999 Parks and Recreation Bond Fund, and to declare an emergency. (\$29,100.00)

WHEREAS, the City of Columbus desires to purchase 9.75 acres of land along Big Walnut Creek, South of Nafzger Park and North of Helsel Park; and

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

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

SECTION 1. That the Director of the Recreation and Parks Department be and is hereby authorized and directed to enter into a contract to purchase approximately 9.75 acres of land along Big Walnut Creek, South of Nafzger Park and North of Helsel Park.

SECTION 2. That the expenditure of \$29,100.00, or so much thereof as may be necessary, be and is hereby authorized from the Voted 1995 and 1999 Parks and Recreation Bond Fund No.702, as follows, to pay the cost thereof

Fund Type; Cap. Improv., Dept No.; 51-01; Fund No.; 702, Project No.; 510112, Obj Lev. 3.; 6601, OCA Code; 644526, Amount; \$29,100.00

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 its passage if the Mayor neither approves nor vetoes the same

Passed July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1764-2003

To authorize the Board of Health to enter into a revenue contract with the Franklin County Children Services for the provision of home visiting services to their Family Ties Program, in an amount not to exceed \$115,580.00, and to declare an emergency. (\$115,580.00)

WHEREAS, the Franklin County Children Services has a need for home health services for their Family Ties Program; and,
 WHEREAS, the Maternal and Child Health Division wish to continue their efforts to prevent child abuse and neglect; and,
 WHEREAS, an emergency exists in the usual daily operation of the Columbus Health Department in that it is immediately necessary to enter into a revenue contract with Franklin County Children Services 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 Board of Health is hereby authorized and directed to enter into a revenue contract with the Franklin County Children Services for their Family Ties Program in an amount not to exceed \$115,580.00 for the period July 1, 2003 through June30, 2004

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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1765-2003

To authorize the transfer and expenditure of \$94,316.45 within the Voted 1995 and 1999 Recreation and Parks Bond Fund, to authorize the expenditure of \$24,533.55 from the Recreation and Parks Voted 1995 and 1999 Bond Fund for Spindler Road Park, Phase II development, and to declare an emergency (\$118,850.00)

WHEREAS, bids were received by the Recreation and Parks Department on July 1, 2003, and the contract for the Spindler Road Park: Phase II development Project will be awarded on the basis of the lowest and best responsive and responsible bidder; now, therefore

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to transfer and expend these funds 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 purchase of labor, materials and equipment is necessary for the Spindler Road Park Phase II development Project within the Recreation and Parks Department

SECTION 2. That the transfer of \$94,316.45 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 various park and playground improvement projects for the Recreation and Parks Department, as follows:

FROM:

Fund No.; 702, Dept. No.; 51-01, OCA Code; 644526, Project; 510035, Project Name; Facilities Improvements, Object Level 3; 6620 Amount; \$94,316.45

TO:

Fund No.; 702, Dept. No.; 51-01, OCA Code; 644526, Project; 510017, Project Name; Park and Playground Improvements, Object Level 3; 6620, Amount; \$94,316.45

SECTION 3. That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with Storts Excavation, for the Spindler Road Park: Phase II Development Project, in accordance with plans and specifications on file in the Recreation and Parks Department

SECTION 4. That the expenditure of \$1 18,850.00, 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; Cap. Improv., Dept. No.; 51-01, Fund No.; 702, Project No.; 510017, Obj Lev. 3; 6621, OCA Code; 644526, Amount; \$118,850.00

SECTION 5. That for the purpose of paying for any contingencies which may occur during this project, the amount of \$10,000.00 has been included in Section 4, above. This amount will be expended only after approval by the Director of the Recreation and Parks Department, certification by the City Auditor, and approval of the City Attorney

SECTION 6. 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 7. 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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1767-2003

To authorize the Director of Public Utilities and the Fishel Company to enter into a Full and Final Release, regarding damage to the 30" water line under the railroad tracks along Snouffer Road, for the Division of Water, and to declare an emergency.

WHEREAS, the Fishel Company damaged a 30" water line under the railroad tracks on Snouffer Rd, and

WHEREAS, the CSX Railroad had to close tracks while temporary repairs were made, possibly billing us several million dollars for down time, and

WHEREAS, the Department of Public Utilities, Division of Water invoiced Fishel Co. for these water line repairs, in which Fishel Co. invoiced the Division for repairs to our water lines they insist were not previously located, and

WHEREAS, Fishel Co. has proposed a "Full and Final Release" whereas both parties would void said invoices, and Fishel Co. would assume responsibility for any future claims levied by the railroad, and

WHEREAS, an emergency exists in the usual daily operation of the Division of Water, Department of Public Utilities, in that it is immediately necessary to authorize the Director of Public Utilities to enter into a Full and Final Release with the Fishel Company, regarding damage to the 30" water line under the railroad tracks along Snouffer Road, for the immediate 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 Public Utilities be and is hereby authorized to enter into a Full and Final Release with the Fishel Company, regarding damage to the 30" water line under the railroad tracks along Snouffer Road, for the Division of Water, Department of Public Utilities.

Section 2. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this Ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1769-2003

To authorize the transfer of \$19,079.25 between projects within the Refuse Collection Division's General Permanent Improvement Fund; to authorize the appropriation of \$19,079.25 within this Fund; to authorize the Finance Director to establish a purchase order with Comtech, Incorporated, for the purchase of fifty(50) two-way radios and antennas for the Refuse Collection Division; to authorize the expenditure of \$19,079.25 from the General Permanent Improvement Fund for this purpose, and to declare an emergency. (\$19,079.25)

WHEREAS, the Refuse Collection Division is in need of fifty (50) two-way radios to facilitate communication between its collection vehicles; and

WHEREAS, the Purchasing office received responses to its solicitations for bids for two-way radios on March28, 2003; and

WHEREAS, funds are available for transfer and appropriation within the General Permanent Improvement Fund for this purchase; and

WHEREAS, an emergency exists in the usual daily operations of the Refuse Collection Division, Public Service Department, in that it is immediately necessary to transfer and appropriate funds and authorize the purchase of said two-way radios, 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 monies between projects within the General Permanent Improvement Fund, Fun-48, Department No.59-02, Public Service Department, Refuse Collection Division, be and hereby is authorized as follows

TRANSFER FROM:

Project#	Project	O.L. 1/3 Codes	OCA Code	Amount
520756	Morse Road Renovations	06/6600	642645	\$ 1,123.00
520765	Refuse Collection Scrap Metal	06/6600	642645	17,956.25
				Total Transfer From: \$19,079.25

TRANSFER TO:

Project#	Project	O.L. 1/3 Codes	OCA Code	Amount
520755	Collection Vehicles and Ancillary Equipment	06/6651	642645	\$19,079.25
				Total Transfer To: \$19,079.25

SECTION 2. That from the unappropriated monies in the General Permanent Improvement Fund, Fund 248, and from the 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, 2003, the sum of \$19,079.25 be and hereby is appropriated to the Refuse Collection Division, Department No.59-02, Object Level One Code 06, Object Level Three Code 6651, OCA Code 642645 and Project 520755.

SECTION 3. That the monies appropriated in the forgoing Section 2 shall be paid upon order of the Public Service Director 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 4. That the Finance Director be and hereby is authorized to establish a purchase order with Comtech, Incorporated for \$19,079.25 for the purchase of fifty (50) two-way radios and twenty-five (25) antennas for the Refuse Collection Division.

SECTION 5. That the expenditure of \$19,079.25 be and hereby is authorized form Fund 748, General Permanent Improvement Fund, Department No. 59-02, Refuse Collection Division, Object Level One Code 06, Object Level Three Code 6651, OCA Code 642645, Project 520755 to pay the cost of said radios.

SECTION 6. 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 form and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same

Passed July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1771-2003

To authorize an appropriation in the amount of \$123,128.00 from the unappropriated balance of the Recreation and Parks Grant Fund to the Recreation and Parks Department for the Central Ohio Area Agency on Aging, and to declare an emergency. (\$123,128.00)

WHEREAS, it is necessary to appropriate said grant funds so that the Central Ohio Area Agency on Aging of the Columbus Recreation and Parks Department can provide services throughout FY2003; and

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

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

Section 1. That from the unappropriated monies in the Recreation and Parks Grant Fund 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, 2003, the sum of \$123,128.00 is appropriated to the Recreation and Parks Department, Department No. 51, Fund No.286, as follows:

Grant Title: Title IV - Senior Medicare Project: 518310 OCA No.: 518310 Object Level 1: 01	Amount:	\$ 60,478.00
Grant Title: Title IV - Senior Medicare Project: 518310 OCA No.: 518310 Object Level 1: 02	Amount:	\$ 10,300.00
Grant Title: Title IV - Senior Medicare Project: 518310 OCA No.: 518310 Object Level 1: 03	Amount:	\$ 52,350.00
TOTAL:		\$123,128.00

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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1774-2003

To authorize the City Attorney to file the necessary complaints for the appropriation of fee simple title and lesser interests in and to real estate necessary for the Gould Park Area Stormwater System Improvement Project, and to declare an emergency.

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the Gould Park Area Stormwater System Improvement Project; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 052X-03, on the 24th day of March, 2003, and Resolution No. 116X-03, on the 2nd day of June, 2003 declaring the necessity and intent to appropriate the real property interests hereinafter described and the purpose of the appropriation, and notice of such adoption of said resolution has been served in accordance with Columbus City Code Sec. 909.03; 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 necessary to appropriate such real property interests so that there will be no delay in the aforementioned project, 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 fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Gould Park Area Stormwater System Improvement Project, #610893, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus Code (1959), Chapter 909;

1WD

Description of 0.055 Acre Parcel

A small tract of land located in the State of Ohio, County of Franklin, City of Columbus and being all of Lot 37 of Gould Park a subdivision recorded in Plat Book 19 at Page 22 as conveyed to Nancy Hissong as described in Deed Vol. 8072, Pg. D11 in the Franklin county Records (conveyed 9/4/86) and more particularly described by metes and bounds as follows:

Beginning at an existing iron pipe which marks the Southwest corner of Lot 37 of Gould Park, said point being on the North line of Walnut View Boulevard (50 feet);

Thence North 31 degrees 40 minutes 36 seconds West along the line between Lot 37 and Lot 38, 60.12 feet to an existing iron pipe;

Thence North 58 degrees 14 minutes 39 seconds East 40.00 feet to an existing iron pipe at the Northeast corner of Lot 37;

Thence South 31 degrees 39 minutes 13 seconds East 60.07 feet to an existing iron pipe on the North line of Walnut View Boulevard;

Thence South 58 degrees 10 minutes 06 seconds West along said North line 39.98 feet to the Point of Beginning.

Basis for bearings is the State Plane Coordinate System

This description was prepared from an extensive survey of Gould Park by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 22 in the Franklin County Recorder's Office.

David E. Slagle, P.S. No. 7408

1T

TEMPORARY CONSTRUCTION EASEMENT

Description of 0.014 Acre Parcel

A small tract of land located in the State of Ohio, County of Franklin, City of Columbus and being part of Lot 36 of Gould Park a subdivision recorded in Plat Book 19 at Page 22 and conveyed to Nancy Hissong as described in Deed Vol. 8072, Pg D11 in the Franklin County Records (conveyed 9/4/86) to be used for a temporary construction easement and more particularly described by metes and bounds as follows:

Beginning at an iron pipe at the Southwest corner of Lot 36 of Gould Park, said point being on the North line of Walnut View Boulevard (50 feet);

Thence North 31 degrees 39 minutes 13 seconds West along the line between Lot 36 and Lot 37, 60.07 feet to an iron pipe at the Northwest corner of Lot 36;

Thence North 58 degrees 14 minutes 39 seconds East along the North line of Lot 36, 10.00 feet to a point;

Thence South 31 degrees 39 minutes 13 seconds East 60.06 feet to a point on the North line of Walnut View Boulevard;

Thence South 58 degrees 11 minutes 25 seconds West along the North line of Walnut View Boulevard 10.00 feet to the Point of Beginning.

Basis for bearings is the State Plane Coordinate System

This description was prepared from an extensive survey of Gould Park by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 22 in the Franklin County Recorder's Office.

David E. Slagle, P.S. No. 7408

Section 2. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Gould Park Area Stormwater System Improvement Project, #610893, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus Code (1959), Chapter 909;

11T

TEMPORARY CONSTRUCTION EASEMENT

Description of 0.014 Acre Parcel

A small tract of land located in the State of Ohio, County of Franklin, City of Columbus and being part of Lot 94 of Gould Park No. 2 a subdivision recorded in Plat Book 19 at Page 31 and conveyed to Vernon L. Bowshier as described in Book Vol. 661, Pg. H01 in the Franklin county Records (conveyed 3/10/81) to be used for a temporary construction easement and more particularly described by metes and bounds as follows:

Beginning at the Southwest corner of Lot 94 of Gould Park No. 2, said point being on the North line of Wyandotte Drive (40 feet);

Thence North 03 degrees 57 minutes 21 seconds East along the line between Lot 94 and Lot 95, 15.00 feet to a point;

Thence South 85 degrees 57 minutes 55 seconds East 40.00 feet to a point on the East line of said Lot 94;

Thence South 03 degrees 57 minutes 21 seconds West along the line between Lot 93 and Lot 94, 15.00 feet to the Southeast corner of Lot 94;

Thence North 85 degrees 57 minutes 55 seconds West 40.00 feet to the Point of Beginning.

Basis for bearings is the State Plane Coordinate System

This description was prepared from an extensive survey of Gould Park No. 2 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 31 in the Franklin County Recorder's Office.

David E. Slagle, P.S. No. 7408

Section 3. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Gould Park Area Stormwater System Improvement Project, #610893, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus Code (1959), Chapter 909;

13T-1

TEMPORARY CONSTRUCTION EASEMENT

Description of 0.013 Acre Parcel

A small tract of land located in the State of Ohio, County of Franklin, City of Columbus and being part of Lot 105 of Gould Park No. 2, a subdivision recorded in Plat Book 19 at Page 31 and conveyed to Jack A. Morris, Jr. as described in Inst. 200006220123578 in the Franklin County Records (conveyed 6/22/00) to be used for a Temporary Construction easement and more particularly described by metes and bounds as follows:

Beginning at the Northwest corner to Lot 105 of Gould Park No. 2, said point being on the South line of Wyandotte Drive (40 feet);

Thence South 85 degrees 57 minutes 55 seconds East 40.00 feet to the Northeast corner of said Lot 105;

Thence South 04 degrees 09 minutes 22 seconds West along the East line of said Lot 105, 25.00 feet to a point;

Thence leaving said East line North 85 degrees 50 minutes 38 seconds West 15.00 feet to a point;

Thence North 04 degrees 09 minutes 22 seconds East 17.97 feet to a point;

Thence North 85 degrees 57 minutes 55 seconds West 25.00 feet to a point on the West line of said Lot 105;

Thence North 04 degrees 09 minutes 22 seconds East along said West line 7.00 feet to the Point of Beginning.

Basis for bearings is the State Plane Coordinate System

This description was prepared from an extensive survey of Gould Park No. 2 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 31 in the Franklin County Recorder's Office.

David E. Slagle, P.S. No. 7408

13T-2

TEMPORARY CONSTRUCTION EASEMENT

Description of 0.006 Acre Parcel

A small tract of land located in the State of Ohio, County of Franklin, City of Columbus and being part of Lot 106 of Gould Park No. 2, a subdivision recorded in Plat Book 19 at Page 31 and conveyed to Jack A. Morris, Jr. as described in Inst. 200006220123578 in the Franklin County Records (conveyed 6/22/00) to be used for a Temporary Construction easement and more particularly described by metes and bounds as follows:

Beginning at the Northwest corner to Lot 106 of Gould Park No. 2, said point being on the South line of Wyandotte Drive (40 feet);

Thence South 85 degrees 57 minutes 55 seconds East 40.00 feet to the Northeast corner of said Lot 106;

Thence South 04 degrees 09 minutes 22 seconds West along the line between Lot 105 and Lot 106, 7.00 feet to a point;

Thence North 85 degrees 57 minutes 55 seconds West 40.00 feet to a point on the West line of said Lot 106;

Thence North 04 degrees 09 minutes 22 seconds East 7.00 feet to the Point of Beginning.

Basis for bearings is the State Plane Coordinate System

This description was prepared from an extensive survey of Gould Park No. 2 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 31 in the Franklin County Recorder's Office.

David E. Slagle, P.S. No. 7408

Section 4. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Gould Park Area Stormwater System Improvement Project, #610893, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus Code (1959), Chapter 909;

14T

TEMPORARY CONSTRUCTION EASEMENT

Description of 0.006 Acre Parcel

A small tract of land located in the State of Ohio, County of Franklin, City of Columbus and being part of Lot 107 of Gould Park No. 2, a subdivision recorded in Plat Book 19 at Page 31 and conveyed to Robert Wellman as described in Deed Book 1808 Pg. F06 in the Franklin County Records (conveyed 6/11/82) to be used for a Temporary Construction easement and more particularly described by metes and bounds as follows:

Beginning at the Northwest corner to Lot 107 of Gould Park No. 2, said point being on the South line of Wyandotte Drive (40 feet);

Thence South 85 degrees 57 minutes 55 seconds East 40.00 feet to the Northeast corner of said Lot 107;

Thence South 04 degrees 09 minutes 22 seconds West along the line between Lot 106 and Lot 107, 7.00 feet to a point;

Thence North 85 degrees 57 minutes 55 seconds West 40.00 feet to a point on the West line of said Lot 107;

Thence North 04 degrees 09 minutes 22 seconds East 7.00 feet to the Point of Beginning.

Basis for bearings is the State Plane Coordinate System

This description was prepared from an extensive survey of Gould Park No. 2 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 31 in the Franklin County Recorder's Office.

David E. Slagle, P.S. No. 7408

Section 5. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Gould Park Area Stormwater System Improvement Project, #610893, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus Code (1959), Chapter 909;

20T-1

TEMPORARY CONSTRUCTION EASEMENT

Description of 0.005 Acre Parcel

A small tract of land located in the State of Ohio, County of Franklin, City of Columbus and being part of Lot 116 of Gould Park No. 2 a subdivision recorded in Plat Book 19 at Page 31 and conveyed to Charles Jr. and Heidi A. Grimmatt as described in Deed Vol. 18091, Pg. B14 in the Franklin County Records (conveyed 11/26/91) to be used for a temporary construction easement and more particularly described by metes and bounds as follows:

Beginning at the Northwest corner of Lot 116 of Gould Park No. 2, said point being on the South line of Wyandotte Drive (40 feet);

Thence South 86 degrees 03 minutes 18 seconds East along the South line of Wyandotte Drive 40.00 feet to the Northeast corner of said Lot

116;

Thence South 04 degrees 09 minutes 23 seconds West along the line between Lot 115 and Lot 116, 5.00 feet to a point;

Thence North 86 degrees 03 minutes 18 seconds West 40.00 feet to a point on the West line of said Lot 116;
Thence North 04 degrees 09 minutes 23 seconds East 5.00 feet to the Point of Beginning.
Basis for bearings is the State Plane Coordinate System.

This description was prepared from an extensive survey of Gould Park No. 2 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 31 in the Franklin County Recorder's Office.

David E. Slagle, P.S. No. 7408 22-006-38-T

20T-2

TEMPORARY CONSTRUCTION EASEMENT

Description of 0.005 Acre Parcel

A small tract of land located in the State of Ohio, County of Franklin, City of Columbus and being part of Lot 117 of Gould Park No. 2 a subdivision recorded in Plat Book 19 at Page 31 and conveyed to Charles Jr. and Heidi A. Grimmatt as described in Deed Vol. 18091, Pg. B14 in the Franklin County Records (conveyed 11/26/91) to be used for a temporary construction easement and more particularly described by metes and bounds as follows:

Beginning at the Northwest corner of Lot 117 of Gould Park No. 2, said point being on the South line of Wyandotte Drive (40 feet);
Thence South 86 degrees 03 minutes 18 seconds East along the South line of Wyandotte Drive 40.00 feet to the Northeast corner of said Lot 117;

Thence South 04 degrees 09 minutes 23 seconds West along the line between Lot 116 and Lot 117, 5.00 feet to a point;
Thence North 86 degrees 03 minutes 18 seconds West 40.00 feet to a point on the West line of said Lot 117;
Thence North 04 degrees 09 minutes 23 seconds East 5.00 feet to the Point of Beginning.
Basis for bearings is the State Plane Coordinate System.

This description was prepared from an extensive survey of Gould Park No. 2 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 31 in the Franklin County Recorder's Office.

David E. Slagle, P.S. No. 7408 22-006-37-T

20T-3

TEMPORARY CONSTRUCTION EASEMENT

Description of 0.005 Acre Parcel

A small tract of land located in the State of Ohio, County of Franklin, City of Columbus and being part of Lot 118 of Gould Park No. 2 a subdivision recorded in Plat Book 19 at Page 31 and conveyed to Charles Jr. and Heidi A. Grimmatt as described in Deed Vol. 18091, Pg. B14 in the Franklin County Records (conveyed 11/26/91) to be used for a temporary construction easement and more particularly described by metes and bounds as follows:

Beginning at the Northwest corner of Lot 118 of Gould Park No. 2, said point being on the South line of Wyandotte Drive (40 feet);
Thence South 86 degrees 03 minutes 18 seconds East along the South line of Wyandotte Drive 40.00 feet to the Northeast corner of said Lot 118;

Thence South 04 degrees 09 minutes 23 seconds West along the line between Lot 117 and Lot 118, 5.00 feet to a point;
Thence North 86 degrees 03 minutes 18 seconds West 40.00 feet to a point on the West line of said Lot 118;
Thence North 04 degrees 09 minutes 23 seconds East 5.00 feet to the Point of Beginning.
Basis for bearings is the State Plane Coordinate System.

This description was prepared from an extensive survey of Gould Park No. 2 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 31 in the Franklin County Recorder's Office.

David E. Slagle, P.S. No. 7408 22-006-36-T

20T-4

TEMPORARY CONSTRUCTION EASEMENT

Description of 0.005 Acre Parcel

A small tract of land located in the State of Ohio, County of Franklin, City of Columbus and being part of Lot 119 of Gould Park No. 2 a subdivision recorded in Plat Book 19 at Page 31 and conveyed to Charles Jr. and Heidi A. Grimmatt as described in Deed Vol. 30047, Pg. D07 in the Franklin County Records (conveyed 9/11/95) to be used for a temporary construction easement and more particularly described by metes and bounds as follows:

Beginning at the Northwest corner of Lot 119 of Gould Park No. 2, said point being on the South line of Wyandotte Drive (40 feet);
Thence South 86 degrees 03 minutes 18 seconds East along the South line of Wyandotte Drive 40.00 feet to the Northeast corner of said Lot 119;

Thence South 04 degrees 09 minutes 23 seconds West along the line between Lot 118 and Lot 119, 5.00 feet to a point;
Thence North 86 degrees 03 minutes 18 seconds West 40.00 feet to a point on the West line of said Lot 119;
Thence North 04 degrees 09 minutes 23 seconds East 5.00 feet to the Point of Beginning.
Basis for bearings is the State Plane Coordinate System

This description was prepared from an extensive survey of Gould Park No. 2 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 31 in the Franklin County Recorder's Office.

David E. Slagle, P.S. No. 7408 22-006-35-T

21T

TEMPORARY CONSTRUCTION EASEMENT

Description of 0.005 Acre Parcel

A small tract of land located in the State of Ohio, County of Franklin, City of Columbus and being part of Lot 120 of Gould Park No. 2 a subdivision recorded in Plat Book 19 at Page 31 and conveyed to Charles Jr. and Heidi A. Grimmatt as described in Deed Vol. 27071, Pg. H17 in the Franklin County Records (conveyed 7/28/94) to be used for a temporary construction easement and more particularly described by metes and bounds as follows:

Beginning at the Northwest corner of Lot 120 of Gould Park No. 2, said point being on the South line of Wyandotte Drive (40 feet);
Thence South 86 degrees 03 minutes 18 seconds East along the South line of Wyandotte Drive 39.58 feet to the Northeast corner of said Lot 120;

Thence South 04 degrees 09 minutes 23 seconds West along the line between Lot 119 and Lot 120, 5.00 feet to a point;
Thence North 86 degrees 03 minutes 18 seconds West 39.63 feet to a point on the West line of said Lot 120;
Thence North 04 degrees 38 minutes 00 seconds East 5.00 feet to the Point of Beginning.

Basis for bearings is the State Plane Coordinate System.

This description was prepared from an extensive survey of Gould Park No. 2 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 31 in the Franklin County Recorder's Office.

David E. Slagle, P.S. No. 7408 22-006-34-T

Section 6. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Gould Park Area Stormwater System Improvement Project, #610893, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus Code (1959), Chapter 909;

24T

TEMPORARY CONSTRUCTION EASEMENT

Description of 0.048 Acre Parcel

A small tract of land located in the State of Ohio, County of Franklin, City of Columbus lying within the boundaries of a tract of land owned by Ronald Perkins (Deed Vol. 17571, Pg. D10, conveyed 8/29/91) and being part of Reserve "A" of Gould Park No. 2, a subdivision recorded in Plat Book 19, Page 31 and part of Lot 2 of the Edward Dill Heir's Subdivision recorded in Plat Book 5 at Page 172 all in the Franklin County Records to be used for a temporary construction easement and more particularly described by metes and bounds as follows:

Beginning for reference at the Southwest corner of Lot 46 of Gould Park a subdivision as recorded in Plat Book 19 at Page 22 in the Franklin County records (said point being on the North line of Walnut View Boulevard (50 feet);

Thence South 73 degrees 00 minutes 18 seconds west along the North line of said Walnut View Boulevard, 100.17 feet to a point at the approximate Southwest corner of the Beatrice Holbein property and the Eastern most point of the Ronald Perkins property for the Point of Beginning.

Thence continue South 73 degrees 00 minutes 18 seconds West along the North line of Walnut View Boulevard, 94.76 feet to an angle point in the North line of said Boulevard;

Thence leaving said Boulevard North 25 degrees 12 minutes 54 seconds East 59.25 feet to a point;

Thence South 68 degrees 23 minutes 11 seconds East 70.33 feet to the Point of Beginning.

Basis for bearings is the State Plane Coordinate System

This description was prepared from an extensive survey of Gould Park No. 2 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 31 in the Franklin County Recorder's Office.

David E. Slagle, P.S. No. 7408 22-006-45-T

Section 7. That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Gould Park Area Stormwater System Improvement Project, #610893, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus Code (1959), Chapter 909;

28P-1

PERMANENT STORM SEWER EASEMENT

Description of a 0.036 Acre Parcel

A tract of land located in the State of Ohio, County of Franklin, City of Columbus and being part of Lot 218 of Gould Park No. 2 and recorded in Plat Book 19 at Page 31 as conveyed to Brothers Construction Co. as described in Deed Volume 020994 at page C16 in the Franklin County records (conveyed 11/12/92) to be used for a permanent storm sewer easement and more particularly described by metes and bounds as follows:

Beginning at the most western point of Lot 218 of Gould Park No. 2, said point being the intersection of the North line of South Park Drive (50 feet) and the East line of Summerland Court (40 feet);

Thence North 53 degrees 24 minutes 18 seconds East along the East line of Summerland Court 107.69 feet to the Northwest corner of said Lot 218;

Thence South 85 degrees 37 minutes 45 seconds East along the North line of Lot 218 9.15 feet to a point;

Thence leaving said North line South 52 degrees 38 minutes 28 seconds West 75.23 feet to a point;

Thence South 24 degrees 11 minutes 53 seconds East 11.79 feet to a point;

Thence South 85 degrees 52 minutes 09 seconds East 53.27 feet to a point on the West line of Lot 219;

Thence South 04 degrees 07 minutes 51 seconds West on said lot line 10.00 feet to a point on the North line of South Park Drive;

Thence North 85 degrees 52 minutes 09 seconds West along said North line 93.27 feet to the Point of Beginning.

Basis for bearings is the State Plane Coordinate System.

This description was prepared from an extensive survey of Gould Park No. 2 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 31 in the Franklin County Recorder's Office.

David E. Slagle, P.S. No. 7408 22-006-03-P

28T-1

BROTHERS CONSTRUCTION CO.

TEMPORARY CONSTRUCTION EASEMENT

Description of a 0.019 Acre Parcel

A tract of land located in the State of Ohio, County of Franklin, City of Columbus and being part of Lot 218 of Gould Park No. 2 and recorded in Plat Book 19 at Page 31 as conveyed to Brothers Construction Co. as described in Deed Volume 020994 at page C16 in the Franklin County records (conveyed 11/12/92) to be used for a temporary construction easement and more particularly described by metes and bounds as follows:

Beginning at the Northeast corner of Lot 218 of Gould Park No. 2, thence South 04 degrees 07 minutes 51 seconds West along the line between Lot 218 and Lot 219, 12.48 feet to a point;

Thence leaving said line South 52 degrees 16 minutes 09 seconds West 71.53 feet;

Thence North 24 degrees 11 minutes 53 seconds West 11.79 feet to a point;

Thence North 52 degrees 38 minutes 28 seconds East 75.23 feet to a point on the North line of said Lot 218;

Thence South 85 degrees 37 minutes 45 seconds East along said Lot line, 2.51 feet to the Point of Beginning.

Basis for bearings is the State Plane Coordinate System.

This description was prepared from an extensive survey of Gould Park No. 2 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 31 in the Franklin County Recorder's Office.

David E. Slagle, P.S. No. 7408 22-006-03-T

28P-2
PERMANENT STORM SEWER EASEMENT

Description of a 0.005 Acre Parcel

A tract of land located in the State of Ohio, County of Franklin, City of Columbus and being part of Lot 219 of Gould Park No. 2 and recorded in Plat Book 19 at Page 31 as conveyed to Brothers Construction Co. as described in Deed Volume 020994 at page C16 in the Franklin County records (conveyed 11/12/92) to be used for a permanent storm sewer easement and more particularly described by metes and bounds as follows:

Beginning at the Southwest corner of Lot 219 of Gould Park No. 2, said point being on the North line of South Park Drive (50 feet);
Thence North 04 degrees 07 minutes 51 seconds East along the lot line between Lot 218 and Lot 219, 5.00 feet to a point;
Thence South 85 degrees 52 minutes 09 seconds East 40.00 feet to a point on the line between Lot 219 and Lot 220;
Thence South 04 degrees 07 minutes 51 seconds West along said line 5.00 feet to a point on the North line of South Park Drive;
Thence North 85 degrees 52 minutes 09 seconds West 40.00 feet to the Point of Beginning.

Basis for bearings is the State Plane Coordinate System.

This description was prepared from an extensive survey of Gould Park No. 2 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 31 in the Franklin County Recorder's Office.
David E. Slagle, P.S. No. 7408 22-006-04-P

28T-2
TEMPORARY CONSTRUCTION EASEMENT

Description of a 0.002 and a 0.005 Acre Parcel

A tract of land located in the State of Ohio, County of Franklin, City of Columbus and being part of Lot 219 of Gould Park No. 2 and recorded in Plat Book 19 at Page 31 as conveyed to Brothers Construction Co. as described in Deed Volume 020994 at page C16 in the Franklin County records (conveyed 11/12/92) to be used for a temporary construction easement and more particularly described by metes and bounds as follows:

Beginning for reference at the Southwest corner of Lot 219 of Gould Park No. 2, said point being on the North line of South Park Drive (50 feet);

Thence North 04 degrees 07 minutes 51 seconds East along the lot line between Lot 218 and Lot 219, 5.00 feet to the Point of Beginning;
Thence continue North 04 degrees 07 minutes 51 seconds East along said line, 5.00 feet to a point;
Thence South 85 degrees 52 minutes 09 seconds East 40.00 feet to a point on the line between Lot 219 and Lot 220;
Thence South 04 degrees 07 minutes 51 seconds West 5.00 feet to a point;
Thence North 85 degrees 52 minutes 09 seconds West 40.00 feet to the Point of Beginning.

AND Beginning at the Northwest corner of Lot 219, thence South 85 degrees 37 minutes 45 seconds East 13.86 feet to a point;

Thence South 52 degrees 16 minutes 09 seconds West 18.61 feet to a point on the line between Lot 218 and Lot 219;

Thence North 04 degrees 07 minutes 51 seconds East 12.48 feet to the Point of Beginning.

Containing in all 0.007 acres.

Basis for bearings is the State Plane Coordinate System.

This description was prepared from an extensive survey of Gould Park No. 2 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 31 in the Franklin County Recorder's Office.
David E. Slagle, P.S. No. 7408 22-006-04-T

28P-3
PERMANENT STORM SEWER EASEMENT

Description of a 0.005 Acre Parcel

A tract of land located in the State of Ohio, County of Franklin, City of Columbus and being part of Lot 220 of Gould Park No. 2 and recorded in Plat Book 19 at Page 31 as conveyed to Brothers Construction Co. as described in Deed Volume 020994 at page C16 in the Franklin County records (conveyed 11/12/92) to be used for a permanent storm sewer easement and more particularly described by metes and bounds as follows:

Beginning at the Southwest corner of Lot 220 of Gould Park No. 2, said point being on the North line of South Park Drive (50 feet);

Thence North 04 degrees 07 minutes 51 seconds East along the line between Lot 219 and Lot 220, 5.00 feet to a point;

Thence South 85 degrees 52 minutes 09 seconds East 40.00 feet to a point on the line between Lot 220 and Lot 221;

Thence South 04 degrees 07 minutes 51 seconds West along said line 5.00 feet to a point on the North line of South Park Drive;

Thence North 85 degrees 52 minutes 09 seconds West 40.00 feet to the Point of Beginning.

Basis for bearings is the State Plane Coordinate System.

This description was prepared from an extensive survey of Gould Park No. 2 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 31 in the Franklin County Recorder's Office.

David E. Slagle, P.S. No. 7408 22-006-05-P

28T-3
TEMPORARY CONSTRUCTION EASEMENT

Description of a 0.005 Acre Parcel

A tract of land located in the State of Ohio, County of Franklin, City of Columbus and being part of Lot 220 of Gould Park No. 2 and recorded in Plat Book 19 at Page 31 as conveyed to Brothers Construction Co. as described in Deed Volume 020994 at page C16 in the Franklin County records (conveyed 11/12/92) to be used for a temporary construction easement and more particularly described by metes and bounds as follows:

Beginning for reference at the Southwest corner of Lot 220 of Gould Park No. 2, said point being on the North line of South Park Drive (50 feet);

Thence North 04 degrees 07 minutes 51 seconds East along the line between Lot 219 and Lot 220, 5.00 feet to the Point of Beginning;

Thence continue North 04 degrees 07 minutes 51 seconds East along said line, 5.00 feet to a point;

Thence South 85 degrees 52 minutes 09 seconds East 40.00 feet to a point on the line between Lot 220 and Lot 221;

Thence South 04 degrees 07 minutes 51 seconds West along said line 5.00 feet to a point;

Thence North 85 degrees 52 minutes 09 seconds West 40.00 feet to the Point of Beginning.

Basis for bearings is the State Plane Coordinate System.

This description was prepared from an extensive survey of Gould Park No. 2 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 31 in the Franklin County Recorder's Office.

David E. Slagle, P.S. No. 7408 22-006-05-T

28P-4
PERMANENT STORM SEWER EASEMENT

Description of a 0.005 Acre Parcel

A tract of land located in the State of Ohio, County of Franklin, City of Columbus and being part of Lot 221 of Gould Park No. 2 and recorded in Plat Book 19 at Page 31 as conveyed to Brothers Construction Co. as described in Deed Volume 020994 at page C16 in the Franklin County records (conveyed 11/12/92) to be used for a permanent storm sewer easement and more particularly described by metes and bounds as follows:

Beginning at the Southeast corner of Lot 221 of Gould Park No. 2, said point being on the North line of South Park Drive (50 feet);

Thence North 85 degrees 52 minutes 09 seconds West along the North line of South Park Drive 40.00 feet to the Southwest corner of said Lot 221;

Thence North 04 degrees 07 minutes 51 seconds East along the line between Lot 220 and Lot 221, 5.00 feet to a point;

Thence South 85 degrees 52 minutes 09 seconds East 40.00 feet to a point in the East line of Lot 221;

Thence South 04 degrees 07 minutes 51 seconds West 5.00 feet to the Point of Beginning;

Basis for bearings is the State Plane Coordinate System.

This description was prepared from an extensive survey of Gould Park No. 2 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 31 in the Franklin County Recorder's Office.

David E. Slagle, P.S. No. 7408 22-006-06-P

28T-4
TEMPORARY CONSTRUCTION EASEMENT

Description of a 0.005 Acre Parcel

A tract of land located in the State of Ohio, County of Franklin, City of Columbus and being part of Lot 221 of Gould Park No. 2 and recorded in Plat Book 19 at Page 31 as conveyed to Brothers Construction Co. as described in Deed Volume 020994 at page C16 in the Franklin County records (conveyed 11/12/92) to be used for a temporary construction easement and more particularly described by metes and bounds as follows:

Beginning for reference at the Southeast corner of Lot 221 of Gould Park No. 2, said point being on the North line of South Park Drive (50 feet);

Thence North 04 degrees 07 minutes 51 seconds East along the line between Lot 221 and Lot 222, 5.00 feet to the Point of Beginning;

Thence North 85 degrees 52 minutes 09 seconds West, 40.00 feet to point;

Thence North 04 degrees 07 minutes 51 seconds East along the line between Lot 220 and Lot 221, 5.00 feet to a point;

Thence South 85 degrees 52 minutes 09 seconds East 40.00 feet to a point in the East line of said Lot 221;

Thence South 04 degrees 07 minutes 51 seconds West 5.00 feet to the Point of Beginning.

Basis for bearings is the State Plane Coordinate System.

This description was prepared from an extensive survey of Gould Park No. 2 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 31 in the Franklin County Recorder's Office.

David E. Slagle, P.S. No. 7408 22-006-06-T

28T-5
TEMPORARY CONSTRUCTION EASEMENT

Description of a 0.009 Acre Parcel

A tract of land located in the State of Ohio, County of Franklin, City of Columbus and being part of Lot 222 of Gould Park No. 2 and recorded in Plat Book 19 at Page 31 as conveyed to Brothers Construction Co. as described in Deed Volume 020994 at page C16 in the Franklin County records (conveyed 11/12/92) to be used for a temporary construction easement and more particularly described by metes and bounds as follows:

Beginning at the Southeast corner of Lot 222 of Gould Park No. 2, said point being on the North line of South Park Drive (50 feet);

Thence North 85 degrees 52 minutes 09 seconds West along the North line of South Park Drive 40.00 feet to the Southwest corner of said Lot 222;

Thence North 04 degrees 07 minutes 51 seconds East along the line between Lot 221 and Lot 222, 10.00 feet to a point;

Thence South 85 degrees 52 minutes 09 seconds East 40.00 feet to a point in the East line of said Lot 222;

Thence South 04 degrees 07 minutes 51 seconds West 10.00 feet to the Point of Beginning.

Basis for bearings is the State Plane Coordinate System.

This description was prepared from an extensive survey of Gould Park No. 2 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 31 in the Franklin County Recorder's Office.

David E. Slagle, P.S. No. 7408 22-006-07-T

28T-6
TEMPORARY CONSTRUCTION EASEMENT

Description of a 0.009 Acre Parcel

A tract of land located in the State of Ohio, County of Franklin, City of Columbus and being part of Lot 223 of Gould Park No. 2 and recorded in Plat Book 19 at Page 31 as conveyed to Brothers Construction Co. as described in Deed Volume 020994 at page C16 in the Franklin County records (conveyed 11/12/92) to be used for a temporary construction easement and more particularly described by metes and bounds as follows:

Beginning at the Southeast corner of Lot 223 of Gould Park No. 2, said point being on the North line of South Park Drive (50 feet);

Thence North 85 degrees 52 minutes 09 seconds West along the North line of South Park Drive 40.00 feet to the Southwest corner of said Lot 223;

Thence North 04 degrees 09 minutes 51 seconds East along the line between Lot 222 and Lot 223, 10.00 feet to a point;

Thence South 85 degrees 52 minutes 09 seconds East 40.00 feet to a point in the East line of said Lot 223;

Thence South 04 degrees 09 minutes 51 seconds West 10.00 feet to the Point of Beginning.

Basis for bearings is the State Plane Coordinate System.

This description was prepared from an extensive survey of Gould Park No. 2 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 31 in the Franklin County Recorder's Office.

David E. Slagle, P.S. No. 7408 22-006-08-T

28T-7
BROTHERS CONSTRUCTION CO.
TEMPORARY CONSTRUCTION EASEMENT

Description of a 0.006 Acre Parcel

A tract of land located in the State of Ohio, County of Franklin, City of Columbus and being part of Lot 224 of Gould Park No. 2 and recorded in Plat Book 19 at Page 31 as conveyed to Brothers Construction Co. as described in Deed Volume 020994 at page C 16 in the Franklin County records (conveyed 11/12/92) to be used for a temporary construction easement and more particularly described by metes and bounds as follows:

Beginning for reference at the Southeast corner of Lot 224 of Gould Park No. 2, said point being on the North line of South Park Drive (50 feet);

Thence North 85 degrees 52 minutes 09 seconds West along said North line 15.00 feet to the True Point of Beginning;

Thence continue along the North line of South Park Drive North 85 degrees 52 minutes 09 seconds West 25.00 feet to the Southwest corner of said Lot 224;

Thence North 04 degrees 07 minutes 51 seconds East along the line between Lot 223 and Lot 224, 10.00 feet to a point;

Thence South 85 degrees 52 minutes 09 seconds East 25.00 feet to a point;

Thence South 04 degrees 07 minutes 51 seconds West 10.00 feet to the Point of Beginning.

Basis for bearings is the State Plane Coordinate System.

This description was prepared from an extensive survey of Gould Park No. 2 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 31 in the Franklin County Recorder's Office.

David E. Slagle, P.S. No. 7408 22-006-09-T

Section 8 That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Gould Park Area Stormwater System Improvement Project, #610893, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus Code (1959), Chapter 909;

29P
PERMANENT STORM SEWER EASEMENT

Description of 0.008 Acre Parcel

A small tract of land located in the State of Ohio, County of Franklin, City of Columbus and being part of Lot 240 of Gould Park No. 2 a subdivision recorded in Plat Book 19 at Page 31 and conveyed to Maria D. Etteorre as described in Deed Book 3308, Pg. 55 in the Franklin county Records (conveyed 2/5/73) to be used for a permanent storm sewer easement and more particularly described by metes and bounds as follows:

Beginning at the Southeast corner of Lot 240 of Gould Park No. 2, said point being the intersection of the West line of Llewellyn Road (40 feet) and the North line of South Park Drive (50 feet);

Thence North 85 degrees 52 minutes 09 seconds West along the North line of South Park 26.40 feet to a point;

Thence North 48 degrees 35 minutes 44 seconds East 37.71 feet to a point on the West line of Llewellyn Road;

Thence South 04 degrees 09 minutes 22 seconds West 26.91 feet to the Point of Beginning.

Basis for bearings is the State Plane Coordinate System

This description was prepared from an extensive survey of Gould Park No. 2 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 19 at Page 31 in the Franklin County Recorder's Office.

David E. Slagle, P.S. No. 7408 22-006-15-P

Section 9 That fee simple title and lesser interests in and to the following described real property, be appropriated for the public purpose of the Gould Park Area Stormwater System Improvement Project, #610893, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus Code (1959), Chapter 909;

32T-1
TEMPORARY CONSTRUCTION EASEMENT

Description of 0.031 Acre Parcel

A small tract of land located in the State of Ohio, County of Franklin, City of Columbus and lying adjacent to the East line of Llewellyn Road (40 feet) and adjacent to the South line of Linwood Drive (50 feet) and being a small part of a 2.873 acre tract belonging to Clark D. Baltzell as recorded in Deed Vol. 4097, Pg. 103 in the Franklin County records (conveyed 4/11/84) and originally shown as part of Lot 327 and Lot 328 of Gould Park No. 3 as recorded in Plat Book 20 at page 20, to be used for a temporary construction easement and more particularly described by metes and bounds as follows;

Beginning at the intersection of the South line of Linwood Drive and the East line Llewellyn Road (40 feet);

Thence South 85 degrees 57 minutes 55 seconds East along the South line of Linwood Drive 10.00 feet to a point;

Thence South 04 degrees 09 minutes 22 seconds West parallel to the East line of Llewellyn Road, 137.00 feet to a point in the North line of Bon-Air Drive;

Thence North 85 degrees 57 minutes 55 seconds West along the North line of Bon-Air Drive 10.00 feet to the intersection of the North line of Bon-Air Drive and the East line of Llewellyn Road;

Thence North 04 degrees 09 minutes 22 seconds East along said East line 137.00 feet to the Point of Beginning.

Basis for bearings is the State Plane Coordinate System.

This description was prepared from an extensive survey of Gould Park No. 3 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 20 at Page 20 in the Franklin County recorder's Office.

David E. Slagle, P.S. No. 7408 22-006-17-T

32T-2
TEMPORARY CONSTRUCTION EASEMENT

Description of 0.005 Acre Parcel

A small tract of land located in the State of Ohio, County of Franklin, City of Columbus and lying adjacent to the East line of Llewellyn Road (40 feet) and adjacent to the South line of Linwood Drive (50 feet) and being a small part of a 2.873 acre tract belonging to Clark D. Baltzell as recorded in Deed Vol. 4097, Pg. 103 in the Franklin County records (conveyed 4/11/84) and originally shown as part of Lot 345 of Gould Park No. 3 as

recorded in Plat Book 20 at page 20, to be used for a temporary construction easement and more particularly described by metes and bounds as follows; Beginning at the intersection of the South line of Bon Air Drive (40 feet) and the East line of Llewellyn Road (40 feet);

Thence South 85 degrees 57 minutes 55 seconds East along the South line of Bon Air Drive 10.00 feet to a point;

Thence South 04 degrees 09 minutes 22 seconds West 20.00 feet to a point;

Thence North 85 degrees 57 minutes 55 seconds West 10.00 feet to a point in the East line of Llewellyn Drive;

Thence North 04 degrees 09 minutes 22 seconds East along said East line 20.00 feet to the Point of Beginning.

Basis for bearings is the State Plane Coordinate System.

This description was prepared from an extensive survey of Gould Park No. 3 by David E. Slagle, Registered Surveyor No. 7408 of XYZ Survey Service, Inc. for Fuller, Mossbarger, Scott and May during 2000 and 2001 for Capital Improvement Project (CIP) 893 Gould Park Area Stormwater System Improvements and recorded in Plat Book 20 at Page 20 in the Franklin County recorder's Office.

David E. Slagle, P.S. No. 7408

22-006-16-T

Section 10. That the Council of the City of Columbus, Ohio, declares that the appropriation of said real property interests is necessary for the stated public purpose, and that the City of Columbus, Ohio, has been unable to agree with the owner(s) as to the just compensation to be paid by the City of Columbus, Ohio.

Section 11. That the Council of the City of Columbus hereby fixes the value of said fee simple title and lesser interests as follows:

1.	1WD,	\$3,400.00
2.	11T	\$ 490.00
3.	13T-1, 13T-2	\$ 200.00
4.	14T, 15T-1, 15T-2	\$1,320.00
5.	20T-1, T-2, T-3, T-4; 21T	\$ 715.00
6.	24T	\$ 315.00
7.	28P-1, P-2, P-3, P-4, T-1 T-2, T-3, 4, T-5, T-6, T-7	\$1,533.00
8.	29P	\$ 225.00
9.	32T-1, T-2,	\$2,335.00

Section 12. That the City Attorney be and he hereby is authorized to file a complaint for appropriation of real property, in a court of competent jurisdiction, and to have a jury impaneled to make inquiry into and assess the just compensation to be paid for the foregoing described real property interests.

Section 13. That for the reasons state in the preamble hereto, 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 its passage if the Mayor neither approves nor vetoes the same.

Passed July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1778-2003

To adopt The Franklinton Plan as the city's official policy document for development, redevelopment, revitalization, and infrastructure improvements within Franklinton

WHEREAS, the purpose of The Franklinton Plan is to guide future development, redevelopment, revitalization, and infrastructure improvements within the Franklinton Planning Area; and

WHEREAS, the Franklinton Planning Area is defined as the area generally bound by the Scioto River on the north, the first set of railroad tracks west of Starling Street on the east, Greenlawn Avenue / City of Columbus corporate limits / Mound Street on the south, and Central Avenue / I-70 on the west; and

WHEREAS, the Plan's recommendations address land use and zoning; housing; parks, recreation, and open space; traffic, streets, and circulation; sanitary sewers and stormwater drainage; urban design; historic preservation; and economic development; and

WHEREAS, the Franklinton Planning Committee, made up of stakeholders from throughout the planning area, guided development of the plan's provisions; and

WHEREAS, the Planning Division assisted the planning committee on preparing the plan and managed the review and adoption process; and

WHEREAS, numerous meetings with the planning committee and two public open houses were held as part of the public planning process; and

WHEREAS, the Franklinton Area Commission and the Columbus Development Commission have reviewed the plan and recommended that it be adopted by City Council; now, therefore,

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

Section 1. That The Franklinton Plan is hereby adopted to serve as the principal policy document for development, redevelopment, revitalization, and infrastructure improvements within the Franklinton 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 Franklinton Plan and adhere to its provisions

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

Section 4. That copies of The Franklinton Plan will be kept on file in the Planning Division, Department of Development

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

Passed July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1781-2003

To authorize the Public Service Director to enter into a contract with G & G Cement Contractors for construction of the Morse Road Gateway project for the Transportation Division; to authorize the expenditure of \$644,334.50 from the 1995, 1999 Voted Streets and Highways Fund and to declare an emergency. (\$644,334.50)

WHEREAS, bids were received and tabulated on June 26, 2003, for the Morse Road Gateway project; and

WHEREAS, a satisfactory bid has been received; and

WHEREAS, it is necessary to provide for construction inspection costs; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that the contract should be awarded 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 Public Service Director be and hereby is authorized to enter into a contract with G & G Cement Contractors, 2849 Switzer Avenue, Columbus, Ohio 43219 for construction of the Morse Road Gateway project at a cost of \$565,008.50 for the Transportation Division and to obtain and pay for the necessary inspection costs and other services associated with the project up to a maximum of \$79,326.00, therefore.

SECTION 2. That for the purpose of paying the cost of the contract and inspection, the sum of \$644,334.50, or so much thereof as may be necessary, be and hereby is authorized to be expended from the 1995, 1999 Voted Streets and Highways Fund, Fund 704, Department No.59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6631, OCA Code 644385 and Project 530052.

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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1783-2003

To rezone 5240 WARNER ROAD (43081), being 11.89± acres located on the north side of Warner Road, 3300± feet west of Harlem Road; From: R, Rural District, To: CPD, Commercial Planned Development District. (Rezoning # Z02-042)

WHEREAS, application #Z02-042 is on file with the Building Services Division of the Department of Development requesting rezoning of 11.89± acres from R, Rural District to CPD, Commercial Planned Development District;

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

WHEREAS, the City Departments recommend approval of said zoning change because the proposal is consistent with the zoning and development trends along Warner Road. The requested CPD, Commercial Planned Development District would permit carefully controlled commercial development in compliance with the land use recommendations of the Rocky Fork / Blacklick Accord (1997). The submitted CPD text and site plan provide appropriate use restrictions and development standards including lighting, landscaping, buffering, building design and materials and pedestrian circulation, now, therefore;

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

Section 1. That the Official Zoning Map of the City of Columbus, as adopted by Ordinance No. 0179 -03, passed February 24, 2003, and as subsequently amended, is hereby revised by changing the zoning of the property as follows:

5331 WARNER ROAD (43081), being 11.89± acres located on the south side of Warner Road, 2900' feet west of Harlem Road and being more particularly described as follows:

1.250 Acres

Rezoning (Sub Area "A")

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 3, Township 2, Range 16, United States Military Lands, and being 0.521 acres out of a 2.056 acre tract and being 0.729 acres out of a 4.143 acre tract as conveyed to Boomer Landco, LLC of record in Instrument Numbers 200006260125715 and 200006260125716, respectively (all records being of the Recorder's Office, Franklin County, Ohio), and being more particularly described as follows: Beginning for reference at a Franklin County Geodetic Survey (F.C.G.S.#6611) monument found at the intersection of the centerline of Warner Road and the line between Blendon Township and Plain Township;

Thence, with the centerline of said Warner Road, South 86°27'43" East, a distance of 2625.69 feet to a Franklin County Geodetic Survey (F.C.G.S.#1207) monument found at the southwesterly corner of a 2.0602 acre tract as conveyed to Judith D. Decenzo of record in Official Record Volume 7521C14;

Thence, continuing with the centerline of said Warner Road and the southerly line of said 2.0602 acre tract, South 86°17'30" East, a distance of 170.00 feet to a point at the southeasterly corner of said 2.0602 acre tract;

Thence, with the easterly line of said 2.0602 acre tract and the westerly line of said 2.063 acre tract, North 03°14'32" East, a distance of 40.00 feet to a point on the northerly right of way line of said Warner Road and a point on the westerly line of a 2.063 acre tract as conveyed to Boomer Landco, LLC of record in Instrument Number 200008100161163;

Thence with the northerly right of way line of said Warner Road, South 86°17'30" East, a distance of 238.34 feet to a point and being the true point of beginning of the herein described tract;

Thence, through said 2.056 acre tract, North 03°42'30" East, a distance of 225.00 feet to a point;

Thence, through said 2.056 acre tract and said 4.143 acre tract, South 86°17'30" East, a distance of 244.98 feet to the westerly right of way line of Hamilton Road (100.00 feet wide as recorded in Plat Book 100, Page 3;

Thence with the westerly right of way line of said Hamilton Road, and also with a curve to the left having a radius of 6050.00 feet, a central angle of 01°53'40", a chord bearing of South 04°41'40" West, and a chord distance of 200.04 feet to a point;

Thence with the westerly right of way line of said Hamilton Road, and also with a curve to the right having a radius of 25.00 feet, a central angle of 89°57'40", a chord bearing of South 48°43'40" West, and a chord distance of 35.34 feet to a point on the northerly right of way line of said Warner Road;

Thence with the northerly right of way line of said Warner Road, North 86°17'30" West, a distance of 216.54 feet to the true point of beginning and containing 1.250 acres, more or less.

This description was prepared by Environmental Design Group, Inc., Columbus, Ohio. The basis of bearing is South 86°17'30" East for the centerline of said Warner Road and is based on The Ohio State Plane Coordinate System as per NAD 83. Control for bearings was from coordinates established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.

4.228 Acres

Rezoning (Sub Area "B")

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 3, Township 2, Range 16, United States Military Lands, and being 1.908 acres out of a 2.063 acre tract, and being 1.390 acres out of 2.056 acre tract, and being 0.930 acres out of a 4.143 acre tract as conveyed to Boomer Landco, LLC of record in Instrument Numbers 200008100161163, 200006260125715, and 200006260125716, respectively (all records being of the Recorder's Office, Franklin County, Ohio), and being more particularly described as follows:

Beginning for reference at a Franklin County Geodetic Survey (F.C.G.S.#6611) monument found at the intersection of the centerline of Warner Road and the line between Blendon Township and Plain Township;

Thence, with the centerline of said Warner Road, South 86°27'43" East, a distance of 2625.69 feet to a Franklin County Geodetic Survey (F.C.G.S.#1207) monument found at the southwesterly corner of a 2.0602 acre tract as conveyed to Judith D. Decenzo of record in Official Record Volume 7521C14;

Thence, with the centerline of said Warner Road and the southerly line of said 2.0602 acre tract, South 86°17'30" East, a distance of 170.00 feet to a point at the southeasterly corner of said 2.0602 acre tract and the southwesterly corner of said 2.063 acre tract;

Thence, with the easterly line of said 2.0602 acre tract North 03°14'32" East, a distance of 40.00 feet to a point on the northerly right of way line of said Warner Road, and being the true point of beginning of the herein described tract;

Thence, continuing with the easterly line of said 2.0602 acre tract and the westerly line of said 2.063 acre tract, North 03°14'32" East, a distance of 488.34 feet to a point at the northeasterly corner of said 2.0602 acre tract and the northwesterly corner of said 2.063 acre tract, and being on the southerly line of an original 124.448 acre tract as conveyed to Cardinal Title Holding Company of record in Official Record Volume 28103108;

Thence, with the southerly line of said original 124.448 acre tract and the northerly line of said 2.063 acre tract, said 2.056 acre tract, and said 4.143 acre tract, South 86°34'29" East, a distance of 502.14 feet to a point on the northerly line of said 4.143 acre tract at the westerly right of way line of Hamilton Road (100.00 feet wide) as recorded in Plat Book 100, Page 3;

Thence, through said 4.143 acre tract and with the westerly right of way of said Hamilton Road, and also with a curve to the left having a radius of 6050.00 feet, a central angle of 02°13'17", a chord bearing of South 06°54'09" West, and a chord distance of 266.22 feet to a point;

Thence, through said 4.143 acre tract and said 2.056 acre tract, North 86°17'30" West, a distance of 244.98 feet to a point;

Thence, through said 2.056 acre tract, South 03°42'30" West, a distance of 225.00 feet to the northerly right of way line of said Warner Road;

Thence with the northerly right of way line of said Warner Road, North 86°17'30" West, a distance of 238.34 feet to the true point of beginning and containing 4.228 acres, more or less.

This description was prepared by Environmental Design Group, Inc., Columbus, Ohio. The basis of bearing is South 86°17'30" East for the centerline of said Warner Road and is based on The Ohio State Plane Coordinate System as per NAD83. Control for bearings was from coordinates established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.

1.950 Acres

Rezoning (Sub Area "C")

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 3, Township 2, Range 16, United States Military Lands, and being 1.008 acres out of a 5.408 acre tract and 0.942 acres out of a 4.143 acre tract as conveyed to Boomer Landco, LLC of record in Instrument Numbers 200011020222565 and 200006260125716, respectively (all records being of the Recorder's Office, Franklin County, Ohio), and being more particularly described as follows:

Beginning for reference at a Franklin County Geodetic Survey (F.C.G.S.#6611) monument found at the intersection of the centerline of Warner Road and the line between Blendon Township and Plain Township;

Thence, with the centerline of said Warner Road, South 86°27'43" East, a distance of 2625.69 feet to a Franklin County Geodetic Survey (F.C.G.S.#1207) monument found;

Thence, continuing with the centerline of said Warner Road, South 86°17'30" East, a distance of 1009.55 feet to a point;

Thence, North 03°42'30" East, a distance of 40.00 feet to a point on the northerly right of way line of said Warner Road and the southerly line of said 5.408 acre tract, and being the true point of beginning of the herein described tract;

Thence with the northerly right of way line of said Warner Road, North 86°17'30" West, a distance of 235.00 feet to a point on the northerly right of way line of said Warner Road;

Thence with the northerly right of way line of said Warner Road, and also with a curve to the right having a radius of 25.00 feet, a central angle of 90°02'23", a chord bearing of North 41°16'18" West, and a chord distance of 35.37 feet to a point on the easterly right of way line of Hamilton Road (100.00 feet wide) as recorded in Plat Book 100, Page 3;

Thence, continuing through said 4.143 acre tract and with the easterly right of way line of said Hamilton Road, and also with a curve to the right having a radius of 5950.00 feet, a central angle of 03°59'33", a chord bearing of North 05°44'40" East, and a chord distance of 414.52 feet to a point;

Thence, through said 4.143 acre tract and said 5.408 acre tract, the following seven (7) courses;

- 1) South 86°34'29" East, a distance of 95.06 feet to a point of curvature;
- 2) With a curve southeasterly and to the right having a radius of 55.00 feet, a central angle of 85°45'28", a chord bearing of South 43°41'45" East, and a chord distance of 74.85 feet to a point;
- 3) South 00°49'01" East, a distance of 139.51 feet to a point of curvature;
- 4) With a curve southeasterly and to the left having a radius of 200.00 feet, a central angle of 27°13'29", a chord bearing of South 14°25'46" East, and a chord distance of 94.14 feet to a point;
- 5) South 28°02'30" East, a distance of 50.81 feet to a point of curvature;
- 6) With a curve southeasterly and to the right having a radius of 187.50 feet, a central angle of 31°45'00", a chord bearing of South 12°10'00" East, and a chord distance of 102.58 feet to a point;
- 7) South 03°42'30" West, a distance of 18.68 feet to a point on the northerly right of way line of said Warner Road;

Thence North 86°17'30" West with the northerly right of way line of said Warner Road, a distance of 235.00 feet to the true point of beginning and containing 1.950 acres more or less.

This description was prepared by Environmental Design Group, Inc., Columbus, Ohio. The basis of bearing is South 86°17'30" East for the centerline of said Warner Road and is based on The Ohio State Plane Coordinate System as per NAD83. Control for bearings was from coordinates established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.

4.467 Acres

Rezoning (Sub Area "D")

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 3, Township 2, Range 16, United States Military Lands, and being 4.372 acres out of a 5.408 acre tract and 0.095 acres out of a 4.143 acre tract as conveyed to Boomer Landco, LLC of record in Instrument Numbers 200011020222565 and 200006260125716, respectively (all records being of the Recorder's Office, Franklin County, Ohio), and being more particularly described as follows:

Beginning for reference at a Franklin County Geodetic Survey (F.C.G.S.#6611) monument found at the intersection of the centerline of Warner Road and the line between Blendon Township and Plain Township;

Thence, with the centerline of said Warner Road, South 86°27'43" East, a distance of 2625.69 feet to a Franklin County Geodetic Survey (F.C.G.S.#1207) monument found;

Thence, continuing with the centerline of said Warner Road, South 86°17'30" East, a distance of 1009.55 feet to a point;

Thence, North 03°42'30" East, a distance of 40.00 feet to a point on the northerly right of way of said Warner Road and the southerly line of said 5.408 acre tract, and being the true point of beginning of the herein described tract;

Thence, through said 5.408 acre tract and through said 4.143 acre tract, the following seven (7) courses;

- 1) North 03°42'30" East, a distance of 18.68 feet to a point of curvature;
- 2) With a curve northwesterly and to the left having a radius of 187.50 feet, a central angle of 31°45'00", a chord bearing of North 12°10'00", and a chord distance of 102.58 feet to a point;
- 3) North 28°02'30" West, a distance of 50.81 feet to a point of curvature;

4) With a curve northwesterly and to the right having a radius of 200.00 feet, a central angle of 27°13'29", a chord bearing of North 14°25'46" West, and a chord distance of 94.14 feet to a point;

5) North 00°49'01" West, a distance of 139.51 feet to a point of curvature;

6) With a curve northwesterly and to the right having a radius of 55.00 feet, a central angle of 85°45'28", a chord bearing of North 43°41'45" West, and a chord distance of 74.85 feet to a point;

7) North 86°34'29" West, a distance of 95.06 feet to a point on the easterly line of Hamilton Road (100.00 feet wide) as recorded in Plat Book 100, Page 3 and being a point on a curve;

Thence with the easterly right of way line of said Hamilton Road with a curve northeasterly and to the right having a radius of 5950.00 feet, a central angle of 00°30'08", a chord bearing of North 07°59'30" East, and a chord distance of 52.17 feet to a point on the southerly line of a 124.488 acre tract as conveyed to Cardinal Title Holding Company of record in Official Record Volume 28103108 and also being a point on the northerly line of said 4.143 acre tract;

Thence South 86°34'29" East with the southerly line of said original 124.448 acre tract and the northerly line of said 4.143 acre tract and said 5.408 acre tract, a distance of 496.02 feet to a point at the northeasterly corner of said 5.408 acre tract and the northwesterly corner of a 3.6972 acre tract as conveyed to Mary A. Metzger of record in Official Record Volume 2661B18;

Thence South 10°15'17" East with the easterly line of said 5.408 acre tract and the westerly line of said 3.6972 acre tract, a distance of 498.48 feet to a point on the northerly right of way line of said Warner Road at the southeasterly corner of said 5.408 acre tract and the southwesterly corner of said 3.6972 acre tract;

Thence North 86°17'30" West with the northerly right of way line of said Warner Road, a distance of 117.37 feet to a point;

Thence South 03°42'30" West continuing with the northerly right of way line of said Warner Road, a distance of 10.00 feet to a point;

Thence North 86°17'30" West continuing with the northerly right of way line of said Warner Road, a distance of 257.54 feet to the true point of beginning and containing 4.467 acres, more or less.

This description was prepared by Environmental Design Group, Inc., Columbus, Ohio. The basis of bearing is South 86°17'30" East for the centerline of said Warner Road and is based on The Ohio State Plane Coordinate System as per NAD83. Control for bearings was from coordinates established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.

2.607 Acres

Open Space

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 3, Township 2, Range 16, United States Military Lands, and being 2.607 acres out of a 5.408 acre tract as conveyed to Boomer Landco, LLC of record in Instrument Number 200011020222565 (all records being of the Recorder's Office, Franklin County, Ohio), and being more particularly described as follows:

Beginning for reference at a Franklin County Geodetic Survey (F.C.G.S.#6611) monument found at the intersection of the centerline of Warner Road and the line between Blendon Township and Plain Township;

Thence South 86°27'43" East with the centerline of said Warner Road, a distance of 2625.69 feet to a Franklin County Geodetic Survey (F.C.G.S.#1207) monument found;

Thence South 86°17'30" East continuing with the centerline of said Warner Road, a distance of 1267.10 feet to a point;

Thence, North 03°42'30" East, a distance of 50.00 feet to a point on the northerly right of way line of said Warner Road and the southerly line of said 5.408 acre tract and being the true point of beginning of the herein described tract;

Thence, through said 5.408 acre tract, the following twenty-three (23) courses:

1) North 74°49'44" West, a distance of 28.35 feet to a point;

2) North 62°00'10" West, a distance of 26.84 feet to a point;

3) North 12°42'49" West, a distance of 16.81 feet to a point;

4) North 11°18'36" East, a distance of 16.83 feet to a point;

5) North 01°02'30" East, a distance of 93.52 feet to a point;

6) North 12°35'04" West, a distance of 33.50 feet to a point;

7) North 20°30'39" West, a distance of 29.68 feet to a point;

8) North 46°44'09" West, a distance of 16.34 feet to a point;

9) North 54°44'16" West, a distance of 55.60 feet to a point;

10) North 41°31'54" West, a distance of 28.05 feet to a point;

11) North 50°33'58" West, a distance of 51.88 feet to a point;

12) North 47°44'13" West, a distance of 32.34 feet to a point;

13) North 69°32'37" West, a distance of 13.45 feet to a point;

14) South 89°07'31" West, a distance of 13.10 feet to a point;

15) South 67°06'50" West, a distance of 26.48 feet to a point;

16) South 40°03'09" West, a distance of 23.78 feet to a point;

17) South 62°18'52" West, a distance of 18.29 feet to a point;

18) North 84°32'23" West, a distance of 13.66 feet to a point;

19) North 32°16'32" West, a distance of 13.48 feet to a point;

20) North 01°38'19" West, a distance of 19.31 feet to a point;

21) North 06°09'39" East, a distance of 124.42 feet to a point;

22) North 12°23'07" East, a distance of 30.31 feet to a point;

23) North 55°47'03" East, a distance of 38.07 feet to a point on the southerly line of an original 124.448 acre tract as conveyed to

Cardinal Title Holding Company of record in Official Record Volume 28103108;

Thence, with the southerly line of said original 124.448 acre tract and the northerly line of said 5.408 acre tract, South 86°34'29" East, a distance of 287.88 feet to a point at the northeasterly corner of said 5.408 acre tract and the northwesterly corner of a 3.6972 acre tract as conveyed to Mary A. Metzger of record in Official Record Volume 2661B18;

Thence South 10°15'17" East with the easterly line of said 5.408 acre tract and the westerly line of said 3.6972 acre tract, a distance of 498.48 feet to a point on the northerly right of way of said Warner Road at the southeasterly corner of said 5.408 acre tract and the southwesterly corner of said 3.6972 acre tract;

Thence with said right of way line North 86°17'30" West, a distance of 117.37 feet to the true point of beginning and containing 2.607 acres, more or less.

This description was prepared by Environmental Design Group, Inc., Columbus, Ohio. The basis of bearing is South 86°17'30" East for the centerline of said Warner Road and is based on The Ohio State Plane Coordinate System as per NAD83. Control for bearings was from coordinates established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.

**2.002 Acres
Scenic Conservation Easement**

Situated in the State of Ohio, County of Franklin, City of Columbus, Quarter Township 3, Township 2, Range 16, United States Military Lands, and being 2.002 acres out of a 5.408 acre tract as conveyed to Boomer Landco, LLC of record in Instrument Number 200011020222565 (all records being of the Recorder's Office, Franklin County, Ohio), and being more particularly described as follows:

Beginning for reference at a Franklin County Geodetic Survey (F.C.G.S.#6611) monument found at the intersection of the centerline of Warner Road and the line between Blendon Township and Plain Township;

Thence South 86°27'43" East with the centerline of said Warner Road, a distance of 2625.69 feet to a Franklin County Geodetic Survey (F.C.G.S.#1207) monument found;

Thence South 86°17'30" East continuing with the centerline of said Warner Road, a distance of 1267.10 feet to a point;

Thence, North 03°42'30" East, a distance of 40.00 feet to a point on the northerly right of way line of said Warner Road and the southerly line of said 5.408 acre tract and being the true point of beginning of the herein described tract;

Thence North 86°17'30" West with the southerly line said 5.408 acre tract and the northerly right of way line of said Warner Road, a distance of 41.05 feet to a point;

Thence, through said 5.408 acre tract, the following twelve (12) courses:

24) North 03°22'36" East, a distance of 101.47 to a point;

25) North 00°11'16" East, a distance of 45.82 feet to a point;

26) North 05°48'47" West, a distance of 42.12 feet to a point;

27) North 27°33'45" West, a distance of 29.36 feet to a point;

28) North 36°46'44" West, a distance of 39.42 feet to a point;

29) North 54°41'42" West, a distance of 32.45 feet to a point;

30) North 48°17'30" West, a distance of 52.24 feet to a point;

31) North 36°00'48" West, a distance of 32.94 feet to a point;

32) North 24°44'39" West, a distance of 48.54 feet to a point;

33) North 08°54'02" East, a distance of 22.95 feet to a point;

34) North 10°15'20" West, a distance of 82.37 feet to a point;

35) North 00°37'31" East, a distance of 26.33 feet to a point on the southerly line of an original 124.448 acre tract as conveyed to

Cardinal Title Holding Company of record in Official Record Volume 28103108;

Thence, with the southerly line of said original 124.448 acre tract and the northerly line of said 5.408 acre tract, South 86°34'29" East, a distance of 228.65 feet to a point at the northeasterly corner of said 5.408 acre tract and the northwesterly corner of a 3.6972 acre tract as conveyed to Mary A. Metzger of record in Official Record Volume 2661B18;

Thence South 10°15'17" East with the easterly line of said 5.408 acre tract and the westerly line of said 3.6972 acre tract, a distance of 498.48 feet to a point on the northerly right of way of said Warner Road at the southeasterly corner of said 5.408 acre tract and the southwesterly corner of said 3.6972 acre tract;

Thence with the northerly right of way line of said Warner Road, the following two (2) courses;

1) North 86°17'30" West, a distance of 117.37 feet to a point;

2) South 03°42'30" West, a distance of 10.00 feet to the true point of beginning and containing 2.003 acres, more or less. This description was prepared by Environmental Design Group, Inc., Columbus, Ohio. The basis of bearing is South 86°17'30" East for the centerline of said Warner Road and is based on The Ohio State Plane Coordinate System as per NAD83. Control for bearings was from coordinates established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.

To Rezone From: R, Rural Districts,

To: CPD, Commercial Planned Development District.

Section 2. That a Height District of Thirty-five (35) feet is hereby established on 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 text being titled, "DEVELOPMENT TEXT CPD, COMMERCIAL PLANNED DEVELOPMENT 11.89± ACRES," and said plan being titled "WARNER ROAD DEVELOPMENT: ZONING SUB-AREA PLAN" both signed by Donald Plank, Attorney for the Applicant, dated June 6, 2003, and reading as follows:

**DEVELOPMENT TEXT
CPD, COMMERCIAL PLANNED DEVELOPMENT
11.89 ± ACRES**

EXISTING DISTRICTS:	R, Rural
PROPOSED DISTRICTS:	CPD, Commercial Planned Development
PROPERTY ADDRESS:	5240 Warner Road, Columbus, OH 43081
OWNER:	Boomer Landco LLC c/o Donald Plank, Esq., Shuler Plank & Brahm, 145 East Rich Street, Columbus, OH 43215
APPLICANT:	Boomer Landco LLC c/o Donald Plank, Esq., Shuler Plank & Brahm, 145 East Rich Street, Columbus, OH 43215
DATE OF TEXT:	June 6, 2003
APPLICATION NUMBER:	Z02-042

INTRODUCTION:

The subject property consists of 11.9± acres generally located at the northeast and northwest quadrants of Warner Road and Hamilton Road. Applicant proposes to rezone the property to create four (4) Sub-Areas. All four (4) sub-areas are proposed to be rezoned to CPD for commercial use. All of the property was commercially zoned in Plain Township. This rezoning application is being submitted to establish comparable commercial zoning in the City of Columbus and to reflect the recommendations of the Rocky Fork-Blacklick Accord for commercial zoning and development of the site.

Hamilton Road is under construction and is being extended north from its current terminus at the Hamilton Road/New Albany Expressway interchange to Central College Road. Hamilton Road is designated as a 4-2D arterial in the City of Columbus Thoroughfare Plan. The Rocky Fork-Blacklick Accord ("Accord") designates the Hamilton Road/New Albany Expressway interchange as a gateway to the planning area and the extension of Hamilton Road is a key component to both the gateway concept of the interchange and to the arterial road system within the Accord. A goal of the Accord is to create and implement an arterial road system that provides for the efficient and effective movement of vehicles through the Accord area while reducing vehicular impact on sub-arterial roads to preserve rural roadways. The Accord implementation strategies, Accord land use plan, general

planning principles associated with the location of more intense uses on arterials and at major entrance points and existing and anticipated Plain Township and City of Columbus zoning at the intersection of extended Hamilton Road and Warner Road all support applicant's proposal.

The location of Sub-Areas A, B, C and D is depicted on the plan titled "Warner Road Development: Zoning Subarea Plan" dated January 2, 2003, signed June 6, 2003 by Donald Plank, Attorney for Applicant, and said plan is hereby incorporated by reference. Sub-Area A is 1.25± acres located at the northwest corner of Warner Road and Hamilton Road. Sub-Area A is proposed to be rezoned to CPD to permit a convenience store with motor vehicle fuel sales, a car wash and commercial uses. Sub-Area B is 4.23± acres generally located north and west of Sub-Area A and will have frontage on both Warner Road and Hamilton Road. Sub-Area B is proposed to be rezoned to CPD for office, retail and restaurant commercial uses. Sub-Area C is 1.95+ acres located at the northeast corner of Warner Road and Hamilton Road. Sub-Area C is proposed to be rezoned to CPD for office, retail and restaurant commercial uses. Sub-Area D is 4.46+ acres generally located north and east of Sub-Area C. Sub-Area D will have frontage on both Warner Road and Hamilton Road and is proposed to be rezoned to CPD for office commercial uses. All sub-area acreage is net of right of way for dedication of Hamilton and Warner Roads. All land use and sub-area plans submitted with this application reflect all required Hamilton Road and Warner Road right of way dedication. SUBAREA A

**CPD, COMMERCIAL PLANNED DEVELOPMENT DISTRICT (1.25± ACRES)
DEVELOPMENT TEXT**

1. PERMITTED USES: The following uses shall be permitted in Sub-Area A:

A. All uses of Section 3356.03, C-4 Permitted Uses, except the following: Adult Book Store, Adult Motion Picture Theater, Adults Only Entertainment; Animal kennels; Armory; Billboards; Cabaret; Drive-in theater; Electric substation; Garage Repair Shop; Ice House; Massage parlor; Motor bus terminal; Off-Premise Graphics, other than as permitted by the Graphics Commission; Plumbing Shop; Poultry (killing and dressing for sale at retail on the premises); Private club; Stables; Testing and Experimental Laboratory; Tinsmith; Tire Repair Shop

B. A convenience store with motor vehicle fuel sales, which use may also include a car wash.

2. DEVELOPMENT STANDARDS: Except as specified herein, the applicable development standards shall be as specified in the C-4, Commercial District.

A. Density, Height, Lot and/or Setback Commitments.

1. Building/Canopy Setback: The minimum setback on Hamilton Road and Warner Road shall be 25 feet.

2. Parking Setback: The minimum parking and pavement setback, other than driveways from curbcuts, on Hamilton Road and Warner Road shall be 10 feet.

3. Sub-Area A shall be designated a H-35 Height District.

4. Lot coverage for all building and pavement for the total area of Sub-Areas A and B combined shall not exceed 75%.

B. Access, Loading, Parking and/or other Traffic Related Commitments.

1. Curbcuts shall be approved by the City of Columbus Division of Transportation. The Division of Transportation has approved one (1) right in/right out curb cut on Hamilton Road and a right-in curbcut on Warner Road, subject to final design review.

2. Driveway access points and aisles may be divided by property lines and sub-area lines without regard to minimum dimensions within any single property or sub-area, as long as the overall driveway or aisle dimensions meet minimum code requirements and easements, as applicable, are provided to insure the function of shared driveways and aisles.

3. Required Parking and Vehicular Circulation Design:

a. To provide the most efficient design and layout of parking, aisles, driveways and vehicular circulation areas and to minimize unnecessary paving, parking spaces, aisles, driveways and vehicular circulation areas may be designed without regard to property lines internal to Sub-Area A and B or the Sub-Area line between Sub-Area A and Sub-Area B. Cross easements shall be provided as applicable to insure the designed function of the parking and internal vehicular circulation system. Code required parking shall be determined by the sum of required parking for all uses within Sub-Areas A and B and shall be provided within the overall area of Sub-Areas A and B without regard to internal property lines or sub-area boundaries. The sub-area lines represented by the boundaries of Sub-Areas A and B may be property lines in the future and other property lines may exist within Sub-Areas A and/or B without regard for parking, maneuvering and aisle width within each parcel that may exist in the future, subject to the overall area of Sub-Areas A and B being compliant with parking, maneuvering and aisle requirements for the uses developed on Sub-Areas A and B. Parking shall not be provided in excess of that number of parking spaces required by Chapter 3342, Off-Street Parking and Loading, Columbus Zoning Code.

4. Code required parking may be reduced with the administrative approval of the Division of Transportation upon submission of appropriate and applicable data regarding shared parking or other demonstration of parking needs being less than calculated code required parking.

5. There shall be no required parking for seasonal outside seating areas.

6. No more than 3 stacking spaces shall be required for the car wash.

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

1. The parking setback areas of both Hamilton and Warner Roads shall be maintained in live vegetation and shall include tree and shrub planting at the rate of four (4) trees and four (4) shrubs per 100 lineal feet of street frontage. The trees shall be placed randomly to simulate natural hedgerows. These trees are in addition to the street trees required in #2 - below.

2. A street tree row shall be established along Hamilton and Warner Roads. The street tree row shall contain one (1) tree for every 30 feet of lineal frontage. Such trees shall be those specified in the Columbus Street Tree Program guidelines from the City Forester. The trees shall be approximately evenly spaced and planted in the right of way, subject to approval of applicable city agencies.

3. All parking areas adjacent to the proposed Hamilton Road extension and Warner Road shall have headlight screening parallel to the frontage with a minimum height of 36 inches measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of an evergreen hedge, earth mounding, or walls. The height of headlight screening may be reduced as needed adjacent to curbcuts or at the Hamilton Road/Warner Road intersection to provide adequate vision clearance.

4. Tree planting shall be required within the site parking area and service areas. The number of trees shall be determined by the following applicable ratios of total inches of tree caliper to total site coverage by buildings and pavement:

0 - 20,000 square feet: 6 inches of trunk plus 1 inch added for every 4,000 square feet of total site covered by building and pavement.

20,000 - 100,000 square feet: 10 inches of trunk size plus 1 inch for every 4,000 square feet of total site coverage by buildings and pavement.

5. The landscaping requirements of this section and/or the requirements of Chapter 3342 may be offset by the preservation of existing vegetation. Street tree planting and Hamilton and Warner Road parking setback tree planting shall not be counted to off-set requirements of Chapter 3342 for tree planting within the site parking area.

6. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six months.

7. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inches, Ornamental – 1 ½ inches, Evergreen - 5 - 6 feet. The minimum size of shrubs shall be 2 gallon. Caliper shall be measured 6" above grade.

8. There shall be no required loading space pursuant to the requirements of 3342.13, Loading Space, and 3342.29, Minimum Number of Loading Spaces Required. Loading/Service Areas shall be screened from off-site view to a minimum height of four (4) feet by landscaping, fencing, walls or buildings used individually or in combination.

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

1. Any mechanical equipment or utility hardware on the roof of a building shall be screened from view from ground level to the height of the equipment by the same material utilized on the building roof or exterior. Color shall also match the building exterior or roof. Ground mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping or any fence or wall utilizing comparable and compatible materials as the building materials.

2. Building illumination shall be permitted provided such light source is concealed. No colored light shall be used to light the exterior of any building.

3. Building materials shall be traditional and natural in appearance, using materials such as wood, brick, stone, stucco/EIFS, glass and/or vinyl siding. Vinyl siding shall be limited to an upgraded quality and a thickness of .044 mils or greater and shall be natural in appearance. Prefabricated metal buildings, exposed untreated masonry block, buildings featuring an exterior finish consisting entirely of glass, and the use of reflective or mirrored glass are not permitted.

a. A minimum of 50% of the exterior of any building, exclusive of windows, doors, roof, soffit and similar or comparable areas, shall be finished with masonry building materials, such as brick, stone, EIFS, stucco, wood and/or comparable materials.

b. The columns of any canopy over motor vehicle fuel pumps shall be wrapped in the same masonry material as the primary masonry material used on the retail building in Sub-Area A, to coordinate the architectural theme between the canopy/columns and the retail building.

4. Building(s) shall be finished on all sides/elevations with the same level and quality of finish.

5. The primary roof of any building shall be pitched or sloped with a minimum slope of 6:12. The canopy over the motor vehicle fuel sales pump islands shall have a pitched roof with a minimum slope of 6:12.

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

1. All parking lot or ground mounted lighting shall use fully shielded cut-off fixtures (down lighting), except there may be accent lighting (up lighting) on landscaping in the front of structures and ground signs, provided the fixtures are screened with landscaping to prevent glare.

2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to insure aesthetic compatibility.

3. Except for decorative lighting, all other light poles shall be metal or fiberglass and such light poles shall be of the same color. Light poles in the parking lots shall not exceed a maximum of 18 feet in height.

4. Building mounted area lighting within the parcel shall utilize fully shielded cut-off style fixtures and be designed in such a way to minimize any offsite light spillage.

5. All new or relocated utility lines within Sub-Area A shall be installed underground unless the applicable utility company directs or requires otherwise.

6. All lighting shall be positioned as to not be directed toward any residential area.

7. Canopy lighting over gasoline pump islands shall be recessed or shielded to control glare and off-site light.

8. Dumpsters shall be screened from view on all four (4) sides to a height of six (6) feet.

F. Graphics and Signage Commitments

1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-4, Commercial District. Any variance to the applicable requirements of the C-4 district shall be submitted to the Columbus Graphics Commission.

2. All ground mounted signage shall be monument-style, except for incidental on-premise ground mounted directional signs, if any.

G. Other CPD Requirements

1. Natural Environment: The natural environment of Sub-Area A is flat.

2. Existing Land Use: The property is presently undeveloped.

3. Circulation: Access to and from Sub-Area A will be from Hamilton Road and Warner Road with internal vehicular circulation between Sub-Area A and Sub-Area B, contiguous to the north and west.

4. Visual Form of the Environment: The area surrounding Sub-Area A is undeveloped in all directions.

5. Visibility: Sub-Area A fronts on existing Warner Road and will front on the future extended Hamilton Road.

6. Proposed Development: Commercial development consisting of a convenience store with gasoline sales and car wash is proposed, in addition to commercial uses as itemized.

7. Behavior Patterns: The site is located on existing Warner Road and will be located at the northwest corner of Hamilton Road and Warner Road upon construction of Hamilton Road north from the present Hamilton Road/New Albany Expressway interchange. Vehicular access will be from future Hamilton Road and also Warner Road. Pedestrian access will be via a sidewalk on Hamilton Road and internal access between Sub-Area A and B.

8. Emissions: Development on Sub-Area A will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

9. Variances: The Hamilton Road building setback is reduced from 60 feet to 25 feet. Curbcuts, driveways and aisles are permitted to straddle a property line, subject to the overall width meeting minimum code requirements. Provision is made for review of shared parking and reduction of code required parking based on appropriate and applicable review by the Division of Transportation. The requirement for Loading Spaces, as defined in the Zoning Code, is eliminated. Stack parking spaces for a car wash is reduced to 3 spaces.

H. Miscellaneous

1. Sidewalks along Hamilton Road and Warner Road shall be provided and shall be located per the specifications and recommendations of the City of Columbus.

2. Bicycle parking will be provided.

SUB-AREA B

**CPD, COMMERCIAL PLANNED DEVELOPMENT DISTRICT (4.23+ ACRES)
DEVELOPMENT TEXT**

1. PERMITTED USES: The following uses shall be permitted in Sub-Area B: All uses of Section 3356.03, C-4 Permitted Uses, except the following:

Adult Book Store, Adult Motion Picture Theater, Adults Only Entertainment; Animal kennels; Armory; Billboards; Cabaret; Drive-in theater; Electric substation; Garage Repair Shop; Ice House; Massage parlor; Motor bus terminal; Off-Premise Graphics, other than as permitted by the Graphics Commission; Plumbing Shop; Poultry (killing and dressing for sale at retail on the premises); Private club; Stables; Testing and Experimental; Laboratory; Tinsmith; Tire Repair Shop

2. DEVELOPMENT STANDARDS: Except as specified herein, the applicable development standards shall be as specified in the C-4, Commercial District.

A. Density, Height, Lot and/or Setback Commitments.

1. Building Setback: The minimum building setback on Hamilton Road and Warner Road shall be 25 feet. There shall be a minimum building setback of 25 feet from the current north and west sub-area lines of Sub-Area B. If Sub-Area B is split into one or more parcels, there shall be no setback required from a property line internal to the current external, perimeter property lines.

2. Parking Setback: The minimum parking and pavement setback, other than driveways from curbscuts, shall be ten (10) feet on Hamilton Road and Warner Road. There shall be a minimum 25 foot parking/pavement setback from the current north property of Sub-Area B and a twenty (20) foot parking/pavement setback from the current west property line of Sub-Area B, as long as abutting property to the north and west, respectively, is zoned or used residentially. There will be no internal parking setback line from property lines created within and internal to Sub-Area B

3. Sub-Area B shall be designated a H-35 Height District.

4. Lot coverage for all building and pavement for the total area of Sub-Areas A and B combined shall not exceed

75%.

B. Access, Loading, Parking and/or other Traffic Related Commitments.

1. Curbscuts shall be approved by the City of Columbus Division of Transportation. The Division of Transportation has approved one (1) full turning movement curb cut on both Hamilton Road and Warner Road and two (2) right-in curb cuts on Warner Road, subject to final design review. The Sub-Area B Warner Road full turning movement curb cut will require an eastbound left turn lane and applicable vehicle storage and lane taper. Forty (40) feet of right of way from centerline of Warner Road presently exists for all of the Warner Road frontage of Sub-Area B, in accordance with the Columbus Thoroughfare Plan. The west line of Sub-Area B is the present City of Columbus Corporation line. Construction of an eastbound left turn lane for Sub-Area B may require the dedication of Warner Road right of way west of Sub-Area B. Prior to the construction of the Sub-Area B eastbound left turn lane, developer shall provide applicable off-site Warner Road right of way for the construction of the left turn lane to City of Columbus standards. Unless and until applicable off-site Warner Road right of way is dedicated, turning movements from Warner Road for the Sub-area B full turning movement curb cut shall be limited to right-in, right-out and left out movements.

2. Driveway access points and aisles may be divided by property lines without regard to minimum dimensions within any single property or sub-area, as long as the overall driveway or aisle dimensions meet minimum code requirements and easements are provided to insure the function of shared driveways and aisles.

3. Required Parking and Vehicular Circulation Design:

a. To provide the most efficient design and layout of parking, aisles, driveways and vehicular circulation areas and to minimize unnecessary paving, parking spaces, aisles, driveways and vehicular circulation areas may be designed without regard to property lines internal to Sub-Area A and B or the Sub-Area line between Sub-Area A and Sub-Area B. Cross easements shall be provided as applicable to insure the designed function of the parking and internal vehicular circulation system. Code required parking shall be determined by the sum of required parking for all uses within Sub-Areas A and B and shall be provided within the overall area of Sub-Areas A and B without regard to internal property lines or sub-area boundaries. The sub-area lines represented by the boundaries of Sub-Areas A and B may be property lines in the future and other property lines may exist within Sub-Areas A and/or B without regard for parking, maneuvering and aisle width within each parcel that may exist in the future, subject to the overall area of Sub-Areas A and B being compliant with parking, maneuvering and aisle requirements for the uses developed on Sub-Areas A and B. Parking shall not be provided in excess of that number of parking spaces required by Chapter 3342, Off-Street Parking and Loading, Columbus Zoning Code.

b. Code required parking may be reduced with the administrative approval of the Division of Transportation upon submission of appropriate and applicable data regarding shared parking or other demonstration of parking needs being less than calculated code required parking.

c. There shall be no required parking for seasonal outside seating areas.

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

1. The Hamilton Road and Warner Road parking setback shall be maintained in live vegetation and shall include tree and shrub planting at the rate of four (4) trees and four (4) shrubs per 100 lineal feet of street frontage. The trees shall be placed randomly to simulate natural hedgerows. These trees are in addition to the street trees required in #2 - below.

2. A street tree row shall be established along Hamilton Road and Warner Road. The street tree row shall contain one (1) tree for every 30 feet of lineal frontage. Such trees shall be those specified in the Columbus Street Tree Program guidelines from the City Forester. The trees shall be approximately evenly spaced and planted in the right of way, subject to approval of applicable city agencies.

3. All parking areas adjacent to the proposed Hamilton Road extension and Warner Road shall have headlight screening parallel to the frontage with a minimum height of 36 inches measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of an evergreen hedge, earth mounding, or walls. The height of headlight screening may be reduced as needed adjacent to curbscuts to provide adequate vision clearance.

4. Tree planting shall be required within the site parking area and service areas. The number of trees shall be determined by the following applicable ratios of total inches of tree caliper to total site coverage by buildings and pavement:

0 - 20,000 square feet: 6 inches of trunk plus 1 inch added for every 4,000 square feet of total site covered by building and pavement.

20,000 - 100,000 square feet: 10 inches of trunk size plus 1 inch for every 4,000 square feet of total site coverage by buildings and pavement.

5. The landscaping requirements of this section and/or the requirements of Chapter 3342 may be offset by the preservation of existing vegetation. Street tree planting and Hamilton and Warner Road parking setback tree planting shall not be counted to off-set requirements of Chapter 3342 for tree planting within the site parking area.

6. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six months.

7. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inches, Ornamental - 1 ½ inches, Evergreen - 5 - 6 feet. The minimum size of shrubs shall be 2 gallon. Caliper shall be measured 6" above grade.

8. There shall be no required loading space pursuant to the requirements of 3342.13, Loading Space, and 3342.29, Minimum number of Loading Spaces Required. Loading/Service Areas shall be screened from off-site view to a minimum height of four (4) feet by landscaping, fencing, walls or buildings used individually or in combination.

9. Buffering between Sub-Area B and the residentially zoned property to the north of Sub-Area B shall consist of screening and/or planting within the north 25 foot parking and building setback. Buffering shall consist of a mound (3:1 slope) with a minimum height of 2 - 3 feet with a 5 - 6 foot high 75% opaque fence located at the top of the mound and trees shall be planted in rows on both sides of the fence at the rate of 1 tree per 30 lineal feet with the two (2) rows being staggered or off-set to provide a tree at approximately every 15 feet on center. Alternatively, if a fence is not used or a shorter fence is preferred, tree planting in addition to the two (2) staggered rows shall be provided to provide the same 5 - 6 foot tall 75% opacity standard between Sub-Area B and residentially zoned property to the north. walking path between Sub-Area B and property to the north may be provided through the buffer area to allow pedestrian connection, if desired by the developer of Sub-Area B. Trees shall be a mixture of evergreen and deciduous trees The north parking setback/buffering requirement shall only be applicable for such time as property to the north is zoned or used residentially.

10. The property abutting Sub-Area B to the west is presently in Plain Township, zoned LC, Local Commercial, but developed with a single family dwelling. Buffering shall be provided along the west line of Sub-Area B as long as the property (Tax District/Parcel 220-001221) is zoned or used residentially. Buffering shall consist of the following and the following shall be placed prior to or upon commencement of any building within 250 feet of the west line of Sub-Area B: Buffering within the 20 foot pavement setback shall consist of a six (6) foot high opaque (90% or greater) privacy fence and plant material. The fence shall extend along the entire west line of Sub-Area B to a point 50 feet from the right of way of Waner Rd. Evergreen trees shall be planted in a continuous row with individual trees spaced no more than 15 feet on enter. There shall be no parking lot lighting placed within the 20 foot setback.

D. Building Design and/or Interior Exterior Treatment Commitment

1. Any mechanical equipment or utility hardware on the roof of a building shall be screened from view from ground level to the height of the equipment by the same material utilized on the building roof or exterior. Color shall also match the building exterior or roof. Ground mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping or any fence or wall utilizing comparable and compatible materials as the building materials.

2. Building illumination shall be permitted provided such light source is concealed. No colored light shall be used to light the exterior of any building.

3. Building materials shall be traditional and natural in appearance, using materials such as wood, brick, stone, stucco/EIFS, glass and/or vinyl siding. Vinyl siding shall be limited to an upgraded quality and a thickness of .044 mils or greater and shall be natural in appearance. Prefabricated metal buildings, exposed untreated masonry block, buildings featuring an exterior finish consisting entirely of glass, and the use of reflective or mirrored glass are not permitted.

a. A minimum of 50% of the exterior of any building, exclusive of windows, doors, roof, soffit and similar or comparable areas, shall be finished with masonry building materials, such as brick, stone, EIFS, stucco, wood and/or comparable materials.

4. Building(s) shall be finished on all sides/elevations with the same level and quality of finish

5. The primary roof of any building shall be pitched or sloped with a minimum slope of 6:12.

6. No building shall exceed 200 feet in length or width.

7. Seasonal outside seating related to on-premise commercial use(s) shall be encouraged and provided for in the design of commercial building(s)/uses. This shall not be interpreted to require every commercial use to provide seasonal outside seating, but rather that a courtyard or other area of outside seating will be provided to encourage pedestrian and seasonal outside activity.

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

1. All parking lot and ground mounted lighting shall use fully shielded cut-off fixtures (down lighting), except there may be accent lighting (up lighting) on landscaping in the front of structures and ground signs, provided the fixtures are screened with landscaping to prevent glare.

2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to insure aesthetic compatibility.

3. Except for decorative lighting, all other light poles shall be metal or fiberglass and such light poles shall be of the same color. Light poles in the parking lots shall not exceed a maximum of 18 feet in height.

4. Building mounted area lighting within the parcel shall utilize fully shielded cut-off style fixtures and be designed in such a way to minimize any offsite light spillage.

5. All new or relocated utility lines within Sub-Area B shall be installed underground unless the applicable utility company requires or directs otherwise.

6. All lighting shall be positioned as to not be directed toward any residential area.

7. Dumpsters shall be screened from view on all four (4) sides to a height of six (6) feet.

F. Graphics and Signage Commitments

1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-4, Commercial District. Any variance to the applicable requirements of the C-4 district shall be submitted to the Columbus Graphics Commission.

2. All ground mounted signage shall be monument-style, except for incidental on-premise ground mounted directional signs, if any.

G. Other CPD Requirements

1. Natural Environment: The natural environment of Sub-Area B is flat to slightly rolling agricultural fields.

2. Existing Land Use: The property is presently undeveloped.

3. Circulation: Access to and from Sub-Area B will be from Hamilton Road and Warner Road with internal vehicular circulation between Sub-Area A and Sub-Area B.

4. Visual Form of the Environment: Property to the north, east and southeast is undeveloped. Property to the southwest west is developed with single family dwellings located in Plain Township, with various parcels zoned commercially in Plain Township, including the abutting property to the west.

5. Visibility: Sub-Area B will front on Warner Road and future extended Hamilton Road.

6. Proposed Development: Commercial uses as delineated under Permitted Uses.

7. Behavior Patterns: The site will be located on future extended Hamilton Road and will be located north of the future intersection of Hamilton Road and Warner Road upon construction of Hamilton Road north from the present Hamilton Road/New Albany Expressway interchange. Vehicular access will be from both Warner Road and extended Hamilton Road. Pedestrian access will be via a sidewalk on Hamilton Road and internal access between Sub-Areas A and B.

8. Emissions: Development on Sub-Area B will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

9. Variances: The Hamilton Road building setback is reduced from 60 feet to 25 feet. Curbscuts, driveways and aisles are permitted to straddle a property line, subject to the overall width meeting minimum code requirements. Provision is made for review of

shared parking and reduction of code required parking based on appropriate and applicable review by the Division of Transportation. The requirement for Loading Spaces, as defined in the Zoning Code, is eliminated.

H. Miscellaneous

1. Sidewalks along Hamilton Road and Warner Road shall be provided and shall be located per the specifications and recommendations of the City of Columbus.
2. Bicycle parking will be provided.

SUB-AREA C

CPD, COMMERCIAL PLANNED DEVELOPMENT DISTRICT (1.95+ ACRES)

DEVELOPMENT TEXT

1. PERMITTED USES: The following uses shall be permitted in Sub-Area C: All uses of Section 3356.03, C-4 Permitted Uses, except the following: Adult Book Store, Adult Motion Picture Theater, Adults Only Entertainment; Animal kennels; Armory; Billboards; Cabaret; Drive-in theater; Electric substation; Garage Repair Shop; Ice House; Massage parlor; Motor bus terminal; Off-Premise Graphics, other than as permitted by the Graphics Commission; Plumbing Shop; Poultry (killing and dressing for sale at retail on the premises); Private club; Stables; Testing and Experimental Laboratory; Tinsmith; Tire Repair Shop

2. DEVELOPMENT STANDARDS: Except as specified herein, the applicable development standards shall be as specified in the C-4, Commercial District.

A. Density, Height, Lot and/or Setback Commitments.

1. Building Setback: The minimum building setback on Hamilton Road shall be 5 feet and the minimum building setback on Warner Road shall be 25 feet, as depicted on the drawing titled "Warner Road Development: Zoning Sub-Area Plan". If Sub-Area C is split into one or more parcels, there shall be no setback required from a property line internal to the current external, perimeter/sub-area lines.

2. Parking Setback: The minimum parking and pavement setback, other than driveways from curbcuts, shall be 20 feet and 10 feet on Hamilton Road and Warner Road, respectively, except as noted on the drawing titled "Warner Road Development: Zoning Sub-Area Plan", where the Warner Road parking setback corresponds to the building setback line at the northeast corner of Hamilton and Warner Roads. The Hamilton Road parking setback shall correspond to the actual building setback where adjacent to and in advance of a building. If Sub-Area C is split into one or more parcels, there shall be no parking setback required from a property line internal to the current external, perimeter/sub-area lines.

3. Sub-Area C shall be designated a H-35 Height District.

4. Lot coverage for all building and pavement for the total area of Sub-Areas C and D combined shall not exceed 55%.

B. Access, Loading, Parking and/or other Traffic Related Commitments.

1. Curbcuts shall be approved by the City of Columbus Division of Transportation. The Division of Transportation has approved one (1) full turning movement curb cut on Hamilton Road and one (1) full turning movement curb cut on Warner Road, with both curbcuts located generally in the area of the Sub-Area line between Sub-Area C and D, subject to final design review.

2. Driveway access points and aisles may be divided by property lines without regard to minimum dimensions within any single property or sub-area, as long as the overall driveway or aisle dimensions meet minimum code requirements and easements are provided to insure the function of shared driveways and aisles.

3. Required Parking and Vehicular Circulation Design:

a. To provide the most efficient design and layout of parking, aisles, driveways and vehicular circulation areas and to minimize unnecessary paving, parking spaces, aisles, driveways and vehicular circulation areas may be designed without regard to property lines internal to Sub-Area C and D or the Sub-Area line between Sub-Area C and Sub-Area D. Cross easements shall be provided as applicable to insure the designed function of the parking and internal vehicular circulation system. Code required parking shall be determined by the sum of required parking for all uses within Sub-Areas C and D and shall be provided within the overall area of Sub-Areas C and D without regard to internal property lines or sub-area boundaries. The sub-area lines represented by the boundaries of Sub-Areas C and D may be property lines in the future and other property lines may exist within Sub-Areas C and/or D without regard for parking, maneuvering and aisle width within each parcel that may exist in the future, subject to the overall area of Sub-Areas C and D being compliant with parking, maneuvering and aisle requirements for the uses developed on Sub-Areas C and D. Parking shall not be provided in excess of that number of parking spaces required by Chapter 3342, Off-Street Parking and Loading, Columbus Zoning Code.

b. Code required parking may be reduced with the administrative approval of the Division of Transportation upon submission of appropriate and applicable data regarding shared parking or other demonstration of parking needs being less than calculated code required parking.

c. There shall be no required parking for seasonal outside seating areas.

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

1. The Hamilton Road and Warner Road parking setback shall be maintained in live vegetation and shall include tree and shrub planting at the rate of four (4) trees and four (4) shrubs per 100 lineal feet of street frontage. The trees shall be placed randomly to simulate natural hedgerows. These trees are in addition to the street trees required in #2 - below.

2. A street tree row shall be established along Hamilton Road and Warner Road. The street tree row shall contain one (1) tree for every 30 feet of lineal frontage. Such trees shall be those specified in the Columbus Street Tree Program guidelines from the City Forester. The trees shall be approximately evenly spaced and planted in the right of way, subject to approval of applicable city agencies.

3. All parking areas adjacent to the proposed Hamilton Road extension and Warner Road shall have headlight screening parallel to the frontage with a minimum height of 36 inches measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of an evergreen hedge, earth mounding, or walls. The height of headlight screening may be reduced as needed adjacent to curbcuts to provide adequate vision clearance.

4. Tree planting shall be required within the site parking area and service areas, except that tree planting within the electric transmission easement shall not be required if permission to plant trees is not obtained to plant trees in the easement. Low shrubbery shall be substituted for trees in the easement area if permission to plant trees is not granted. The number of trees shall be determined by the following applicable ratios of total inches of tree caliper to total site coverage by buildings and pavement:

0 - 20,000 square feet: 6 inches of trunk plus 1 inch added for every 4,000 square feet of total site covered by building and pavement.

20,000 - 100,000 square feet: 10 inches of trunk size plus 1 inch for every 4,000 square feet of total site coverage by buildings and pavement.

5. The landscaping requirements of this section and/or the requirements of Chapter 3342 may be offset by the preservation of existing vegetation. Street tree planting and Hamilton and Warner Road parking setback tree planting shall not be counted to off-set requirements of Chapter 3342 for tree planting within the site parking area.

6. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six months.

7. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inches, Ornamental – 1 ½ inches, Evergreen - 5 - 6 feet. The minimum size of shrubs shall be 2 gallon. Caliper shall be measured 6" above grade.

8. There shall be no required loading space pursuant to the requirements of 3342.13, Loading Space, and 3342.29, Minimum number of Loading Spaces Required. Loading/Service Areas shall be screened from off-site view to a minimum height of four (4) feet by landscaping, fencing, walls or buildings used individually or in combination.

B. Building Design and/or Interior Exterior Treatment Commitments

1. Any mechanical equipment or utility hardware on the roof of a building shall be screened from view from ground level to the height of the equipment by the same material utilized on the building roof or exterior. Color shall also match the building exterior or roof. Ground mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping or any fence or wall utilizing comparable and compatible materials as the building materials.

2. Building illumination shall be permitted provided such light source is concealed. No colored light shall be used to light the exterior of any building.

3. Building materials shall be traditional and natural in appearance, using materials such as wood, brick, stone, stucco/EIFS, glass and/or vinyl siding. Vinyl siding shall be limited to an upgraded quality and a thickness of .044 mils or greater and shall be natural in appearance. Prefabricated metal buildings, exposed untreated masonry block, buildings featuring an exterior finish consisting entirely of glass, and the use of reflective or mirrored glass are not permitted.

a. A minimum of 50% of the exterior of any building, exclusive of windows, doors, roof, soffit and similar or comparable areas, shall be finished with masonry building materials, such as brick, stone, EIFS, stucco, wood and/or comparable materials.

4. Building(s) shall be finished on all sides/elevations with the same level and quality of finish.

5. The primary roof of any building shall be pitched or sloped with a minimum slope of 6:12.

6. No building shall exceed 200 feet in length or width.

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

1. All parking lot and ground mounted lighting shall use fully shielded cut-off fixtures (down lighting), except there may be accent lighting (up lighting) on landscaping in the front of structures and ground signs, provided the fixtures are screened with landscaping to prevent glare.

2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to insure aesthetic compatibility.

3. Except for decorative lighting, all other light poles shall be metal or fiberglass and such light poles shall be of the same color. Light poles in the parking lots shall not exceed a maximum of 18 feet in height.

4. Building mounted area lighting within the parcel shall utilize fully shielded cut-off style fixtures and be designed in such a way to minimize any offsite light spillage.

5. All new or relocated utility lines within Sub-Area C shall be installed underground unless the applicable utility company requires or directs otherwise.

6. All lighting shall be positioned as to not be directed toward any residential area.

7. Dumpsters shall be screened from view on all four (4) sides to a height of six (6) feet.

F. Graphics and Signage Commitments

1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-4, Commercial District. Any variance to the applicable requirements of the C-4 district shall be submitted to the Columbus Graphics Commission.

2. All ground mounted signage shall be monument-style, except for incidental on-premise ground mounted directional signs, if any.

G. Other CPD Requirements

1. Natural Environment: The natural environment of Sub-Area C is flat to slightly rolling.

2. Existing Land Use: The property is presently undeveloped.

3. Circulation: Access to and from Sub-Area C will be directly from Hamilton Road and via Warner Road from a curbcut in Sub-Area D with internal vehicular circulation between Sub-Area C and Sub-Area D.

4. Visual Form of the Environment: Property to the north, east, south, and west is undeveloped. An electric transmission easement crosses Sub-Area C.

5. Visibility: Sub-Area C will front on Warner Road and Hamilton Road.

6. Proposed Development: Commercial uses as delineated under Permitted Uses.

7. Behavior Patterns: The site will be located on extended Hamilton Road and will be located north of the intersection of Hamilton Road and Warner Road upon construction of Hamilton Road north from the present Hamilton Road/New Albany Expressway interchange. Vehicular access will be from both Warner Road and extended Hamilton Road. Pedestrian access will be via a sidewalk on Hamilton Road and internal access between Sub-Areas C and D.

8. Emissions: Development on Sub-Area C will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

9. Variances: The Hamilton Road building setback is reduced from 60 feet to 5 feet. Curbcuts, driveways and aisles are permitted to straddle a property line, subject to the overall width meeting minimum code requirements. Provision is made for review of shared parking and reduction of code required parking based on appropriate and applicable review by the Division of Transportation. The requirement for Loading Spaces, as defined in the Zoning Code, is eliminated.

H. Miscellaneous

1. Sidewalks along Hamilton Road and Warner Road shall be provided and shall be located per the specifications and recommendations of the City of Columbus.

2. Bicycle parking will be provided.

SUB-AREA D

CPD, COMMERCIAL PLANNED DEVELOPMENT DISTRICT (4.46+ ACRES)

DEVELOPMENT TEXT

1. PERMITTED USES: The following uses shall be permitted in Sub-Area D: All uses of Section 3353.03, C-2 Permitted Uses.

2. DEVELOPMENT STANDARDS: Except as specified herein, the applicable development standards shall be as specified in the C-2, Commercial District.

A. Density, Height, Lot and/or Setback Commitments.

1. Building Setback: The minimum building setback on Hamilton Road and Warner Road shall be 5 feet and 25 feet, respectively. If Sub-Area D is split into one or more parcels, there shall be no setback required from a property line internal to the current external, perimeter/sub-area lines.

2. Parking Setback: The minimum parking and pavement setback, other than driveways from curbcuts, shall be 20 feet on Hamilton Road and 10 feet on Warner Road. There shall be a minimum 10 foot parking/paving setback from the current north property line of Sub-Area D, as long as property to the north is zoned or used residentially. If Sub-Area D is split into one or more parcels, there shall be no setback required from a property line internal to the current external, perimeter/sub-area lines.

3. Sub-Area D shall be designated a H-35 Height District.

4. Lot coverage for all building and pavement for the total area of Sub-Areas C and D combined shall not exceed 55%.

B. Access, Loading, Parking and/or other Traffic Related Commitments.

1. Curb cuts and access points shall be approved according to the specifications of the City of Columbus Division of Transportation or any other applicable governmental agency. A minimum of one (1) full turning movement access point shall be permitted on Hamilton Road and Warner Road for Sub-Area D.

2. Driveway access points and aisles may be divided by property lines without regard to minimum dimensions within any single property or sub-area, as long as the overall driveway or aisle dimensions meet minimum code requirements and easements are provided to insure the function of shared driveways and aisles.

3. Required Parking and Vehicular Circulation Design:

a. To provide the most efficient design and layout of parking, aisles, driveways and vehicular circulation areas and to minimize unnecessary paving, parking spaces, aisles, driveways and vehicular circulation areas may be designed without regard to property lines internal to Sub-Area C and D or the Sub-Area line between Sub-Area C and Sub-Area D. Cross easements shall be provided as applicable to insure the designed function of the parking and internal vehicular circulation system. Code required parking shall be determined by the sum of required parking for all uses within Sub-Areas C and D and shall be provided within the overall area of Sub-Areas C and D without regard to internal property lines or sub-area boundaries. The sub-area lines represented by the boundaries of Sub-Areas C and D may be property lines in the future and other property lines may exist within Sub-Areas C and/or D without regard for parking, maneuvering and aisle width within each parcel that may exist in the future, subject to the overall area of Sub-Areas C and D being compliant with parking, maneuvering and aisle requirements for the uses developed on Sub-Areas C and D. Parking shall not be provided in excess of that number of parking spaces required by Chapter 3342, Off-Street Parking and Loading, Columbus Zoning Code.

b. Code required parking may be reduced with the administrative approval of the Division of Transportation upon submission of appropriate and applicable data regarding shared parking or other demonstration of parking needs being less than calculated code required parking.

c. There shall be no required parking for seasonal outside seating areas.

4. There shall be no more than two (2) rows of parking spaces located in front of any building fronting Warner Road in Sub-Area D, regardless of the actual building setback.

5. There shall be no pavement, other than pedestrian paths, between the closest east wall of a building built in Sub-Area D and the 100 year flood plain of Rocky Fork Creek.

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

1. The Hamilton Road and Warner Road parking setback shall be maintained in live vegetation and shall include tree and shrub planting at the rate of four (4) trees and four (4) shrubs per 100 lineal feet of street frontage. The trees shall be placed randomly to simulate natural hedgerows. These trees are in addition to the street trees required in #2 - below.

2. A street tree row shall be established along Hamilton Road and Warner Road. The street tree row shall contain one (1) tree for every 30 feet of lineal frontage. Such trees shall be those specified in the Columbus Street Tree Program guidelines from the City Forester. The trees shall be approximately evenly spaced and planted in the right of way, subject to approval of applicable city agencies.

3. All parking areas adjacent to the proposed Hamilton Road extension and Warner Road shall have headlight screening parallel to the frontage with a minimum height of 36 inches measured from the elevation of the nearest section of the adjacent parking area. Headlight screening shall be in the form of an evergreen hedge, earth mounding, or walls. The height of headlight screening may be reduced as needed adjacent to curbcuts to provide adequate vision clearance.

4. Tree planting shall be required within the site parking area and service areas, except that tree planting within the electric transmission easement shall not be required if permission to plant trees is not obtained to plant trees in the easement. Low shrubbery shall be substituted for trees in the easement area if permission to plant trees is not granted. The number of trees shall be determined by the following applicable ratios of total inches of tree caliper to total site coverage by buildings and pavement:

0 - 20,000 square feet: 6 inches of trunk plus 1 inch added for every 4,000 square feet of total site covered by building and pavement.

20,000 - 100,000 square feet: 10 inches of trunk size plus 1 inch for every 4,000 square feet of total site coverage by buildings and pavement.

5. The landscaping requirements of this section and/or the requirements of Chapter 3342 may be offset by the preservation of existing vegetation. Street tree planting and Hamilton and Warner Road parking setback tree planting shall not be counted to off-set requirements of Chapter 3342 for tree planting within the site parking area.

6. All trees and landscaping shall be well maintained. Weather permitting, dead items shall be replaced within six months.

7. The minimum size of trees at the time of planting shall be as follows: Deciduous - 2 ½ inches, Ornamental - 1 ½ inches, Evergreen - 5 - 6 feet. The minimum size of shrubs shall be 2 gallon. Caliper shall be measured 6" above grade.

8. There shall be no required loading space pursuant to the requirements of 3342.13, Loading Space, and 3342.29, Minimum number of Loading Spaces Required. Loading/Service Areas shall be screened from off-site view to a minimum height of four (4) feet by landscaping, fencing, walls or buildings used individually or in combination.

9. Rocky Fork Creek: Sub-Area D is contiguous to Rocky Fork Creek. Approximately 2.00+ acres, as indicated on the "Warner Road Development: Zoning Sub-Area Plan", dated January 2, 2003, of Sub-Area D will be a Conservation Easement area. The Conservation Easement shall be granted to the City of Columbus and shall be granted after a Certificate of Zoning Clearance is issued for development of Sub-Area D. Additional Open Space corresponding to the 100 year flood plain of Rocky Fork Creek shall be provided for total open space of 2.607+ acres consisting of the Conservation easement area and the 100 year flood plain, as indicated on the "Warner Road Development: Zoning Sub-Area Plan" dated January 2, 2003. No buildings or pavement will be placed in the 2.607+ acre open space area. Snow fencing shall be placed along the line of the Conservation Easement in the area of any construction to delineate the line of the easement prior to construction commencing on any nearby building. Applicant will make every reasonable effort to preserve and protect existing vegetation in the easement area during construction, however, utility crossing(s) may occur across the Conservation easement area and open space area for access to utilities. No parking lot lighting will be placed in the Conservation Easement or any of the 100 year flood plain area. The Conservation Easement Area may be split and conveyed to the City of Columbus, at owner's option. If ownership of the property represented by the Easement Area is conveyed to the City of Columbus, determination of compliance with any applicable development standard, such as permitted lot coverage, shall include the conveyed easement area.

D. Building Design and/or Interior Exterior Treatment Commitments

1. Any mechanical equipment or utility hardware on the roof of a building shall be screened from view from ground level to the height of the equipment by the same material utilized on the building roof or exterior. Color shall also match the building exterior or roof. Ground mounted mechanical or utility equipment shall be fully screened from view from ground level by landscaping or any fence or wall utilizing comparable and compatible materials as the building materials.

2. Building illumination shall be permitted provided such light source is concealed. No colored light shall be used to light the exterior of any building.

3. Building materials shall be traditional and natural in appearance, using materials such as wood, brick, stone, stucco/EIFS, glass and/or vinyl siding. Vinyl siding shall be limited to an upgraded quality and a thickness of .044 mils or greater and shall be natural in appearance. Prefabricated metal buildings, exposed untreated masonry block, buildings featuring an exterior finish consisting entirely of glass, and the use of reflective or mirrored glass are not permitted.

a. A minimum of 50% of the exterior of any building, exclusive of windows, doors, roof, soffit and similar or comparable areas, shall be finished with masonry building materials, such as brick, stone, EIFS, stucco, wood and/or comparable materials.

4. Building(s) shall be finished on all sides/elevations with the same level and quality of finish.

5. The primary roof of any building shall be pitched or sloped with a minimum slope of 6:12.

6. No building shall exceed 200 feet in length or width.

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

1. All parking lot and ground mounted lighting shall use fully shielded cut-off fixtures (down lighting), except there may be accent lighting (up lighting) on landscaping in the front of structures and ground signs, provided the fixtures are screened with landscaping to prevent glare.

2. All external outdoor lighting fixtures to be used shall be from the same or similar manufacturer's type to insure aesthetic compatibility.

3. Except for decorative lighting, all other light poles shall be metal or fiberglass and such light poles shall be of the same color. Light poles in the parking lots shall not exceed a maximum of 18 feet in height.

4. Building mounted area lighting within the parcel shall utilize fully shielded cut-off style fixtures and be designed in such a way to minimize any offsite light spillage.

5. All new or relocated utility lines within Sub-Area D shall be installed underground unless the applicable utility company requires or directs otherwise.

6. All lighting shall be positioned as to not be directed toward any residential area.

7. No parking lot lighting will be placed in the Conservation easement or the 100 year flood plain area.

8. Dumpsters shall be screened from view on all four (4) sides to a height of six (6) feet.

F. Graphics and Signage Commitments

1. All graphics shall conform to Article 15 of the Columbus City Code, as it applies to the C-2, Commercial District. Any variance to the applicable requirements of the C-2 district shall be submitted to the Columbus Graphics Commission.

2. All ground mounted signage shall be monument-style, except for incidental on-premise ground mounted directional signs, if any.

G. Other CPD Requirements

1. Natural Environment: The natural environment of Sub-Area D is flat to slightly rolling.

2. Existing Land Use: The property is presently undeveloped.

3. Circulation: Access to and from Sub-Area D will be directly from Hamilton Road and Warner Road.

4. Visual Form of the Environment: Property to the north, south, and west is undeveloped. Property to the east is developed with a single family dwelling. An electric transmission easement crosses Sub-Area D.

5. Visibility: Sub-Area D will front on Warner Road and Hamilton Road.

6. Proposed Development: Commercial uses as delineated under Permitted Uses.

7. Behavior Patterns: The site will be located on extended Hamilton Road and will be located north of the intersection of Hamilton Road and Warner Road upon construction of Hamilton Road north from the present Hamilton Road/New Albany Expressway interchange. Vehicular access will be from both Warner Road and extended Hamilton Road. Pedestrian access will be via a sidewalk on Hamilton Road and internal access between Sub-Areas C and D.

8. Emissions: Development on Sub-Area D will conform to City of Columbus requirements as further controlled by development standards of this development text for light levels, sounds and dust. There will be no objectionable emissions.

9. Variances: The Hamilton Road building setback is reduced from 60 feet to 5 feet. Curbcuts, driveways and aisles are permitted to straddle a property line, subject to the overall width meeting minimum code requirements. Provision is made for review of shared parking and reduction of code required parking based on appropriate and applicable review by the Division of Transportation. The requirement for Loading Spaces, as defined in the Zoning Code, is eliminated.

H. Miscellaneous.

1. Sidewalks along Hamilton Road and Warner Road shall be provided and shall be located per the specifications and recommendations of the City of Columbus.

2. Bicycle parking will be provided.

GENERAL PROVISIONS APPLICABLE TO ALL SUBAREAS**SEVERABILITY:**

Sub-Areas A, B, C and D are included together in this one application solely for the purpose of rezoning contiguous property under one application process. At all times in the future, Sub-Areas A, B, C and D may be rezoned individually, in combination with each other or individually in combination with other abutting land not part of this application at any time in the future.

FORUM FOR VARIANCE:

The Board of Zoning Adjustment shall be the body to hear any and all variance requests to site development standards, unless included in a council variance application, including any and all specific site development standards contained in this ordinance.

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

Passed as amended July 21, 2003, Matthew D. Habash, President of Council / Approved as amended July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1786-2003

To authorize the Public Service Director to modify and increase an existing contract with Columbus Asphalt Paving, Incorporated, to

incorporate an irrigation system into the construction of the I-71/Morse Road Interchange Enhancement project for the Transportation Division; to authorize the expenditure of \$53,310.00 from the 1995, 1999 Voted Streets and Highways Fund and to declare an emergency. (\$53,310.00)

WHEREAS, Contract EA0391 56-002 was authorized by Ordinance No. 0733-03E, passed on May 12, 2003, executed on May 15, 2003, and approved by the City Attorney on May 16, 2003; and

WHEREAS, it necessary to modify and increase this contract in order to incorporate installation of an irrigation system into the construction of the I-71/Morse Road Interchange Enhancement project; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that the contract should be modified and increased immediately so the work may proceed without delay, thereby preserving the public health, peace and safety; now, therefore,

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

SECTION 1. That the Public Service Director be and hereby is authorized to modify and increase contract EA039156-002 with Columbus Asphalt Paving, Incorporated, 1196 Technology Drive, Gahanna, Ohio 43230 by \$53,310.00 for additional work in accordance with the terms as shown on the modification on file in the office of the City Engineer, which are hereby approved.

SECTION 2. That the sum of \$53,310.00 or so much thereof as may be needed be and hereby is authorized to be expended from the 1995, 1999 Voted Streets and Highways Fund, Fund 704, Department No.59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6631, OCA Code 644385 and Project 530052.

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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1791-2003

To authorize the Public Service Director to modify the existing contract with R D. Zande & Associates, In~ for the Alum Creek Drive Widening project for the Transportation Division; to authorize the expenditure of \$145,000.00 from the 1995, 1999 Voted Streets and Highway Fund, and to declare an emergency. (\$145,000.00)

WHEREAS, Contract No. CT-19996 was authorized by Ordinance No.2661-98, passed by Council on October 19, 1998, executed December 23, 1998, and approved by the City Attorney January 4, 1999, and

WHEREAS, the Mid-Ohio Regional Planning Commission has identified funding for the right-of-way acquisition for the Alum Creek Drive Widening project in 2005 and construction in 2009, and

WHEREAS, it is necessary to modify and increase this contract to provide for the additional work to update the contract construction plans for changes in field conditions, eliminate an 8 foot shoulder, add additional signal warrants and soil borings and include new city standards for wheelchair ramps; and

WHEREAS, an emergency exists in the usual daily operations of the Transportation Division, Public Service Department, in that this contract modification should be authorized immediately, 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 hereby is authorized to modify and increase Contract No. CT 19996 with R. D. Zande & Associates, Inc. in the amount of \$145,000.00 for additional work to update the contract construction plans for changes in field conditions, eliminate an 8 foot shoulder, add signal warrants and soil borings and include new city standards for wheelchair ramps.

SECTION 2. That the sum of \$145,000.00, or so much thereof as may be needed, be and hereby is authorized to be expended from the 1995, 1999 Voted Streets and Highways Fund, Fund 704, Department No.59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6681, OCA Code 644385 and Project 530161 to pay the cost thereof.

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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1794-2003

To grant a Variance from the provisions of Sections 3370.05, Permitted Uses, 3370.06, Standards, and 3374.03 Special Permit Uses, for the property located at 1291 LANE AVENUE (43221) to permit retail uses which are open to the general public to permit utility service to said property and to waive the special permit requirement for uses in the L-UCRPD, Limited University College Research Park District and to declare an emergency. (CV#03-018)

WHEREAS, by application No. CV03-01 8 the owner of property at 1291 LANE AVENUE (43221), is requesting a Council Variance to permit retail uses which are open to the general public, utility service and to waive the special permit requirement for uses in the L-UCRPD, Limited University College Research Park District; and

WHEREAS, Section 3370.05 Permitted uses, provides for one or more of the uses permitted by the underlying zoning classification, which for this property, the limitation text Z88-1962 only provides for those uses listed in Section 3374.02 of the Columbus City Code, while the applicant proposes to construct a shopping center with retail uses open to the general public; and

WHEREAS, 3370.06 Standards provides that a property shall meet or exceed the standards in the limited overlay development plan; and WHEREAS, In Z88-1962 the limitation text prohibited extending utility services to Northstar Road and the City's Division of Sewage and Drainage has approved extending the sanitary sewer to Northstar Road and connecting into the Northstar Road sanitary sewer; and

WHEREAS, Section 3364.03 Special Permit Uses, requires the applicant to obtain a special permit from the Board of Zoning Adjustruent for financial institutions and restaurants on the property, while the applicant proposes to waive the requirement of a Special Permit; and

WHEREAS, financial institutions and restaurants uses are compatible with existing businesses in the area thereby negating the need for a special permit, and

WHEREAS, City Departments note a hardship exists and recommend approval because the limitation text prohibits retail uses and utility connections and a rezoning amendment is not feasible within the time requirements of the applicant; and

WHEREAS, said ordinance requires separate submission for all applicable permits and Certificate of Occupancy for the proposed uses; and WHEREAS, said ordinance 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 or 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 owner of the property located at 1291 LANE AVENUE (43221), in using said property as desired and; now therefore:

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to pass this ordinance as an emergency measure because of the need to begin construction as soon as possible 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 a variance from the provisions of Sections 3370.05, Permitted Uses, 3370.06, Standards, and 3374.03, Special Permit Use, of Columbus City Codes are hereby granted for the property at 1291 LANE AVENUE (43221), insofar as said sections prohibit retail uses open to the general public, the extension and connection of the sanitary sewer to the sewer in Northstar Road, and financial institutions and restaurants without a Special Permit; said property being more particularly described as follows:

Situated in the State of Ohio, County of Franklin, City of Columbus, In Quarter Township3, Township 3, Range 18, United States Military Lands being a 1.838 acres tract out of those 335.948 acres of land described to The State of Ohio in Deed Book 822, Page 126. (All records referenced herein are located in the Franklin County Recorder's Office, Franklin County, Ohio.) Said 1.838 acres of land being more particularly described as follows:

Beginning at an iron pin found at the northeasterly corner of that 2.098 acres tract of land described in Instrument Number 199805050108532 (address 1291 Lane Avenue) said point being on the southerly right of way of Lane Avenue, thence North 04E 54' 05" East, with and along the southerly right of way line of Lane Avenue(right of way varies), a distance of 5.52 feet to an iron pin set on the northerly line of a3 acres tract of land described to the State of Ohio, of record, in the aforementioned Deed Book 822, Page 126.

Thence, North 83 E 54' 37" East, continuing with and along the southerly right of way line of Lane Avenue, a distance of 233.65 feet to an iron pin set.

Thence, South 1 E 37' 47" West, leaving said Lane Avenue southerly right of way line and through said 3 acre tract, a distance of 362.51 feet to an iron pin set.

Thence, North 89 E 02' 40" West, a distance of 227.47 feet to an iron pin set, said point being 19.70 feet southerly of the aforementioned 2.098 acres tracts southerly corner.

Thence, North 0 E 35' 11" West, a distance of 19.70 feet to an iron pin found on the southeasterly corner of the aforementioned 2.098 acres tract.

Thence, North 0 E 57' 20" East, with and along the easterly line of said 2.098 acres tract of land, a distance of 308.62 feet to the POINT OF BEGINNING, containing approximately 1.838 acres of land.

Bearing are based on a bearing of North 0 E 57' 20" East, on the easterly line of the aforementioned 2.098 acres tract of land.

Iron pins set consist of a 30-inch long, 0.75 inch outer diameter galvanized pipe, with a plastic cap inscribed "A to Z Survey".

Description is based on a field survey of the premises performed on February 2002.

Section 2. That this ordinance is conditioned on and shall remain in effect only for so long as said property is used retail uses, or those uses permitted in the LUCRPD, Limited University College Research Park District

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

Section 4. That this ordinance is further conditioned that no automobile sales, service, repair or leasing shall be permitted on the subject property.

Section 5. That this ordinance is conditioned on the Subject Site being developed in general conformance with the plan "FIESTA CENTER 2", drawn by CDE, Civil Design Engineering, Inc dated December 8, 2002 and signed by Jeff Brown, Attorney for the Applicant This Plan, while illustrative of the general location of buildings and parking, is schematic and may be adjusted to reflect engineering, topographical, or other site data developed at the time of development and engineering plans are completed The Director of the Department of Development shall review and may approve adjustments upon submission of the appropriate data regarding the proposed adjustment

Section 6. 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 July 21, 2003, Matthew D. Habash, President of Council / Approved as amended July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1796-2003

To authorize the City Attorney to file the necessary complaints for the for the appropriation of construction and permanent easements in an to real estate necessary for the Blacklick Creek Sanitary Interceptor Pt. B Project, to authorize the expenditure of \$1,600.00 from the Sewer System Permanent Improvement Fund and to declare an emergency.

WHEREAS, the City of Columbus, Ohio, a municipal corporation, is engaged in the acquisition of certain real property interests for the Blacklick Creek Sanitary Interceptor Pt B Project; and

WHEREAS, the Council of the City of Columbus, Ohio, adopted Resolution No. 213X-02, on the 15th day of December, 2002, declaring the necessity and intent to appropriate the real property interests hereinafter described and the purpose of the appropriation, and notice of such adoption of said resolution has been served in accordance with Columbus City Code Sec. 909.03; 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 necessary to appropriate such real property interests so that there will be no delay in the aforementioned project, and for the immediate preservation of the public peace, property, health and safety; now, therefore:

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

Section 1. That construction and permanent easements in, over, under, across and through the following described real property, be appropriated for the public purpose of the Blacklick Creek Sanitary Interceptor Pt B Project, #650034, pursuant to the power and authority granted to a municipal corporation by the Constitution of the State of Ohio, the Ohio Revised Code, Sec. 715.01, Sec. 717.01, Sec. 719.01 through Sec. 719.02; the Charter of the City of Columbus; and the Columbus City Code (1959), Chapter 909:

PARCEL NO. 13-ST

PERPETUAL SUBSURFACE SEWER UTILITY EASEMENT

Subterranean Tunnel (Subsurface) Easement - Extending Vertically Between NAVD 88 Elevations 918.00 and 875.80; 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 19.487 acre tract conveyed to CSX Transportation, Inc., by a deed of record in Official Record 13283, Page G13, 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 Geodetic Survey Monument No 3355 found at an angle point in the centerline of right-of-way of Reynoldsburg-New Albany Road at the north right-of-way of North Street;

Thence S 03° 57' 24" W, a distance of 462.47 feet, along the centerline of said Reynoldsburg-New Albany Road, to a point;

Thence S 86° 02' 36" E, a distance of 30.49 feet, over and across said Reynoldsburg- New Albany Road, to the Point Of True Beginning of the 20.00 foot-wide easement area described herein;

Thence N 72° 56' 00" E, a distance of 21.45 feet, along the line common to said 19.4871 acre tract and a 5.882 acre tracts conveyed to Freda Ann and Lee R Gray, by deed of record in Deed Book 2253, Page 665, to a point;

Thence S 04° 06' 57" W, a distance of 128.68 feet, over and across said 19.487 acre tract to a point in the line common to said 19.487 acre tract and a 17.182 acre tract conveyed to Dirken T. Voelker Trustee, by deed of record in Instrument No. 199804010076719;

Thence S 72° 55' 58" W, a distance of 21.45 feet, along the line common to said 19.487 and 17.182 acre tracts, to a point in the easterly right-of-way line of said Reynoldsburg-New Albany Road;

Thence N 04° 06' 57" E, a distance of 128.68 feet, over and across said 17.182 acre tract, to the Point Of True Beginning Said easement contains a volume of 108,609.30 cubic feet, more or less, and the area of the horizontal plane at elevation 875.80 contains 0.059 acres (2,573.68 square feet), more or less.

The bearings used in the above description are based on the Grid bearing of N 03° 57' 24" E 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. No.7455.

Section 2. That the Council of the City of Columbus, Ohio, declares that the appropriation of said real property interests is necessary for the stated public purpose, and that the City of Columbus, Ohio, has been unable to agree with the owner(s) as to the just compensation to be paid by the City of Columbus, Ohio

Section 3. That the Council of the City of Columbus, Ohio, hereby declares the value of the subject real property interests to be One Thousand Six Hundred Dollars (\$1,600.00).

Section 4. That the City Attorney be and hereby is authorized to file a complaint for appropriation of real property, in a Court of competent jurisdiction, and to have a jury impaneled to make inquiry into and assess the just compensation to be paid for the foregoing described real property interests

Section 5. That the expenditure of \$1,600.00, or so much thereof as may be necessary for the Blacklick Creek Sanitary Interceptor Pt B Project, Project # 650034, from the Sewer System Permanent Improvement Fund, Fund #67 1, OCA Code 671034, Object Level Three, 6601, Certificate No. #015918, for the appropriation of said real property interests determined to be necessary for the stated public purpose is hereby authorized

Section 6. That for the reasons state m 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 its passage if the Mayor neither approves nor vetoes the same

Passed July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1798-2003

To authorize the Director of the Public Service Department to execute those documents required to grant encroachment easements into South High Street, South Wall Street, and the 6 foot wide and 8 foot wide alleys running south and west from West State Street to South Wall Street to Town Square Limited Partnership and to declare an emergency.

WHEREAS, the City of Columbus, Public Service Department, Transportation Division, recently received a request from Town Square Limited Partnership asking that the City grant them encroachment easements into South High Street, South Wall Street, and the 6 foot wide and 8 foot wide alleys running south and west from West State Street to South Wall Street; and

WHEREAS, the granting of these easements will allow for redevelopment of those parcels identified as 103-107 South High Street and 109-115 South High Street with a mixture of office and retail development; and

WHEREAS, after investigation it has been determined that there are no objections to the granting of the requested encroachment easements; and

WHEREAS, the Department of Law, Real Estate Division established a value of \$73,140.50 for the granting of the requested encroachment easements; and

WHEREAS, this redevelopment is believed to be the first critical step toward revitalization of the South High Street retail corridor which is seen as a vital component to the establishment of a downtown resident population; and

WHEREAS, the Land Review Commission voted to recommend that the requested encroachment easements be granted at no charge and; now, therefore

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service and Transportation in that it is immediately necessary to pass this ordinance as an emergency measure because an emergency amendment will permit this project, an adaptive refuse of a historically significant High Street Structure, to stay on schedule and on budget 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 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 grant the following described encroachment easements to Town Square Limited Partnership; to-wit:

ABOVE-GRADE BUILDING ENCROACHMENT NO.1

Situated in the State of Ohio, County of Franklin, City of Columbus, being a portion of public right-of-way located in High Street, 100.00 feet wide, south of State Street and being more particularly described as follows:

Being a 1.00 foot (north-south) by 2.00 foot (east-west) strip of land within High Street, contiguous with the easterly line of Lot 2 as delineated upon the plat of John F. Barr's Subdivision, of record in Deed Book 11, Page 189, Recorder's Office Franklin County, Ohio, the north line of said strip being located 6.83 feet south of the north line of said Lot 2, containing 2 square feet of land and applicable only between elevations 768 and 779, NAVD 88 datum.

ABOVE-GRADE BUILDING ENCROACHMENT NO.2

Situated in the State of Ohio, County of Franklin, City of Columbus, being a portion of public right-of-way located in High Street, 100.00

feet wide, south of State Street and being more particularly described as follows:

Being a 1.00 foot (north-south) by 2.00 foot (east-west) strip of land within High Street, contiguous with the easterly line of Lots 2 and 3 as delineated upon the plat of John F. Barr's Subdivision, of record in Deed Book 11, Page 189, Recorder's Office Franklin County, Ohio, the north line of said strip being located 20.67 feet south of the north line of said Lot 2 and the south line of said strip being located 0.92 foot south of the north line of said Lot 3, containing 2 square feet of land and applicable only between elevations 768 and 779, NAVD 88 datum.

ABOVE-GRADE BUILDING ENCROACHMENT NO.3

Situated in the State of Ohio, County of Franklin, City of Columbus, being a portion of public right-of-way located in High Street, 100.00 feet wide, south of State Street and being more particularly described as follows:

Being a 1.00 foot (north-south) by 3.00 foot (east-west) strip of land within High Street, contiguous with the easterly line of Lot 3 as delineated upon the plat of John F. Barr's Subdivision, of record in Deed Book 11, Page 189, Recorder's Office Franklin County, Ohio, the south line of said strip being located 10.00 feet north of the south line of said Lot 3, containing 3 square feet of land and applicable only between elevations 768 and 779, NAVD 88 datum.

ABOVE-GRADE BUILDING ENCROACHMENT NO.4

Situated in the State of Ohio, County of Franklin, City of Columbus, being a portion of public right-of-way located in High Street, 100.00 feet wide, south of State Street and being more particularly described as follows:

Being a 1.00 foot (north-south) by 3.00 foot (east-west) strip of land within High Street, contiguous with the easterly line of Lot 3 as delineated upon the plat of John F. Barr's Subdivision, of record in Deed Book 11, Page 189, Recorder's Office Franklin County, Ohio, the south line of said strip being located 2.67 feet north of the south line of said Lot 3, containing 3 square feet of land and applicable only between elevations 768 and 779, NAVD 88 datum.

ABOVE-GRADE BUILDING ENCROACHMENT NO.5

Situated in the State of Ohio, County of Franklin, City of Columbus, being a portion of public right-of-way located in High Street, 100.00 feet wide, south of State Street and being more particularly described as follows:

Being a 7.00 foot wide by 15.00 foot long strip of land within High Street, parallel to and contiguous with the easterly line of Lot 3 as delineated upon the plat of John F. Barr's Subdivision, of record in Deed Book 11, Page 189, Recorder's Office Franklin County, Ohio, extending from the southerly line of said Lot 3 to a line 5.75 feet south of the northerly line of Lot 3, containing 105 square feet of land and applicable only between elevations 782 and 839, NAVD 88 datum.

ABOVE-GRADE BUILDING ENCROACHMENT NO.6

Situated in the State of Ohio, County of Franklin, City of Columbus, being a portion of public right-of-way located in High Street, 100 feet wide, south of State Street and being more particularly described as follows:

Being a 0.10 foot wide by 62.50 foot long strip of land within High Street, parallel to and contiguous with the easterly line of Lot 262 as delineated upon the plat of the City of Columbus, of record in Deed Book "F", Page 332, Recorder's Office, Franklin County, Ohio, extending from the north line of said Lot 262 to the south line of said Lot 262, containing 6.25 square feet of land and applicable only between elevations 768 and 839, NAVD 88 datum.

This description prepared by MoE Companies Survey Group based on field surveys and records of Franklin County and the City of Columbus.

AND

WALL ST. SUB-GRADE FOUNDATION ENCROACHMENT (South of State Street)

Situated in the State of Ohio, County of Franklin, City of Columbus, being a portion of public right-of-way located in Wall Street, 33 feet wide, south of State Street and being more particularly described as follows:

Being a 2.00 foot wide by 66.50 foot long strip of land within Wall Street, parallel to and contiguous with the westerly line of Lot 262 as delineated upon the plat of the City of Columbus, of record in Deed Book "F", Page 332, Recorder's Office, Franklin County, Ohio, extending from a line 2.00 feet north of the north line of said Lot 262 to a line 2.00 feet south of the south line of said Lot 262, and containing 133 square feet of land.

ALLEY SUB-GRADE FOUNDATION ENCROACHMENT (First Alley South of State Street - East of Wall Street)

Situated in the State of Ohio, County of Franklin, City of Columbus, being a portion of public right-of-way located in the first un-named alley south of State Street, 6.00 feet wide, east of Wall Street and being more particularly described as follows:

Being a 2.00 foot wide by 127.00 foot long strip of land within the first un-named alley south of State Street, parallel to and contiguous with the northerly line of Lot 262 as delineated upon the plat of the City of Columbus, of record in Deed Book "F", Page 332, Recorder's Office, Franklin County, Ohio, extending from 2.00 feet west of the westerly line of said Lot 262 to the westerly line Lot 3 as delineated upon the plat of John F. Barr's Subdivision, of record in Deed Book 11, Page 189, Recorder's Office Franklin County, Ohio, and containing 254 square feet of land.

ALLEY SUB-GRADE FOUNDATION ENCROACHMENT (First Alley West of High Street - South of State Street)

Situated in the State of Ohio, County of Franklin, City of Columbus, being a portion of public right-of-way located in the first un-named alley west of High Street, 8.00 feet wide, south of State Street and being more particularly described as follows:

Being a 2.00 foot wide by 43.50 foot long strip of land within the first un-named alley west of High Street, parallel to and contiguous with the westerly line of Lots 1,2 and 3 as delineated upon the plat of John F. Barr's Subdivision, of record in Deed Book 11, Page 189, Recorder's Office Franklin County, Ohio, extending from a line 2.00 feet north of the south line of said Lot 1 to the south line of said Lot 3, being also the northerly line of Lot 262 as delineated upon the plat of the City of Columbus, of record in Deed Book "F", Page 332, Recorder's Office, Franklin County, Ohio, and containing 87 square feet of land.

HIGH STREET SUB-GRADE VAULT / FOUNDATION ENCROACHMENT (South of State Street)

Situated in the State of Ohio, County of Franklin, City of Columbus, being portions of public right-of-way located in High Street, 100 feet wide, south of State Street and being more particularly described as follows:

Being a 9.00 foot wide by 43.50 foot long strip of land within High Street, parallel to and contiguous with the easterly line of Lots 1, 2 and 3 as delineated upon the plat of John F. Barr's Subdivision, of record in Deed Book 11, Page 189, Recorder's Office Franklin County, Ohio, extending from the south line of said Lot 3 to a line 2.00 feet north of the south line of said Lot 1, and containing 391.5 square feet of land.

HIGH STREET SUB-GRADE VAULT / FOUNDATION ENCROACHMENT (South of State Street)

Being a 20.60 foot wide by 64.50 foot long strip of land within High Street, parallel to and contiguous with the easterly line of Lot 262 as delineated upon the plat of the City of Columbus, of record in Deed Book "F", Page 332, Recorder's Office, Franklin County, Ohio, extending from a line 2.00 feet south of the south line of said Lot 262 to the north line of said Lot 262, and containing 1328.7 square feet of land.

The above descriptions prepared by MoE Companies Survey Group based on field surveys and records of Franklin County and the City of Columbus.

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 July 21, 2003, Matthew D. Habash, President of Council / Approved as amended July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1812-2003

To authorize the Public Service Director to enter into a contract for the Facilities Management Division with Columbus Heating and Ventilating Company to renovation the indoor firing range at the Police Training Academy, to authorize the expenditure of \$80,518.00 from the Police Division's Capital Improvement fund, and to declare an emergency (\$80,518.00)

WHEREAS, the air quality of the indoor firing range does not meet EPA air quality standards; and

WHEREAS, formal competitive bids were opened on June 17, 2003; and

WHEREAS, an emergency exists in the usual daily operation of the Facilities Management Division, Public Service Department, in that it is immediately necessary to enter into a contract with Columbus Heating & Ventilation for renovation of the air filtration system at the indoor firing range at the Police Training Academy, 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 is hereby authorized to enter into contract for the Facilities Management Division with the Columbus Heating and Ventilating Company for renovation of the air filtration system at the indoor firing range at the Police training Academy

SECTION 2. That the expenditure of \$80,518.00, or so much thereof as may be necessary, is hereby authorized and approved as follows:

FROM:

Division:	30-03
Fund:	701
Project:	330021
OCA Code:	644476
Object Level Three:	6620
Amount	\$80,518.00

SECTION 3. That for the reason 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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1814-2003

To authorize the Mayor of the City of Columbus to apply for and accept a 2003 Local Law Enforcement Block Grant from the U.S. Department of Justice, to authorize Deputy Chief Distelzweig as the official representative to act in connection with the application and to declare an emergency. (\$538,321.00)

WHEREAS, the U.S. Department of Justice through the Bureau of Justice Assistance has allocated 2003 Local Law Enforcement Block Grant funds for the City of Columbus; and

WHEREAS, Deputy Chief Walter Distelzweig has been identified as the official representative to act in connection with the 2003 Local Law Enforcement Block Grant application and to provide information as required; and

WHEREAS, the City of Columbus has participated in the seven previous years Local Law Enforcement Block Grant Programs and is budgeting in 2004 for the required 2003 Local Law Enforcement Block Grant cash match of \$59,869.00 to underwrite projects to reduce crime and improve public safety; and

WHEREAS, an emergency exists in the daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to authorize and direct the Mayor of the City of Columbus to apply for and accept 2003 Local Law Enforcement Block Grant 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 Mayor of the City of Columbus be and is hereby authorized and directed to apply for and accept a 2003 Local Law Enforcement Block Grant from the Bureau of Justice Assistance

Section 2. That Deputy Chief Walter Distelzweig is designated as the official program contact and authorized to act in connection with the 2003 Local Law Enforcement Block Grant application and to provide any additional information required.

Section 3. That the required local cash match amount of \$59,869.00 is being budgeted for in the proposed 2004 budget.

Section 4. 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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1818-2003

To authorize and direct the payment of \$1,098,977 to the Columbus City School District, \$42,983 to the Hilliard City School District, \$540,125 to the Olentangy Local School District and \$58,262 to the South-Western City School District for income tax revenue sharing totaling \$1,740,347; to authorize the expenditure of \$1,740,347 from the General Fund; and to declare an emergency. (\$1,740,347).

WHEREAS, the Ohio Revised Code Section 5709.82 requires the City to pay affected school districts fifty percent (50%) of municipal income tax revenue attributable to tax abated projects where 'new employee' payroll for a project is one million dollars or more in a tax year, during the years of tax exemption; and

WHEREAS, the City of Columbus is subject to the income tax revenue sharing provisions of Ohio Revised Code 5709.82; and

WHEREAS, the City of Columbus has a total of nineteen tax abated projects subject to the income tax revenue sharing provisions and these projects are located in four school districts as follows: thirteen (13) projects in the Columbus City School District, two (2) projects in the Hilliard City School District, two (2) projects in the Olentangy Local School District, and two (2) projects in the South-Western City School District; and

WHEREAS, it is necessary at this time to authorize payment of \$1,098,977 to the Columbus City School District, \$42,983 to the Hilliard City School District, \$540,125 to the Olentangy Local School District, and \$58,262 to the South-Western City School District; and

WHEREAS, the matter herein constitutes an emergency in that it is immediately necessary to authorize payment to the Columbus City School District, the Hilliard City School District, the Olentangy Local School District, and the South-Western City School District thereby preserving the public health, peace, prosperity, safety and welfare; NOW, THEREFORE,

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

Section 1. That the City Auditor is hereby authorized to make payment to the Columbus City School District in the amount of \$ 1,098,977; to the Hilliard City School District in the amount of \$42,983; to the Olentangy Local School District in the amount of \$540,125; and to the South-Western City School District in the amount of \$58,262; for income tax revenue sharing.

Section 2. That the payment totaling \$1,740,347 is hereby authorized from the General Fund, Fund 010, Department of Development, Economic Development Division Na 44-02, Object Level Three 5513, OCA Code 440314.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, the 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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1820-2003

To authorize the Director of the Public Service Department to execute those documents required to sell the unimproved alleys bounded by Berwick Boulevard, Castlegate Road and College Avenue to Ebner Properties, Ltd.; 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, recently received a request from Ebner Properties Ltd asking that the City sell them the unimproved alleys bounded by Berwick Boulevard, Castlegate Road and College Avenue; and

WHEREAS, the sale of these unimproved rights-of-way will allow for construction of a proposed office building on the surrounding sites; and

WHEREAS, after investigation it has been determined that there are no objections to the sale of these unimproved rights-of-way; and

WHEREAS, the Department of Law, Real Estate Division established a value of \$17,649.00 for the sale of the unimproved rights-of-way; and

WHEREAS, Ebner Properties, Ltd has agreed to grant a sanitary sewer easement over portions of the unimproved rights-of-way; and

WHEREAS, the Public Service Department, Transportation Division, agreed to reduce the total fee for these rights-of-way by \$1,800.00 to reflect the value of the sanitary sewer easement areas; and

WHEREAS, the Land Review Commission voted to recommend the sale of these unimproved right-of-way for \$15,849.00; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department in that it is immediately necessary to authorize the sale of the requested rights-of-way so that construction financing arrangements can be finalized and construction can begin within the current construction season 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 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 unimproved rights-of-way to Ebner Properties Ltd.; to-wit:

Situated in the State of Ohio, County of Franklin, City of Columbus and a portion of The Amended Plat of Block 1 and 2 of Berwick Subdivision as recorded in Plat Book 19, Page 70 of the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at the northwesterly right of way corner of the intersection of Castlegate Road and Berwick Boulevard; Thence North 57°12' 32" West with the westerly right of way line of said Berwick Boulevard, a distance of 80.07 feet to the true point of beginning;

Thence South 32° 47' 28" West with the northerly line of Lot 26, a distance of 80.65 feet to the northwesterly corner of said Lot 26 and the northeasterly corner of Lot 35;

Thence South 61° 35' 58" West with the northerly line of said Lot 35, a distance of 80.65 feet to the easterly right of way line of College Avenue;

Thence North 28° 24' 02" West with the easterly right of way line of said College Avenue a distance of 15.00 feet to the southwest corner of Lot 36;

Thence North 61° 35' 58" East with the southerly lot line of said Lot 36, a distance of 52.00 feet to the southeasterly corner of said Lot 36;

Thence North 28° 24' 02" West with the easterly line of Lots 36 and 37, a distance of 60.00 feet to a point on the southerly line of Lot 38;

Thence North 61° 35' 58" East with the southerly line of said Lot 38, a distance of 9.38 feet to the southeasterly corner of said Lot 38 and the southwest corner of Lot 23;

Thence North 32° 47' 28" East with the southerly line of said Lot 23, a distance of 9.38 feet to a point at the northwesterly corner of Lot 24;

Thence South 57° 12' 32" East with the westerly line of said Lot 24 and Lot 25, a distance of 60.00 feet to the southwest corner of said Lot 25;

Thence North 32° 47' 28" East with the southerly line of said Lot 25, a distance of 52.00 feet to the westerly right of way line of said

Berwick Boulevard;

Thence South 57° 12' 32" East with said right of way line, a distance of 15.00 feet to the true point of beginning and containing 0.101 acres of land more or less.

This description was prepared by Environmental Design Group for the purpose of right of way transfer. The reference is the westerly right of way line of Berwick Boulevard as being North 57° 12' 32" West. Maynard H. Thompson, P.S. #7128

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

Section 3. That the \$15,849.00 to be received by the City as consideration for the sale of this right-of-way shall be deposited in Fund 748, Project 537650.

Section 4. That this Council has determined it is in the best interest of the City of Columbus to allow this right-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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1823-2003

To authorize the appropriation of \$300,000.00 from the unappropriated 2002 Local Law Enforcement Block Grant fund for the Division of Police to purchase software and additional customization and enhancements and to purchase equipment and related items and to declare an emergency. (\$300,000.00)

WHEREAS, the City of Columbus has accepted a federal grant in accordance with the provisions of the 2002 Local Law Enforcement Block Grants Program; and

WHEREAS, additional funds needs to be appropriated, in part to purchase software, customization and enhancements and to purchase additional hardware and related items aimed at reducing crime and improving public safety; and

WHEREAS, an emergency exists in the usual daily operation of the Division of Police, Department of Public Safety, in that it is immediately necessary to appropriate the aforementioned funds, thereby preserving the public peace, property, health, safety and welfare; now therefore

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

Section 1. That from the unappropriated monies in the 2002 General Government Grant Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the specified grant cycle. The sum of \$300,000.00 is appropriated as follows:

Division	Fund	Obj. Lev. 1	Obj. Lev. 3	OCA	Grant #	Amount
30-03	222	02	2193	338007	338007	\$200,000.00
30-03	222	06	6649	338007	338007	\$100,000.00

Section 2. That the monies appropriated in the foregoing Section 1 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 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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1824-2003

To determine and declare that the River South Redevelopment Area is a blighted area, as defined in Section 1728.01 of the Ohio Revised Code and to declare an emergency.

WHEREAS, the City is committed to eliminating conditions of; and preventing the recurrence of blight; and

WHEREAS, the City's Department of Development, Economic Development and Planning Services, published in the Fall of 2000 a Blight Assessment, with respect to the area know generally as Downtown South and delineated specifically in the assessment, which assessment documented the presence of blighting influences as defined in Section 728.01 of the Ohio Revised Code; and

WHEREAS, the City Department of Development, Downtown Development Office, published on July 11, 2003, a Supplemental Report, with respect to the portion of Downtown South known generally as the River South Redevelopment Area and delineated specifically in the report, which report documented the extent of undeveloped property, vacant property and dilapidated improvements; and; now, therefore:

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to pass this ordinance as an emergency measure because this declaration of blight is required for the development of the One Rich Street Housing Project. Emergency action is requested so that construction of the downtown housing project will not be delayed. For construction to commence, this ordinance must be adopted, the property must be acquired and reconveyed to Capitol South, tenants must be relocated and the existing buildings must be razed, all in time for the scheduled October commencement If action or the effective date is delayed until September, then there will not be sufficient time to accomplish all that needs to be accomplished to commence construction before the Winter season 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, based on the Blight Assessment and the Supplemental Report, this Council finds that the River South Redevelopment Area, which area is described as follows

Commencing at the intersection of the centerlines of Town and High Streets; thence southerly along the centerline of High Street to the centerline of Mound Street; thence westerly along the centerline of Mound Street to the centerline of Civic Center Drive; thence northerly along the centerline of Civic Center Drive to the centerline of Noble Street; thence easterly along the centerline of Noble Street to the centerline of Second Street; thence northerly along the centerline of Second Street to the centerline of Main Street; then continuing north along the centerline of Civic Center Drive to the centerline of Cherry Street; thence easterly along the centerline of Cherry Street to the centerline of Ludlow Street; thence northerly along the centerline of Ludlow Street to the centerline of Town Street; and thence along the centerline of Town Street to the centerline of High Street, the place of beginning; is a blighted area, as defined Revised Code Section 1728.01(E).

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 July 21, 2003, Matthew D. Habash, President of Council / Approved as amended July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1825-2003

To set forth a statement of municipal services and zoning conditions to be provided to the area contained in a proposed annexation (AN03-022) of 0.419± Acres in Madison Township to the city of Columbus as required by the Ohio Revised Code and to declare an emergency.

WHEREAS, a petition for the annexation of certain territory in Madison Township was duly filed by Hurstle & Imogene Long on July 1, 2003; and

WHEREAS, a hearing on said petition is scheduled before the Board of County Commissioners of Franklin; and

WHEREAS, the Ohio Revised Code requires that before said hearing the Municipal Legislative Authority shall adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation; and

WHEREAS, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority to adopt an ordinance stating zoning buffering conditions; and

WHEREAS, properties proposed for annexation are included within the Columbus Comprehensive Plan study area and within the South Central Accord planning area; and

WHEREAS, upon annexation, properties will have uniform access to City services as they become available; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Development in that it is immediately necessary to present this ordinance to the Franklin County Board of Commissioners in accordance with the Ohio Revised Code all for the preservation of the public peace, property, health safety and welfare; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the city of Columbus will provide the following municipal services for 0.419± acres in Madison Township upon the annexation of said area to the city of Columbus

Public Safety: The City of Columbus, Department of Public Safety will be able to provide the appropriate level of safety related services to the proposed annexation area Such services will include police and fire protection as well as emergency medical service to the subject property.

While the petitioner for annexation may have proposed future development plans for the property in question, the Department of Public Safety requests that the City exercise its discretion in the coming development planning and review process to ensure any future development will be properly served by the Department of Public Safety Discussions between the City and the present property owner or any future developers regarding post annexation changes in zoning or other changes to the property should include the Department of Public Safety and the Department of Development to ensure any proposed development of the annexation property may be adequately accommodated Specific details for safety services are dependent upon the parameters of future development that is ultimately approved by the City

At the present time fire protection for the proposed annexation is as follows

First response from: Station 4, 3030 Winchester Pike, 10 Personnel / 5 Paramedics.

Apparatus responding: Paramedic/Engine, Medic, Rescue, and Battalion Chief

Time: 14.5 minutes.

Second response from: Station 15, 1800 Livingston Avenue, 11 Personnel / 3 Paramedics

Apparatus responding: Paramedic/Engine, Medic, Ladder, and EMS Supervisor.

Time: 18.0 minutes.

Sanitation: Residential refuse collection services will be available upon annexation of the property

Streets: Maintenance will be available for any additional right-of-way that may be included in this annexation request

Water: This property can be served by an existing 24 inch main located in Alum Creek Drive

Sewer:

Sanitary Sewer: This site can be served by an existing 12 inch sewer located approximately 85 feet west of the rear property line

Possible mainline extension may be required at the developers expense

Storm Sewer: All storm sewers necessary for development / redevelopment of the area shall be designed in accordance with design policy and zoning codes in effect at the time of development

All sanitary and storm sewers required shall be constructed privately by the owner/developers at their own cost and expense with no cost to the city.

Section 2. If this 0.419 acre site is annexed and if the City of Columbus permits uses in the annexed territory that the City of Columbus determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Madison Township, the Columbus City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Madison Township For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements streets and street right-of-way; and bicycle and pedestrian paths and sidewalks

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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1827-2003

To authorize the Director of Public Utilities to enter into a guaranteed maximum cost agreement in accordance with Section 186 of the City Charter, with Dominion Homes, Inc, for the construction of the Big Run Subtrunk, Big Run South Road Area Part 3 and Part 4 Project; to authorize the transfer, appropriation and expenditure of \$3,712,342.10 from the Sanitary Sewer Reserve Fund to the 1991 Voted Sanitary Bond Fund; to amend the 2002 Capital Improvements Budget; for the Division of Sewerage and Drainage; and to declare an emergency (\$3,712,342.10)

WHEREAS, Dominion Homes, Inc., hereinafter called the developer, and the Division of Sewerage and Drainage, Department of Public Utilities, hereinafter referred to as the City are desirous of entering into a capital improvement project reimbursement agreement for the construction of the Big Run Subtrunk, Big Run South Road Area Part3 and Part 4 Project; and

WHEREAS, the developer is the owner of or has the right to control approximately 70 acres of land located Big Run South Road from Deer

Path Lane to Demorest Rd, located in the southwest planning area of Columbus, and intends to construct a new single family residential development to be known as Big Run Ridge; and

WHEREAS, the Division of Sewerage and Drainage engineering staff have determined that it is in the City's best interest to enter into the subject agreement with Dominion Homes, Inc, for purposes of constructing the Big Run Subtrunk, Big Run South Road Area Part 3 and Part 4 Project; and

WHEREAS, the Developer shall provide all professional engineering services and grant all necessary utility easements to the City, at no cost, across lands and improvements controlled by the Developer, in exchange for accelerating the construction schedule for the aforesaid capital improvements project; 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 authorize the Director to execute the subject agreement which will allow the Division to avoid considerable expense in the design and procurement of easements for the extension of the Big Run Subtrunk, Big Run South Road Area Part 3 and Part 4 Project, and in return the developer shall be authorized to immediately commence the construction of this vital sanitary infrastructure in a growing community within the City of Columbus, 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 the Sewerage System Reserve Fund No 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, 2003, the sum of \$3,712,342.10 is hereby appropriated to the Division of Sewerage and Drainage, Division 60-05, Object Level One 10; Object Level Three 5502, OCA Code 901553.

Section 2. That the City Auditor is hereby authorized and directed to transfer \$3,712,342.10, to the 1991 Voted Sanitary Bond Fund No.664, 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 the expenditure of \$3,712,342.10 is hereby appropriated for Big Run Subtrunk, Big Run South Road Area Part 3 and Part 4 Project within the 1991 Voted Sanitary Bond Fund No.664; Division 60-05; Object Level Three No. 6630; Project No.650489; OCA Code 651489.

Section 4. That upon obtaining other funds for the purpose of funding the aforementioned 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 associated with the expenditure of the funds transferred under Section 2., above.

Section 6. That the Director of Public Utilities be, and hereby is, authorized to enter into a contract, in accordance with the provisions of Columbus City Charter Section 186, to reimburse Dominion Homes, Inc., 5501 Frantz Road, Dublin, Ohio 43017, for the costs associated with the construction of the Big Run Subtrunk, Big Run South Road Area Part 3 and Part 4 Project, as shown on the detailed engineering Construction Drawing Nos 12955/13259 on file with the Division of Sewerage and Drainage.

Section 7. That said capital improvements project reimbursement agreement shall stipulate that Dominion Homes, Inc, agrees to comply with the competitive bidding procedures of Section329 of the Columbus City Codes, "Procurement of Goods and Services", and with the Prevailing Wage Requirements of Chapter4 115 of the Ohio Revised Code.

Section 8. That the expenditure of \$3,712,342.10, or as much thereof as may be needed, be and the same hereby is authorized from the 1991 Voted Sanitary Bond No.664; Division 60-05; Project No.650489; Big Run Subtrunk, Big Run South Road Area Part 3 and 4 Project; OCA Code 651489.

Section 9. That the 2002 Capital Improvements Budget Ordinance No.1674-02 is hereby amended as follows, in order to provide sufficient budget authority for the execution of a capital improvements project reimbursement agreement as referenced in the preamble hereto:

CURRENT:

650489- Big Run Subtrunk-Big Run South Road- \$ 66,000.00

AMENDED TO:

650489- Big Run Subtrunk-Big Run South Road- \$3,778,342.00

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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1839-2003

To authorize the Director of Development to modify several contracts with the Columbus Compact Corporation by extending the contract termination dates to June 30, 2005; and to declare an emergency.

WHEREAS, the Director of the Department of Development desires to modify several contracts with the Columbus Compact Corporation; namely EZ-Administration - contract number DL003783; Economic Development - contract numbers DL002044 and DL003837; Neighborhood Life - contract numbers DL002045 and DL000559; and Community Values & Cultural Life - contract numbers DL002043 and DL003838; and

WHEREAS, this legislation will extend the contracts for an additional twenty four (24) months and the termination dates will be June 30, 2005; and

WHEREAS, the Department of Development desires to modify contracts with the Columbus Compact Corporation 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 Department of Development is hereby authorized to modify the following contracts with the Columbus Compact Corporation; EZ-Administration contract number D1003783; Economic Development contract numbers DLO02044 and DL003837; Neighborhood Life contract numbers D1002045 and DL000559; and Community Values & Cultural Life contract numbers D1002043 and DL003838, by extending the contracts for twenty-four (24) additional months. The new termination dates will be June 30, 2005.

Section 2. That these contract modifications are awarded pursuant to Section 329.16 of the Columbus City Codes, 1959, as amended.

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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1843-2003

To authorize and direct the City Auditor to transfer funds between the Health Department grants fund and the Health Department capital fund; to appropriate \$169,617.62 within the Health Department capital fund; to authorize the Director of the Department of Technology to enter into a contract with Medical Manager Health Systems, Inc for the purchase of a clinical application for the Health Department; to authorize a total expenditure of \$325,000 from the Health Department capital fund; to amend the 2002 Capital Improvement Budget and to declare an emergency (\$325,000.00).

WHEREAS, the Health Department has a need to purchase an information and billing system for its nine clinical operations located at 240 Parsons Avenue; and,

WHEREAS, in May 2002, the City's IT Capital Investment Advisory Panel approved the clinic application proposal for implementation and funding; and,

WHEREAS, a RFP was developed, advertised in the City Bulletin and sent to 238 potential bidders, including 15 MBE's and 7 FBE's; and, WHEREAS, through a competitive scoring process, Medical Manager Health Systems, Inc, was determined to be the most responsive and responsible bidder of the five proposals received; and,

WHEREAS, there are sufficient funds available for the acquisition of an information and billing system for the Health Department; and

WHEREAS, an emergency exists in the usual daily operation of the Health Department In that it is immediately necessary to enter into a contract with Medical Manager Health Systems, Inc, for the purchase of a clinical application 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 cash balance in the Health Department grants fund, fund number 251, project number 251999, the sum of \$169,617.62 is hereby appropriated to the Health Department grant fund, fund number 251, object level 1 - 10, object level 3 - 5501.

SECTION 2. That the amount of \$169,617.62 in section 1 is hereby transferred to the Health Department capital fund, fund number 706, project number 470018, object level 3 - 0886, object level 1 - 10.

SECTION 3. That the amount of \$169,617.62 in section 2 is hereby appropriated to the Health Department capital fund, fund number 706, Health clinic application project, project number 470018.

SECTION 4. That the City Auditor is hereby authorized and directed to transfer \$155,382.38 within the Health Department capital fund, fund number 706 from the Blind School renovation project, project number 570053 to the Health clinic application project, project number 470018.

SECTION 5. That the Health Department 2002 capital improvement budget be amended as follows Blind School renovation project, project number 570053, original budget \$1,432,498, amended budget \$1,262,880.38; Health clinic application project 470018, original budget \$0, amended budget \$325,000.

SECTION 6. That the Director of the Department of Technology is hereby authorized to enter into a contract with Medical Manager Health Systems, Inc, for the purchase of a clinical application for the Health Department

SECTION 7. That the expenditure of \$325,000 is hereby authorized from the Health Department capital fund, fund no 706, Project No. 470018, Department of Health, Division No. 50-01, Object Level One 06, Object Level Three 6620, OCA Code 470018.

SECTION 8. That the City Auditor is authorized to make any accounting changes necessary to ensure that this contract is properly accounted for and recorded accurately on the City's financial records

SECTION 9. 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 July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1856-2003

To accept the plats titled CANAL CROSSING SECTION 1 and CANAL CROSSING SECTION 2, from CENTEX HOMES, a Nevada General Partnership, by CENTEX REAL ESTATE CORPORATION, a Nevada Corporation, Managing Partner, by Joseph It Mathias, Division President and to declare an emergency.

WHEREAS, the plats titled CANAL CROSSING SECTION 1 and CANAL CROSSING SECTION 2 (hereinafter "plats"), have been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, CENTEX HOMES, a Nevada General Partnership, by CENTEX REAL ESTATE CORPORATION, a Nevada Corporation, Managing Partner, by Joseph It Mathias, Division President, owners of the platted land, desires to dedicate to the public use all or such parts of the Boulevard, Drives and Road shown on said plats 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 plats and;

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service and Transportation in that it is immediately necessary to pass this ordinance as an emergency measure because construction of the public improvements is ahead of schedule Construction will be completed approximately 3-4 weeks before the subdivision plat would be approved, if by 30 day legislation. Therefore, we would like to request emergency action so that we are able to record the plat at about the same time the construction ends. This would expedite the sale of the lots and allow for the submittal of building permits for new home construction 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 plat titled CANAL CROSSING SECTION 1 on file in the office of the City Engineer, Transportation Division, be and the same is hereby accepted

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

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 July 21, 2003, Matthew D. Habash, President of Council / Approved as amended July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

ORD NO. 1864-2003

To accept the plat titled LAKEWOOD SECTION 6, from AD CREEK, LLC., an Ohio limited liability company, by M/I SCHOTTENSTEIN HOMES, INC., an Ohio corporation, Managing Member, by STEPHEN M CAPLINGER, Vice President Land Operations, HOMEWOOD CORPORATION, an Ohio corporation, Member, by JOHN H. BAIN, Chief Executive Officer, and DOMINION HOMES, INC., an Ohio corporation,

Member, by ROBERT A MEYER, JR., Senior Vice President and to declare an emergency.

WHEREAS, the plat titled LAKEWOOD SECTION 6 (hereinafter "plat"), has been submitted to the City Engineer's Office for approval and acceptance; and

WHEREAS, AD CREEK, LLC., an Ohio limited liability company, by M/I SCHOTTENSTEIN HOMES, INC., an Ohio corporation, Managing Member, by STEPHEN M CAPLINGER, Vice President Land Operations, HOMEWOOD CORPORATION, an Ohio corporation, Member, by JOHN It BAIN, Chief Executive Officer, and DOMINION HOMES, INC., an Ohio corporation, Member, by ROBERT A MEYER, JR., Senior Vice President, owner of the platted land, desires to dedicate to the public use all or such parts of the Drives 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 and;

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service and Transportation in that it is immediately necessary to pass this ordinance as an emergency measure because construction of the public improvements is ahead of schedule Construction will be completed approximately 3-4 weeks before the subdivision plat would be approved, if by 30 day legislation. Therefore, we would like to request emergency action so that we are able to record the plat at about the same time the construction ends. This would expedite the sale of the lots and allow for the submittal of building permits for new home construction 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 plat titled LAKEWOOD SECTION 6 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 July 21, 2003, Matthew D. Habash, President of Council / Approved as amended July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RESOLUTIONS

RES NO. 288X-2003

To declare the necessity and intent to appropriate construction easements in, over, under and through real estate in connection with the Big Run Erosion Control Project, and to declare an emergency

WHEREAS, the City of Columbus is engaged in the Big Run Erosion Control 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 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 construction easements in, over, under and through the following described real estate necessary for the Big Run Erosion Control Project, Project#6 10961, 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:

PARCEL 6T

Situate in the State of Ohio, County of Franklin, City of Columbus, located in Virginia Military Lands 2442, and being an area of land for stormwater utility construction and access over, on, and across Lot 297 of Riverbend Sub-Division Sections 3 as recorded in the plat of record in Plat Book 42, Page 1, as conveyed to Walter R Duermit Jr. and Pris M. Stanley by deed of record by Instrument Number 199805190121315, Records' Office, Franklin County, Ohio for the purpose of the installation of said stormwater utility line and being more particularly bounded and described as follows:

Temporary Easement

A temporary construction easement which period when construction commences on said property and shall terminate when the construction period ends;

Commencing at a point, said point being a northeast corner of said Lot297 of said Riverbend Sub-Division Section 3, said point being the southeast corner of Lot 298 of said Riverbend Sub-Division Section 3, as conveyed to Michael D. Straight and Patricia L. Straight by deed of record in Official Record 20365D03, said point being in a southerly line of Lot 6 of Heston & Heston Sub-Division as recorded in the plat of record in Plat Book 10, Page 56, all aforementioned referenced being to the Recorder's Office, Franklin County Ohio, said point being also the true point of beginning of the herein described area of land;

Thence South 69 degrees 47 minutes 42 seconds East, a distance of 76.75 feet along the easterly line of said Lot 297 of said Riverbend Sub-Division Section 3, along a southerly line of said Lot 6 of said Heston & Heston Sub-Division to a point, said point being the southeast corner of said Lot 297 of said Riverbend Sub-Division Section 3, said point being a southeast corner of said Lot 6 of said Heston & Heston Sub-Division, said point being also in the northerly line of Lot 85 of Glencreek Sub-Division as recorded in the plat of record in Plat Book 46, page 90, as conveyed to Ronald D. and Mary K. Grove by deed of record in Official Record 12394F03, Records' Office, Franklin County, Ohio; Thence South 52 degrees 19 minutes 38 seconds West, a distance of 57.98 feet along the southerly line of said Lot 297 of said Riverbend Sub-Division Section 3, along the northerly line of said Lot 85 of said Glencreek Sub-Division to a point, said point being in the southerly line of said Lot297 of said Riverbend Sub-Division Section 3, said point being also in the northerly line of said Lot 297 of said Riverbend Sub-Division Section 3;

Thence crossing said Lot 297 of said Riverbend Sub-Division by the following two (2) described courses;

1. North 38 degrees 35 minutes 41 seconds West, a distance of 19.69 feet to an angle point;

2. South 50 degrees 09 minutes 37 seconds West, a distance 225.77 feet to a point, said point being in the westerly line of said Lot 297 of said Riverbend Sub-Division Section 3, said point being also in the easterly right of way line of Creekside Drive (50 feet);

Thence North 37 degrees 37 minutes 38 seconds West, a distance 13.67 feet along the westerly line of said Lot297 of said Riverbend Sub-Division Section 3, along the easterly right of way line of said Creekside Drive to a point, said point being in the westerly line of said Lot 297 of said Riverbend Sub-Division Section 3, said point being also in the easterly right of way line of said Creekside Drive;

Thence crossing said Lot 297 of said Riverbend Sub-Division by the following two (2) described courses;

1. North 50 degrees 09 minutes 49 seconds East, a distance of 126.08 feet to an angle point;

2. North 38 degrees 25 minutes 34 seconds West, a distance of 35.42 feet to a point, said point being in the northerly line of said Lot 297 of said Riverbend Sub-Division Section 3, said point being also in the southerly line of said Lot298 of said Riverbend Sub-Division Section 3;

Thence North 52 degrees 19 minutes 38 seconds East, a distance of 117.56 feet along the northerly line of said Lot297 of said Riverbend Sub-Division Section 3, along the southerly line of said Lot 298 of said Riverbend Sub-Division Section 3 in Plat Book 42, Page 1, Records' Office, Franklin County, Ohio

WOOLPERT LLP [seal]

Steven W. Newell, Ohio Professional Surveyor No.7212

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 July 21, 2003 Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 289X-2003

To declare the necessity and intent to appropriate fee simple title in and to the real estate situated generally at the southwest corner of High and Rich Streets and to declare an emergency.

WHEREAS, the City is committed to eliminating conditions of, and preventing the recurrence of blight; and

WHEREAS, this Council has by Ordinance No.1824-2003, adopted contemporaneously herewith, determined and found that the River South Redevelopment Area is a blighted area, as defined in Section 1728.01 of the Ohio Revised Code; and

WHEREAS, Capitol South Community Urban Redevelopment Corporation has declared its intention to cause the redevelopment and

improvement of a portion of the River South Redevelopment Area, namely the southwest corner of High and Rich Streets, with a downtown housing project and to ask that Sections 5709.41 through 5709.43 of the Ohio Revised Code be employed to create a tax increment financing arrangement; and

WHEREAS, resort to such statute requires that the City acquire and then dispose of the fee simple title to the real estate to be improved; and

WHEREAS, Otto Beatty, Jr., the owner of the real estate has conditioned acquisition negotiations upon the adoption of this resolution; and

WHEREAS, the City intends to appropriate fee simple title in and to the real estate to be improved in order to facilitate the redevelopment of the same and to alleviate conditions of blight on such real estate and in the surrounding area; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Safety and Judiciary in that it is immediately necessary to pass this ordinance as an emergency measure because of the subject property is the site of the One Rich Street Housing Project. Emergency action is requested so that construction of the downstairs housing project will not be delayed. For construction to commence, this Resolution must be adopted, the property must be acquired and re-conveyed to Capitol South, tenants must be relocated and the existing buildings must be razed, all in time for the scheduled October commencement, if action of the effective date is delayed until September, then there will not be sufficient time to accomplish all that needs to be accomplished to commence construction before the Winter season for the preservation of 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 fee simple title in and to the real estate hereinafter described 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:

Situated in the City of Columbus, County of Franklin and State of Ohio

Being Inlots Numbered Two Hundred Fifty (250) and Two Hundred Fifty-One (251) in the City of Columbus, Ohio, as the same are numbered and delineated upon the recorded plat thereof, of record in Deed Book F, Page 332, Recorder's Office, Franklin County, Ohio.

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 Property 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 hereby is declared to be an emergency 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 as amended July 21, 2003 Matthew D. Habash, President of Council / Approved as amended July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 298X-2003

To Honor and Recognize the Columbus Youth Entrepreneurship Academy as they open their doors on August 28, 2003.

WHEREAS, the Columbus Youth Entrepreneurship Academy (CYEA) located at 1855 E. Dublin-Granville Road, 3rd floor will be opening its doors on August 28, 2003, as a full-time, year-round, public community school for high school students grades 9 through 12; and,

WHEREAS, CYEA's mission is a high school that creates a foundation for academic excellence in youth which promotes entrepreneurship and civic and political leadership; and,

WHEREAS, CYEA, sponsored by the Ohio Department of Education will emphasize the concept of unity of purpose with the parent, teacher and student as a team facilitating academic excellence; and,

WHEREAS, Columbus will be one of the first cities in the country to offer entrepreneurship as a career-based alternative for our public school system; and,

WHEREAS, Columbus will be the home of the only public high school which offers a combination career based mission of experiential internships for entrepreneurship, civic and political leadership to give our young people a total accountability perspective as a contributing citizen to the economy and the quality of life in Columbus, Ohio; and,

WHEREAS, every child within the Columbus public school district is eligible to apply for enrollment year round; and,

WHEREAS, this year the school is accepting applications for grades 9 and 10 only and will add a grade each year up to the 12th grade.

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

That this Council does hereby honor and recognize the Columbus Youth Entrepreneurship Academy as they open their doors on August 28, 2003.

Adopted July 21, 2003 Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 299X-2003

To honor and recognize Columbus Originals for their celebration of culinary independence and contributions to the City of Columbus.

WHEREAS, the Columbus Originals include Columbus' top chefs from Barcelona, Bexley's Monk, The Burgundy Room, The Clarmont, Elevator Brewery and Draught Haus, Figlio, G. Michaels Bistro, Giuseppe's Ritrovo, Handke's Cuisine, Katzingers, Rigsby's Cuisine Volatile, The Refectory, The Riverview, R.J. Snappers, Strada World Cuisine, and Taxation; and

WHEREAS, the Columbus Chapter of the Columbus Originals is a member of the Council of Independent Restaurants of America; and

WHEREAS, the Columbus Originals strive to promote locally owned and operated restaurants in the great City of Columbus, Ohio; and

WHEREAS, the Original Dinner "A Celebration of The Columbus Originals, and our culinary independence" will be held on Thursday, July 17, 2003 at the Hartman Building; now; therefore

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

That this council does hereby honor and recognize the Columbus Originals for the promotion of locally owned and operated restaurants.

BE IT FURTHER RESOLVED

That a copy of this Resolution be presented to the Columbus Originals at the Original Dinner with our esteem.

Adopted July 21, 2003 Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 300X-2003

To recognize and welcome the Black American Softball World Tournament to Columbus September 4-7, 2003, and extend best wishes for a successful visit

WHEREAS, The Black American Softball World Tournament is organized by the Black American Softball Association (B.A.S.A.) This Black-owned association has organized tournaments in states across America and is now one of the fastest growing independent softball organizations in the United States; and,

WHEREAS, more than 500 teams from over 50 major cities in 22 states will compete in this World Series with an estimated crowd of 20,000; and,

WHEREAS, This association serves as a youth advocacy organization for Black youth while providing a structured recreational sports outlet for Black-American men and women across America. Through positive physical activity, B.A.S.A. helps combat violence in the Black community and assists in reconstructing Black families; and,

WHEREAS, the B.A.S.A. World Tournament provides scholarships for minority students; supports youth programs within the city hosting the tournament; and exposes minority youth to African-American sporting competition while generating a positive economic impact for the African-American community; and,

WHEREAS, the World Tournament features many youth partnership programs. The B.A.S.A. reaches disadvantaged youth and exposes them to positive role models, fundamentals of good citizenship and wholesome family-oriented activities; and,

WHEREAS, The B.A.S.A.'s program, Project 500 Kids, provides a program for 500 youth who are bused to the World Tournament and exposed to sports as they relate to the Black community while being encouraged to pursue a higher education; and,

WHEREAS, we commend Z103 and the new WVKO radio stations for hosting one of the largest African-American events ever held in the City of Columbus

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

That we recognize and welcome the Black American Softball World Tournament to Columbus September 4-7, 2003. and extend best wishes for a successful visit.

Adopted July 21, 2003 Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 301X-2003

To commend and extend best wishes to the artists participating in "The Columbus Night Club Band Hall of Fame's" Annual Induction Ceremony.

WHEREAS, the musical group The Ravens has given the people of Columbus much enjoyment and pleasure on innumerable occasions with their artistic stylings throughout the decades starting in the fabulous fifties; and

WHEREAS, this group has contributed to the rich musical and cultural history of the City of Columbus; and

WHEREAS, "The Columbus Nightclub Band Hall of Fame's" Annual Induction Ceremony held on August 8, 2003 will honor the Class of 2003; now, therefore

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

That we do hereby commend and extend best wishes and appreciation for the contributions made by all of the artists being honored at this event.

Adopted July 21, 2003 Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 302X-2003

To recognize and commend the National Association of Town Watch (NATW) for sponsoring a unique, nationwide crime, drug and violence prevention program on August 5, 2003, entitled "National Night Out"

WHEREAS, the "20th Annual National Night Out" provides the opportunity for the City of Columbus to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

WHEREAS, the community plays a vital role in assisting the Columbus Division of Police through joint crime, drug and violence prevention efforts in the City of Columbus and is supporting "Columbus' Night Out 2003" locally; and

WHEREAS, it is essential that all citizens of the City of Columbus be aware of the importance of crime prevention programs and the impact that their participation can have on reducing crime, drugs and violence in the City of Columbus; and

WHEREAS, awareness, cooperation, police-community partnerships and neighborhood safety are the central themes of "Columbus' Night Out 2003" program;

WHEREAS, several Columbus organizations including Fifth Third Bank, Giant Eagle, SBC and American Electric Power are providing key underwriting support; now; therefore

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

That this Council of the City of Columbus does recognize Tuesday, August 5, 2003 as "Columbus' Night Out 2003" and calls upon all citizens of the City of Columbus to join the Columbus Division of Police and the National Association of Town Watch in supporting the "20th Annual National Night Out" and hereby proclaim Tuesday, August 5, 2003 as "Columbus' Night Out 2003".

BE IT FURTHER RESOLVED,

That a copy of this Resolution be presented to the National Association of Town Watch with our esteem.

Adopted July 21, 2003 Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 303X-2003

To recognize and congratulate St Mary Magdalene Parish on the occasion of their 75th Anniversary Celebration, Sunday, July 20, 2003.

WHEREAS, St. Mary Magdalene was established on May 6, 1927 to take care of the needs of Catholics living on the Hilltop and in the Westgate area and has served not only the parishioners, but the Westside area and community as well; and

WHEREAS, Father Raymond Bauschard, a Columbus native and professor at St. Charles Seminary, was named the first pastor in 1928; and

WHEREAS, on March 3, 1929 ground was broken to begin construction of the church and school buildings which were dedicated on September 1st of the same year followed by the Rectory, which was occupied on Christmas eve of 1929 and has since been replaced by a new Rectory constructed in 1959; and

WHEREAS, Nuns from the Franciscan Order of Sisters of Mary Immaculate at Joliet, Illinois provided their services as teachers from 1929 through 1974 and lived in the school itself until July of 1939 when ground was broken for the convent; and

WHEREAS, in seventy-five years, the size of the congregation and student body has grown steadily and was the catalyst for several changes, including the Parish Annex or St. Raymond's Hall built in 1950 and the new church building which was dedicated on March 11, 1956; and

WHEREAS, the volunteers from the congregation are very important in the life of the church serving faithfully through their loving spirit on the various clubs, committees and programs that touch the surrounding community; and

WHEREAS, Pastor Father Stanley Benecki along with associate pastor Father Carmen Arcuri will host the 75th anniversary recognition

beginning with a community-wide homecoming on June 13th and 14th and continuing through the summer with special services; now; therefore
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That this council does hereby recognize and congratulate St. Mary Magdalene Parish for seventy-five years of dedicated service to the Westside area and community.

BE IT FURTHER RESOLVED,

That a copy of this Resolution be presented to St. Mary Magdalene Parish with our esteem.

Adopted July 21, 2003 Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 304X-2003

To establish a Board of Revision to hear the objections to the Berwick 1 Area and the Brookshire Park Area assessments for underground street lighting systems, and to declare an emergency

WHEREAS, an emergency exists in the usual daily operation of the City Clerks Office in that it is immediately necessary to appoint a Board of Revision to hear objections to assessments for Berwick 1 Area and Brookshire Park Area underground street lighting, in order that the necessary legislation may be prepared and presented to Council for consideration so that the Division of Electricity may proceed with the plans for said improvement, at the earliest possible time for the immediate preservation of the public property, peace, health, and safety; now therefore
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That Walter Cates, Carol Stewart, and Darrin Wasniewski with alternate member being Fred Parker, disinterested freeholders of the City of Columbus, Ohio be and they are hereby appointed a Board of Revision to hear all objections to the estimated assessments for the following proposed improvements

Improvement of Berwick 1 Area and Brookshire Park Area underground street lighting and said Board shall report to this Council its findings, if any, of the estimated assessments as reported by the Electricity Division.

Said hearings will be held in the City Council Chambers at 6:00 P.M. on August 14, 2003.

SECTION 2. That for the reasons stated in the preamble hereto, which is hereby made a part of; this resolution is hereby 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 July 21, 2003 Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 307X-2003

To recognize and congratulate Bill Faith for the outstanding work he has done on behalf of Ohio's homeless families.

WHEREAS, Bill Co-founded the Ohio Coalition for the Homeless in 1984 which later became COHHIO, Coalition on Homelessness and Housing in Ohio and has served as its only Executive Director since 1985; and

WHEREAS, Bill serves as the current board chair of the National Low Income Housing Coalition, past board chair of the National Coalition for the Homeless and is viewed as a national expert on homelessness and affordable housing; and

WHEREAS, His advocacy in the late 1980's led to the establishment of State of Ohio funding for emergency shelters and transitional housing for the homeless; and

WHEREAS, In 1990 Bill led a successful statewide ballot issue to change the Ohio constitution to make housing a public purpose in Ohio, then in 1991 led the legislative advocacy to successfully establish the Ohio Housing Trust Fund Since 1991, \$160 million has been invested in affordable housing In 2003, after more than ten years of persistent advocacy, a permanent dedicated source of revenue for the Ohio Housing Trust Fund was established This new revenue source will generate \$100 million for affordable housing in Ohio over the next biennium; now, therefore,
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That this Council does hereby recognize and congratulate Bill Faith for his commitment to ensuring that all of our citizens have adequate housing.

Adopted July 21, 2003 Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

RES NO. 308X-2003

To recognize and congratulate the Columbus Currach Club for hosting their Third Annual 2003 Aquinas Cup Regatta on July 19, 2003.

WHEREAS, the Regatta attracted competing rowers from Ohio, Pennsylvania, Milwaukee, Wisconsin, New York and Maryland; and
WHEREAS, the Columbus Currach Club has a committed core group of people that compete with other long standing clubs with deep Irish history and strong participation; and

WHEREAS, The Columbus Currach Club placed third in the four woman race and third in the one woman race, now therefore; and
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That this Council is grateful for the Columbus Currach Club's efforts in Central Ohio, supportive of their efforts in utilizing the Riverfront area and proud of their accomplishments in the 2003 Aquinas Cup.

Adopted July 21, 2003 Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, 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

FOR COPIES OF ANY OF THE FOLLOWING BID PROPOSALS CALL THE LISTED DIVISION
CITY OF COLUMBUS FORMAL BID OPPORTUNITIES ARE UPDATED DAILY AT:
<http://finance.ci.columbus.oh.us/purchasing/openbids/sabids.html>

BID OPENING DATE - July 30, 2003 3:00 pm

SA000488 - BINNS BLVD STORMWATER PROJECT

ADVERTISEMENT FOR BIDS

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, 910 Dublin Road, Room 4002, until 3:00 p.m., Local Time, on Wednesday, July 30, 2003, and publicly opened and read at that hour and place for the following project: BINNS BOULEVARD STORMWATER SYSTEM IMPROVEMENTS, C.I.P. NO. 731

The work for which proposals are invited consists of approximately 670 L.F. of new storm sewer, street improvements, 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 (CC-13080), are on file at the Division of Sewerage and Drainage, Sewer System Engineering Section, Permit Office, Room No. 3051, 910 Dublin Road, Columbus, Ohio 43215-9053. The first set is available to prospective bidders at no cost with the second and subsequent sets available at a cost of \$25.00 per set on a no-refund basis. No partial units will be released.

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: BINNS BOULEVARD STORMWATER SYSTEM IMPROVEMENTS, C.I.P. NO. 731, 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 Street, 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 Road, 4th Floor, Columbus, Ohio 43215 (614) 645-6141.

CONTRACT COMPLIANCE REQUIREMENTS

Each responsive bidder shall submit, with its bid, a City of Columbus Contract Compliance Certification Number or a completed application for certification.

QUALIFICATION AND RESOURCE FACTORS FORM AND AFFIDAVIT OF BIDDER

Each responsive bidder shall submit with its bid, a completed Qualification and Resource Factors Form and a completed and notarized Affidavit of Bidder

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 180 days after the bid opening, and/or to advertise for new proposals, when it is in the best interest of the City.

SUBSURFACE DATA

Subsurface data was not obtained.

CONTRACT COMPLETION

The work under this contract shall be completed in a manner acceptable to the City within 60 calendar days after the effective date of the Notice to Proceed.

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.

ORIGINAL PUBLISHING DATE: July 16, 2003

BID OPENING DATE - July 31, 2003 11:00 am
SA000481 - REFUSE/AUTOMATED SIDE LOADING TRUCKS

1.1 Scope: It is the intent of the City of Columbus, Refuse Collection Division, to obtain formal bids to establish a contract for the purchase of automated side loading refuse collection trucks for use in collecting residential refuse.

1.2 Classification: The manufacturer(s) must have a fully franchised dealer located in Franklin County, Ohio, (or a contiguous county) that is authorized to perform warranty service and sell O.E.M. parts.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: July 01, 2003

SA000483 - SIGN LANGUAGE INTERPRETER SERVICES - RFP

1.1 Scope: It is the intent of the City of Columbus, Department of Finance on behalf of the Department of Human Resources to obtain proposals to establish a universal term contract for Sign Language Interpreter Services through September, 2006. The contract will be established to provide sign language interpreter services for hearing impaired people when they interact with City personnel who are assisting them with, primarily, human services.

1.2 The contractor must be able to provide sign language interpreter services 24 hours a day, 7 days a week, on an emergency basis. Services are to be responded to within 2 hours or receiving a request. Sign language interpreter services will also be required for public meetings and events. Such services will be scheduled at least 48 hours prior to the event. Sign language interpreters must be RID certified or NAD certified at a level 3.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215.

ORIGINAL PUBLISHING DATE: July 02, 2003

SA000485 - REFUSE/REAR LOADING REFUSE TRUCKS

1.1 Scope: It is the intent of the City of Columbus, Refuse Collection Division, to obtain formal bids to establish a contract for the purchase of rear loading refuse collection trucks for use in collecting residential refuse.

1.2 Classification: The manufacturer(s) must have a fully franchised dealer located in Franklin County, Ohio, (or a contiguous county) that is authorized to perform warranty service and sell O.E.M. parts.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: July 01, 2003

BID OPENING DATE - August 20, 2003 3:00 pm
SA000487 - SOUTHERLY HEADWORKS RAW SEWAGE STATION
ADVERTISEMENT FOR BIDS**BIDS FOR:**

Southerly Wastewater Treatment Plant, New Headworks - Raw Sewage Pump Building, Capital Improvements Project No. 650352, Contract S65, WPCLF No. CS392276-02

OWNER:

City of Columbus, Ohio, Division of Sewerage and Drainage, General Engineering Section, Cheryl Roberto, Interim Director of Public Utilities

DESIGN PROFESSIONAL

Malcolm Pirnie, Inc, 1900 Polaris Parkway, Suite 200, Columbus, Ohio 43240-2020, (614) 888-4953

BID OPENING:

Sealed Bids will be received by the Director of Public Utilities of the City of Columbus, Ohio, at its office, 910 Dublin Road, Room 4105, until 3:00 p.m. Local Time on Wednesday, August 20, 2003 at which time they will be publicly opened and read.

DESCRIPTION OF WORK:

The project consists of the following:

1. New Raw Sewage Pump Building, including the following items:
 - a. Four mechanically cleaned bar racks.
 - b. Four raw sewage pumps with variable frequency drive units and motors.
 - c. Sluice gates.
 - d. Four 48-inch diameter magnetic flow meters.
 - e. Belt conveyor.
 - f. Elevator.
 - g. Instrumentation and control systems.
 - h. Plumbing, HVAC, and electrical systems.
2. New temporary site access road and widening of U.S. Route 23.
3. New extension of the 102" diameter Interconnector Sewer, miscellaneous associated chambers and multiple pipe barrel crossing of the Scioto River.
4. New Big Walnut Outfall Diversion Structure and 8' - 6" x 8' - 6" Big Walnut Outfall box conduit.
5. New portion of the 14' x 14' - 8" Big Walnut Augmentation/Rickenbacker Interceptor box conduit.
6. New Influent Junction Chamber.
7. New 18' x 14 plant influent sewer.
8. New portion of the 48" diameter main drain.
9. New 48" diameter pump discharge piping.
10. Miscellaneous buried odor control duct.
11. Site grading in preparation for Construction Contract S67 (Screen and Grit Facilities).
12. Miscellaneous site work.
13. All maintenance and operating instructions, training, start-up, testing, and commissioning.

BASIS OF BIDS:

Bids shall be on a Lump Sum and Unit Price basis.

EXAMINATION AND PROCUREMENT OF DOCUMENTS:

Bidding Documents may be examined at the following locations:

- 1) Division of Sewerage and Drainage, General Engineering Section, CMT Trailer Complex, Southerly Wastewater Treatment Plant, 6977 S. High Street, Lockbourne, Ohio 43137.
- 2) Malcolm Pirnie, Inc. 1900 Polaris Parkway, Suite 200, Columbus, Ohio 43240-2020, (614) 888-4953.
- 3) Plan Room, Builder's Exchange, 1175 Dublin Road, Columbus, Ohio.
- 4) Plan Room, Builder's Exchange, 2077 Embury Park Road, Dayton, Ohio.
- 5) Plan Room, Builder's Exchange, 981 Keynote Circle, Cleveland, Ohio.
- 6) F.W. Dodge Corporation, 1175 Dublin Road, Columbus, Ohio.
- 7) F.W. Dodge Corporation, 105 East 4th Street, #1200, Cincinnati, Ohio.
- 8) Dodge/SCAN, 1255 Euclid Avenue, Cleveland, Ohio.
- 9) Dodge Reports, 3077 South Kettering Boulevard, Dayton, Ohio.
- 10) Minority Contractors and Business Assistance Center, 815 East Mound Street, Columbus, Ohio.

Copies of the Bidding Documents may be purchased from Key Companies, 195 East Livingston Avenue, Columbus, Ohio 43215 at (614) 228-3285 or via Plankey at www.plankey.com upon payment of \$300.00 per set. No refunds will be made. Checks shall be made payable to Malcolm Pirnie, Inc. The Bidding Document packet will include one full size set of Drawings with printed Project Manual and one CD-ROM set containing PDF files of the Drawings and Project Manual (except Volume 1). Compact Discs containing PDF files of the Drawings and Project Manual (except Volume 1) may be purchased separately for viewing purposes through Key Companies upon payment of \$30.00 per CD-ROM. No refunds will be made. Checks shall be made payable to Malcolm Pirnie, Inc. The purchaser of said CD-ROM will NOT be considered a plan holder, will not receive Addenda and will not be able to submit a proposal using this CD-ROM.

PRE-BID CONFERENCE:

There will be a pre-Bid conference held at Southerly Wastewater Treatment Plant, 6977 South High Street (State Route 23), Lockbourne, Ohio in the Administration Building Conference Room on Wednesday, July 23, 2003 at 9:30 a.m. Following the pre-Bid conference, a tour will be given to allow the Bidders to inspect the Project area and facilities. Bidders are strongly encouraged to attend and participate in the conference and walk-through tour.

BIDDER'S QUALIFICATIONS:

Bidders shall provide proof of qualifications to perform the Work as described in Article 3 of the Instructions to Bidders.

BID SECURITY:

A Bid security in the amount of not less than 10 percent of the Bidder's maximum Bid price must accompany each Bid in accordance with Article 9 of the Instructions to Bidders.

CONTRACT TIME:

Contract time of commencement and completion shall be in accordance with the Contract.

CONTRACT PERFORMANCE AND PAYMENT BOND:

A Contract Performance and Payment Bond of 100% percent of the amount of the Contract, with a satisfactory surety or sureties, licensed to conduct business in the State of Ohio, as described in the Instructions to Bidders, will be required to assure the faithful performance of the Work.

PREVAILING WAGE RATES:

Wage rates for the Work shall not be less than the prevailing wages included as a part of the Contract Documents.

LICENSING OF CORPORATIONS:

Particular attention of Bidders is directed to the statutory requirements of the State of Ohio relative to licensing of entities incorporated under the laws of any other State.

LOAN FUND:

Funding for this Project will be obtained through the Water Pollution Control Loan Fund (WPCLF) and the Project will be subject to applicable State and Federal Regulations. This procurement is subject to the EPA policy of encouraging the participation of small businesses in rural areas (SBRAs).

CONTRACT COMPLIANCE REQUIREMENTS:

Each responsive Bidder shall submit, with its Bid, a City of Columbus Contract Compliance Certification Number (CCCN) or a completed application for certification.

LOCAL BUSINESS CREDIT:

In determining the lowest Bid for purposes of awarding a contract in excess of \$20,000, a local Bidder shall receive a credit equal to 1 percent or \$20,000, whichever is less, of the lowest Bid submitted by a non-local Bidder. The local business credit does not reduce the amount of the Contract. A local Bidder is an individual or business entity: (1) whose principal place of business is located within the corporation limits of the City of Columbus or the County of Franklin as registered in official documents filed with Secretary of State, State of Ohio, or Franklin County Recorder's Office; or (2) who holds a valid vendor's license which indicates its principal place of business is located within the corporation limits of the City of Columbus or County of Franklin.

LOCAL WORKFORCE CREDIT:

In determining the lowest Bid for purposes of awarding a contract in excess of \$20,000, a bidder with a local workforce shall receive credit equal to 1 percent of the lowest bid submitted. The local workforce credit does not reduce the amount of the Contract. A local workforce is when the bidder draws its (proposed for this Project) employees mainly (51 percent) from Columbus, Franklin County or counties contiguous to Franklin County.

QUALITY TRAINING CONTRACTOR CREDIT:

In determining the lowest Bid for purposes of awarding a contract in excess of \$20,000, a Bidder who provides for quality training shall receive credit equal to 1 percent of the lowest bid submitted. The quality training contractor credit does not reduce the amount of the Contract. A quality training Bidder is a Bidder whose employees graduated from or participate in a bona fide apprenticeship program that is approved by the Ohio State Apprenticeship Council and the United States Department of Labor is such apprenticeship programs are available.

HEALTH INSURANCE PROVIDED CREDIT:

In determining the lowest Bid for purposes of awarding a contract in excess of \$20,000, a Bid proposed a Bidder and all subcontractor(s) who provide health insurance shall receive credit equal to 1 percent of the lowest bid submitted. The health insurance provided credit does not reduce the amount of the Contract. Providing health insurance means that the employer pays directly, or through an agent, a portion of premium on behalf of their employees (proposed to work on this Project) into a health insurance program with a bona fide plan administrator. Note that simply providing additional wages directly to the employee such that the employee then must obtain their own health insurance on the open market, specifically does not meet the acceptable definition.

RETIREMENT OR PENSION PLAN PROVIDED CREDIT:

In determining the lowest Bid for purposes of awarding a contract in excess of \$20,000, a Bidder who provides a retirement or pension plan shall receive credit equal to 1 percent of the lowest bid submitted. The retirement or pension plan provided credit does not reduce the amount of the Contract. Providing a retirement or pension plan means that the employer pays directly, or through an agent, a portion of the premium for their employees (proposed to work on this Project) into a retirement or pension plan with a bona fide plan administrator. Note that simply providing additional wages directly to the employee such that the employee then must obtain their own retirement or pension plan on the open market, specifically does not meet the acceptable definition.

RIGHT TO REJECT BIDS:

The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio, to cancel this Advertisement for Bids, to reject any and/or all Bids, to waive informalities, to hold Bids for a period of 180 days after the Bid opening, to make an award of the Contract at any time during that 180 day period, and/or to advertise for new Bids, when such action is deemed by the Director to be in the best interests of the City.

Cheryl Roberto, Interim Director of Public Utilities

ORIGINAL PUBLISHING DATE: July 04, 2003

BID OPENING DATE – August 21, 2003 11:00 am

SA000491 - DOT/AUTO. VIDEO DIST. HEAD-END SYSTEM

1.1 Scope: It is the intent of the City of Columbus, Department of Technology, Telecommunications Division to obtain formal bids to establish a contract to supply and install a computer automated video distribution system head-end with equipment. The contractor shall complete the project within 4 months from the "Notice to Proceed".

1.2 Classification: The offeror must prepare a proposal that follows the format of this RFP. All pages of the response must be numbered. It is mandatory that the enclosed "Vendor's Questionnaire" be completed and returned with your proposal. Inability to meet any specified requirement must be so stated, and thoroughly explained. The contractor will provide all equipment, materials and labor required to install, integrate, test and document this Automated Video Distribution Head-End System. The supplier will provide necessary training and provide 24/7/365 technical support. If you have any questions, please fax them to Purchasing at (614) 645-7051, ATTN: Fred Myers. The RFP number and name should be identified on the fax cover sheet. The City will not honor any oral representations. Written questions will be accepted until six (6) business days prior to the bid opening date. Note: A Pre-Bid Meeting will take place on August 6, 2003 at 10:00 A.M.

If you have an interest in receiving this proposal, please FAX this form in its entirety to: Purchasing Office, (614) 645-7051 a complete copy of the specifications will be mailed to those who request the mailing and specifications are also available in person at 50 West Gay Street, Beacon Building - First Floor, Columbus, Ohio, 43215

ORIGINAL PUBLISHING DATE: July 23, 2003

BID OPENING DATE - August 27, 2003 3:00 pm

SA000490 - THICKENING CENTRIFUGE REPLACEMENT

ADVERTISEMENT FOR BIDS

Sealed Proposals will be received by the Director of Public Utilities of the City of Columbus, Ohio, at its office, 910 Dublin Road, Room 4105, until 3:00 p.m., Local Time, on Wednesday, August 27, 2003, and publicly opened and read at that hour and place for the construction of:

JACKSON PIKE WASTEWATER TREATMENT PLANT, SLUDGE HANDLING AND DEWATERING IMPROVEMENTS
CAPITAL IMPROVEMENTS PROJECT NO. 650246, THICKENING CENTRIFUGES REPLACEMENT AND IMPROVEMENTS, CONTRACT NO. J206

The City of Columbus' contact person for this project is W. Keith Gilbert, P.E., Manager of the Sewerage and Drainage Division's General Engineering Section, telephone number 614/645-7610. The work for which Proposals are invited consists in general of the following:

1. Selective demolition of existing facilities.
2. Installation of new thickening equipment including the following systems: (A) thickening centrifuge feed system, (B) thickening centrifuges, (C) polymer feed piping, (D) thickened sludge conveyance system, (E) centrate piping and pumps.
3. Structural and Architectural Improvements in the Sludge Dewatering Building.

4. Mechanical and plumbing improvements will be completed to provide heating and ventilation systems. Domestic water piping and drain systems will be installed to support building operations.
5. Installation of new Waste Activated Sludge (WAS) pumps and associated discharge piping.
6. Installation of sludge concentration pumps and piping.
7. Electrical and Instrumentation & Control Improvements.
8. Providing all maintenance and operating instruction, training, start-up, testing, and commissioning.

BASIS OF BIDS: Bids shall be a Lump Sum or Unit Price basis as shown in the Proposal.

VIEWING BIDDING DOCUMENTS: Copies of the Bidding Documents as defined in General Conditions (Section 00700, Article 1, Paragraph 1.01 A.1) are or will be on file and may be examined at the following locations:

1. Division of Sewerage and Drainage, General Engineering Section, Southerly Wastewater Treatment Plant, 6977 S. High Street, Lockbourne, Ohio 43137.
2. Dodson-Stilson, Inc. (DLZ OHIO, INC.), 6121 Huntley Road, Columbus, OH 43229-1003
3. Plan Room, Builder's Exchange, 1175 Dublin Road, Columbus, Ohio 43215.
4. Plan Room, Builder's Exchange, 2077 Embury Park Road, Dayton, Ohio 45414.
5. Plan Room, Builder's Exchange, 981 Keynote Circle, Cleveland, Ohio 44131.
6. Plan Room, Builder's Exchange, 495 Wolf Ledges, Akron, Ohio 44311.
7. F.W. Dodge Corporation, 1175 Dublin Rd., Columbus, Ohio 43215.
8. F.W. Dodge Corporation, 655 Eden Park Drive, Cincinnati, Ohio 45202.
9. Dodge/SCAN, 1255 Euclid Avenues, #305 Cleveland, Ohio 44115.
10. Minority Business Development Center, 815 E. Mound Street, Columbus, Ohio 43205.

PURCHASING BIDDING DOCUMENTS: Copies of the Bidding Documents may be purchased by prospective bidders through the office of Dodson-Stilson, Inc., 6121 Huntley Road, Columbus, OH 43229, upon payment of \$300 per set. No refunds will be made. Checks are made payable to Dodson-Stilson, Inc.

COMPACT DISCS: Compact Discs containing the Project files (except Volume I) in PDF format and Drawings in TIF format may be purchased for viewing purposes through the office of Dodson-Stilson, Inc., upon payment of \$30 per CD. No refunds will be made. Checks are made payable to Dodson-Stilson, Inc.

The purchaser of said CD will NOT be considered a Planholder, will not receive Addenda, and will not be able to submit a Proposal using this CD.

SUBMITTING A PROPOSAL: Proposals must be submitted on the Proposal forms contained in Volume I of the Project Manual and the said Volume of the Project Manual must be submitted IN ITS ENTIRETY in a sealed envelope marked: "BID FOR" JACKSON PIKE WASTEWATER TREATMENT PLANT, SLUDGE HANDLING AND DEWATERING IMPROVEMENTS, CAPITAL IMPROVEMENTS PROJECT NO. 650246, THICKENING CENTRIFUGES REPLACEMENT AND IMPROVEMENTS, CONTRACT NO. J206

PRE-BID CONFERENCE: There will be a Pre-bid Conference held at the Jackson Pike Wastewater Treatment Plant CMT Conference Room on August 4, 2003, at 10:00 a.m. Following the pre-bid meeting, a tour will be made to allow the prospective Bidders to inspect the project area and facilities.

PROOF OF QUALIFICATIONS: Bidders shall provide proof of qualifications to perform the Work as described in Paragraph 1.04 of the Instructions to Bidders (Section 00100).

PROPOSAL GUARANTY: The Bidder is required to submit a Proposal Guaranty (certified check or Proposal Bond in the form provided) in accordance with Paragraph 1.10 of the Instructions to Bidders. The amount of the Guaranty shall not be less than ten (10) percent of the Bid submitted.

COMMENCEMENT AND COMPLETION: Contract time of commencement and completion will be in accordance with the Contract.

CONTRACT PERFORMANCE AND PAYMENT BOND: A Contract Performance and Payment Bond of 100 percent of the amount of the Contract, with a satisfactory surety or sureties, as described in Paragraph 1.19 of the Instructions to Bidders, will be required to assure the faithful performance of the Work.

LICENSING OF CORPORATIONS: Particular attention is directed to the statutory requirements of the State of Ohio relative to licensing of entities incorporated under the laws of any other State.

OHIO WATER POLLUTION CONTROL LOAN FUND PROVISIONS: Any Contract or Contracts awarded under this Advertisement may be funded in whole or in part by a loan from the Ohio Water Pollution Control Loan Fund (WPCLF). Neither the State of Ohio nor the United States nor any of their Departments, Agencies or employees is or will be a party to this Advertisement or any resulting Contract. Contracts funded by this source will be subject to the following provisions.

1. **RESPONSIBILITY FOR PAYMENT:** The City is responsible for making monthly progress payments, even when the Owner's failure to comply with the loan conditions delay or disqualify further payment from the WPCLF.

2. **OTHER PROVISIONS:** The successful Bidder also must comply with all the provisions of (a) All provisions of OSHA governing the work; Contract Work Hours and Safety Standards Act; (b) Title IV of the Civil Rights Act of 1964; and (c) Ohio EPA policy of encouraging the participation of Small Business in Rural Areas (SBRAs).

3. **NONDISCRIMINATION IN EMPLOYMENT:** Bidders will be required to comply with the President's Executive Order No. 11246, as amended. The requirements for Bidders and Contractors under this order are explained in the specifications and in 41 CFR 60-4.

4. **CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS:** Bidders will be required to comply with the President's Executive Order No. 12549. The requirements for Bidders and Contractors under this order are explained in the specifications and in 40 CFR Part 32.

5. **WPCLF MBE/WBE FAIR SHARE UTILIZATION REQUIREMENTS:** WPCLF funding provisions include Minority Business Enterprise (MBE) and Women's Business Enterprise (WBE) "fair share" participation requirements. All responsive bidders are required to complete the MBE/WBE Fair Share Utilization information forms provided in the Proposal.

6. **CONTRACT PREVAILING WAGE DETERMINATION:** As a condition of Federal financial participation in the construction cost of this contract, the prevailing rates of wages as determined by the State of Ohio Prevailing Wage Rates are part of this Contract. The Contractor to whom the award is made and all its subcontractors shall pay not less than the prevailing rate of wages for the classes of work called for by this public improvement in the locality where the Work is to be performed.

7. **NON-SEGREGATED FACILITIES:** Bidders will be required to provide a "Certification of Non-segregated Facilities." The certification provides that the Bidder does not maintain or provide for its employees facilities which are segregated on a basis of race, creed, color, or national origin, whether such facilities are segregated by directive or on a de facto basis.

8. **VIOLATING FACILITIES:** By submission of a Bid, the Contractor agrees to comply with all applicable standards, orders or requirements under: Section 306 of the Clean Air Act, 42 United States Code (USC) 1857 (b); Section 508 of the Clean Water Act, 33 USC 1368; Executive Order 11738; and EPA Regulations, 40 CFR Part 15, which prohibit the use under non-exempt Federal contracts, grants, or loans, of facilities included on the EPA List of Violating Facilities.

EQUAL EMPLOYMENT OPPORTUNITY: No bid will be deemed responsive unless the Bidder's certification and other EEO information required by the specifications is submitted with the Bid.

CONTRACT COMPLIANCE REQUIREMENTS: Each responsive Bidder shall submit, with its Bid, a currently valid City of Columbus Contract Compliance Certification Number (CCCN) or a completed application for City certification. Each Bidder shall identify, using the forms in the Proposal, the subcontractors they propose to use, with the proposed value of the work to be sublet to each entity to fulfill the Contract, if awarded. Each Bidder shall also provide current CCCNs of all subcontractors, or completed applications for certification.

BID CANCELLATION AND REJECTIONS: The right is reserved by the Director of Public Utilities of the City of Columbus, Ohio, to cancel this Advertisement for Bids, to reject any and/or all Bids, to waive technicalities, to hold Bids for a period of 180 days after the Bid opening, to make an award of the Contract at any time during that 180 day period, and/or advertise for new Proposals, when such action is deemed by the Director to be in the best interests of the City.

REQUIRED NAMES AND ADDRESSES: 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 provisions of this Equal Opportunity Clause.

2. The Contractor will, in all solicitations or 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 Executive Director 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 Executive Director by the Contractor shall be considered confidential.

5. The Contractor will not obstruct or hinder the Executive Director or his deputies, staff 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.

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 the City Auditor, is thereby incorporated into and made part of this contract and no payment shall be made with respect to this contract unless such statement has been so incorporated as 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 credit equal to one percent (1%) or \$20,000, whichever is less, of the lowest bid submitted by a non-local bidder. A local bidder is an individual, corporation or business entity: (a) whose principal place of business is 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 Franklin County Recorders Office; or (b) holds a valid vendor's license which indicates its place of business is located within the corporation limits of the City of Columbus or the County of Franklin.

ORIGINAL PUBLISHING DATE: July 18, 2003

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 – August 07, 2003 3:00 pm

BID FOR RESURFACING 2003 PROJECT 3 (OPWC)

ADVERTISEMENT FOR BIDS

Sealed proposals will be received by the City of Columbus Transportation Division, 109 N. Front Street 3rd Floor, Room 300, Columbus, Ohio 43215 until 3:00 P.M. local time, and publicly opened and read at 109 N. Front Street, 2nd Floor, Room 205 at 3:00 P.M. on August 7, 2003, for Resurfacing 2003 Project3 (OPWC), 1539 DR. A. The work for which proposals are invited consists of planning, asphalt overlay, concrete wheelchair ramps, 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 Transportation Division Administrator, 109 N. Front Street, 3rd Fl., Columbus, OH 43215 and are available to prospective bidders at the non-refundable cost of \$30.00 per set. A prospective bidder must verify that their name is added to an electronic log sheet upon receiving a copy of contract documents and plans. Your addition to the log is verified when you receive a computer generated receipt. The City of Columbus will use this log sheet in order to advise prospective bidders of any addendums to the contract and/or plans. Failure to be entered onto the electronic log sheet will result in rejection of any proposal and failure to refer to any addendum in a proposal will be considered non-responsive.

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 Resurfacing 2003 Project 3 (OPWC).
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 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 Submittal Documents regarding prevailing rates of wages to be paid. Bidders must comply with the prevailing wage rates on Public Improvements in Franklin County and the City of Columbus in the State of Ohio as determined by the Ohio Bureau of Employment Services, Wage and Hour Division (614-644-2239).

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, 2002 edition, will be required to

assure the faithful performance of the work.

SUBSURFACE DATA (Not Applicable for this Project)

Subsurface data was/was not obtained for project design purposes. If obtained, copies of the report are available upon execution of the subsurface information release form.

CONTRACT COMPLETION

The contract completion date is 270 calendar days from Notice to Proceed.

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, 2002 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 Transportation Division, 1800 E. 17th Avenue, Columbus, Ohio 43219 (614) 645-3182, and 109 N. Front St 3rd Floor, Columbus, Ohio 43215 (614) 645-5660, 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 its 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 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 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.

OPWC REQUIREMENTS

Each Proposal must contain the full name of the party or parties submitting the proposal and all persons interested therein. Each bidder must submit evidence of its experiences on projects of similar size and complexity.

All contractors and subcontractors involved with the project will, to the extent practicable use Ohio Products, materials, services, and labor in the implementation of their project. Additionally, contractor compliance with the equal employment opportunity requirements of Ohio Administrative Code Chapter 123, the Governor's Executive Order of 1972, and Governor's Executive Order 84-9 shall be required.

Bidders must comply with the prevailing wage rates on Public Improvements in Franklin County and the City of Columbus, Ohio as determined by the Ohio Bureau of Employment Services, Wage and Hour Division (614) 644-2239.

(07/26/03; 08/02/03)

**PROFESSIONAL SERVICES
REQUEST FOR PROPOSAL (RFP)
REQUEST FOR STATEMENT OF QUALIFICATIONS (RFSQ)**

**NOTICE OF REQUEST FOR LETTER OF INTEREST
SIDEWALK INSTALLATION PROGRAM PHASE VI
GENERAL ENGINEERING SERVICES**

The Department of Public Service of the City of Columbus, Ohio is seeking Letters of Interest (LOI) for professional engineering services associated with the Sidewalk Installation Program Phase VI.

The requested engineering services are in support of designing sidewalks and ADA compliant Curb Ramps in various locations throughout the City of Columbus. The City of Columbus places a high priority on providing safe access to pedestrians, particularly access to schools. The City established a multi-year program to fund sidewalk installation projects throughout the City to provide safer pedestrian access by filling in gaps in the existing pedestrian system. The locations are chosen by the City, and it is the job of the Consultant to provide construction plans in a timely manner. The intent of the project is to provide the Transportation Division with additional resources to prepare biddable construction plans for sidewalk and ADA compliant curb ramps at various locations in the City of Columbus on short notice. Traffic must be maintained through the Project locations at all times. Project Deliverables: Preliminary Plan and Construction Cost Estimate, LG&T Plans, F&OC Plans, Final Construction Cost Estimate and Construction Plans (copies and mylar originals). Project locations shall be determined and provided to the Consultant at a later date.

The Letter of Interest shall be limited to ten (10) single-sided sheets stapled in the upper left-hand corner, with page numbers at the bottom center of each page. Tabbed inserts are prohibited. A one-page cover letter on company letterhead is allowable and will not be counted toward the number of sheets in the LOI. Failure to meet these requirements will result in rejection of the LOI. Interested firms shall submit ten (10) copies: Transportation Division, City of Columbus

109 North Front Street, 3rd Floor, Columbus, Ohio 43215, ATTN: David Bush, Interim Contract Administrator

The Letter of Interest shall describe the firm's specific knowledge and experience within the past three (3) years in sidewalk, ADA compliant curb ramps design and construction plans preparation; the project manager and staff; the firm's understanding of projects of this type; the number of registered professional civil engineers and surveyors registered in the state of Ohio in the office of the lead firm in which a majority of the work is to be performed; a listing of current ODOT Consultant Prequalifications; and the firm's location. A minimum of three firms will be selected to submit a detailed technical proposal, from which one firm will be selected for the design contract.

Letters of Interest will be accepted at the above address until 12:00 pm on July 31, 2003.
(07/19/03; 07/26/03)

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)

**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.columbus.gov.
(01/2003; 12/2003)

**BOARD OF REVIEW
OF GENERAL AND LIMITED
SIGN ERECTORS
MEETING SCHEDULE**

MEETING TIME: 1ST Tuesday of each month (except May & November) November through April 3:00 p.m. and May through October at 3:30, 757 Carolyn Avenue, Hearing Room E.

CUT-OFF TIME FOR APPLICATIONS: One week prior to the meeting

Questions: Dave Reiss: 645-7973

CUT-OFF DATES	MEETING DATES
January 28	February 4
February 25	March 4
March 25	April 1
May 6	May 13
May 27	June 3
June 24	July 1
July 29	August 5
August 26	September 2
September 24	October 7
November 4	November 11
November 26	December 2

(01/25/03; 12/27/03)

**BOARD OF REVIEW OF
WARM AIR & HYDRONICS CONTRACTORS
MEETING SCHEDULE
2003**

MEETING TIME: 2nd Tuesday of each month, 5:00 pm at 757 Carolyn Avenue, Hearing Room D.

CUT-OFF TIME FOR APPLICATIONS: One week prior to the meeting

Questions: Cheryl Roahrig: 645-3270

CUT-OFF DATES	MEETING DATES
February 6	February 11
March 4	March 11
April 1	April 8
May 6	May 13

June 3	June 10
July 1	July 8
August 5	August 12
September 2	September 9
October 7	October 14
November 4	November 11
December 2	December 9

(01/25/03; 12/27/03)

**BOARD OF REVIEW OF
ELECTRICAL CONTRACTORS
MEETING SCHEDULE
2003**

MEETING TIME: 2nd Wednesday of each month, 5:00 pm at 757 Carolyn Avenue, Hearing Room E.
CUT-OFF TIME FOR APPLICATIONS: One week prior to the meeting
Questions: Jerry Tudor: 645-6076

CUT-OFF DATES	MEETING DATES
February 7	February 12
March 5	March 12
April 2	April 9
May 7	May 14
June 4	June 11
July 2	July 9
August 6	August 13
September 3	September 10
October 1	October 8
November 5	November 12
December 3	December 10

(01/25/03; 12/27/03)

**BOARD OF REVIEW
OF REFRIGERATION CONTRACTORS
MEETING SCHEDULE**

MEETING TIME: 1ST Wednesday of each month at 5:00 pm at 757 Carolyn Avenue, Hearing Room H.
CUT-OFF TIME FOR APPLICATIONS: One week prior to the meeting
Questions: Cheryl Roahrig: 645-3270

CUT-OFF DATES	MEETING DATES
January 29	February 5
February 26	March 5
March 26	April 2
April 30	May 7
May 28	June 4
June 25	July 2
July 30	August 6
August 27	September 3
September 24	October 1
October 29	November 5
November 26	December 3

(01/25/03; 12/27/03)

**BOARD OF REVIEW OF
PLUMBING CONTRACTORS
2003 BOARD MEETING
SCHEDULE**

MEETING TIME: 3rd Wednesday of each month at 5:00 p.m.
CUT-OFF TIME FOR APPLICATIONS: 1 week prior to the meeting
QUESTIONS: Larry Caito: 645-6340

CUTOFF DATES	MEETING DATES
February 12	February 19
March 12	March 19
April 9	April 16
May 14	May 21

June 11	June 18
July 9	July 16
August 13	August 20
September 10	September 17
October 8	October 15
November 12	November 19
December 10	December 17

(01/25/03; 12/27/03)

**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 exercises 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 8:30 a.m. on the following dates and locations (unless otherwise posted):

Wednesday, January 8, 2003- Operations Complex, 420 W Whittier Street
 Wednesday, February 12, 2003 – Operations Complex, 420 W Whittier Street
 Wednesday, March 12, 2003—Operations Complex, 420 W Whittier Street
 Wednesday, April 9, 2003—Operations Complex, 420 W Whittier Street
 Wednesday, May 14, 2003 – Walnut Hill Golf Course, 6001 E. Livingston Avenue
 Wednesday, June 11, 2003 – Goodale Shelterhouse, 120 W Goodale Boulevard
 Wednesday, July 9, 2003 – Gillie Recreation Center, 2100 Morse Road
 August Recess – No meeting
 Wednesday, September 10, 2003-Whetstone Park of Roses Shelterhouse, 4015 Olentangy Boulevard
 Wednesday, October 8, 2003- Davis Youth Complex (Franklin Park), 1755 E. Broad Street
 Wednesday, November 12, 2003 – Operations Complex, 420 W Whittier Street
 Wednesday, December 10, 2003 – Operations Complex, 420 W Whittier Street

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).

(02/01/03 thru 12/13/03)

**MEETING NOTICE
BREWERY DISTRICT COMMISSION**

The regular meeting of the Brewery District Commission will be held on Thursday, August 7, 2003, 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.

(07/19/03; 07/26/03; 08/02/03)

**MEETING NOTICE
GERMAN VILLAGE COMMISSION**

The regular meeting of the German Village Commission will be held on Tuesday, August 5, 2003, 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 to the scheduled meeting time. To schedule an interpreter, please call 645-7964 or TDD 645-6802.

(07/19/03; 07/26/03; 08/02/03)

**ZONING COMMITTEE
AGENDA -FINAL
MONDAY, JULY 28, 2003 6:30 PM
CITY COUNCIL CHAMBERS**

REGULAR MEETING NO.32 OF CITY COUNCIL (ZONING), July 28, 2003 AT 6:30 P.M.IN COUNCIL CHAMBERS.
 EMERGENCY, TABLED AND 2ND READING OF 30 DAY LEGISLATION
 ZONING:MENTEL,CHR.BOYCE HABASH O'SHAUGHNESSY SENSENBRENNER TAVARES THOMAS

- 1829-2003** To rezone 5380 NORTH HAMILTON ROAD (43230),being 3.97 ± acres located on the east side of North Hamilton Road,500 ± feet north of Thompson Road,From:L-C-4,Limited Commercial and R, Rural Districts, To: CPD, Commercial Planned Development District (Z98-017).
- 1860-2003** To rezone 3811 MORSE ROAD (431219),being 1.56 ± acres located at the southeast corner of Morse Road and Morse Crossing, From: C-2, Commercial, To: L-C-4, Limited Commercial District (Z03-001).
- 1867-2003** To grant a Variance from the provisions of Sections 3332.037, R-2F, Residential District use; 3332.18 (D), Basis of computing area; 3332.21, Building lines; 3332.25, Maximum side yard required; 3332.26, Minimum side yard permitted; 3332.27, Rear yard; 3342.13 (b),3332.28,Side or rear yard obstruction; 3342.13 (b)Loading space; 3342.15, Maneuvering; 3342.17, Parking lot

- screening; and 3342.29 B, Minimum number of loading spaces required; for the property located at 933 EAST GAY STREET (43205), to permit a maintenance facility and parking lots for an adjacent property management office with reduced development standards in the R-2F, Residential District.(Council Variance #CV03-023)
- 1877-2003** To rezone 5300 NORTH HAMILTON ROAD (43230), being 5.9 ± acres located at the northeast corner of North Hamilton and Thompson Roads, From: L-C-4, Limited Commercial District, To: CPD, Commercial Planned Development District (Z98-058).
- 1712-2003** To grant a Variance from the provisions of Sections 3333.03, AR-3 Apartment Residential District use, 3333.255, Perimeter yard, and 3342.08, Driveway, for property located at 1231 BROOKWOOD PLACE (43209), to permit a housing for the elderly use within the L-AR-3, Limited Apartment Residential District and to provide a variance to the required perimeter yard (CV03-011). (TABLED 7/21/2003)
- 1782-2003** To rezone 4201 SOUTH HAMILTON ROAD (43232), being 130.84 acres located at the southwest corner of South Hamilton Road and Winchester Pike, From: C-4, Commercial, L-C-4, Limited Commercial, and R-1, Residential Districts, To: L-C-4, Limited Commercial and L-AR-12, Limited Apartment Residential Districts (Rezoning Z02-009). (TABLED 7/21/2003)

(07/19/03; 07/26/03)

PLACEMENT OF TRAFFIC CONTROL DEVICES AS RECOMMENDED BY THE TRANSPORTATION DIVISION

Whereas, an emergency exists in the usual daily operation of the Department of Public Service, 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 determine that based on studies conducted by and recommendations made by the Transportation Division, that the following traffic regulations are necessary and I hereby authorize on the effective date of this order, or as soon thereafter as practical, the installation and/or removal of appropriate traffic control devices as follows:

SECTION 2105.06 TRAFFIC CONTROL SIGNALS

Traffic control signals shall be installed at the following locations:

SAWMILL RD at SUMMIT VIEW RD EAST

(Approved by the Traffic and Transportation Commission on 11/13/01)

SECTION 2105.08 STOP AND YIELD INTERSECTIONS

Stop signs shall be installed at intersections as follows:

EIGHTEENTH ST shall stop for THURMAN AVE

GIANT EAGLE DR shall stop for HILLIARD - ROME RD

Stop signs shall be removed from intersections as follows:

SUMMIT VIEW RD EAST shall no longer stop for SAWMILL RD

SECTION 2105.09 TURNS AT INTERSECTIONS

Mandatory turn lanes shall be established as follows:

BOLTONFIELD ST at GEORGESVILLE RD

The northbound traffic in the lane second from the East Curb curb shall turn left.

Restrictions applied: All Times - All Days

BROAD ST at 6305 E BROAD ST

The westbound traffic in the lane third from the North Curb curb shall turn left.

Restrictions applied: All Times - All Days

SECTION 2105.09 TURNS AT INTERSECTIONS

Mandatory turn lanes shall be established as follows:

SAWMILL RD at SUMMIT VIEW RD EAST

The southbound traffic in the lane third from the West Curb curb shall turn left.

Restrictions applied: All Times - All Days

SAWMILL RD at SUMMIT VIEW RD EAST

The westbound traffic in the lane first from the North Curb curb shall turn right.

Restrictions applied: All Times - All Days

SAWMILL RD at SUMMIT VIEW RD EAST

The westbound traffic in the lane second from the North Curb curb shall turn left.

Restrictions applied: All Times - All Days

SECTION 2105.11 THROUGH TRUCKS

Through trucks shall be prohibited as follows:

On WALL ST

between LONGVIEW AVE and BRIGHTON RD

SECTION 2105.12 CROSSWALKS

Crosswalks shall be removed at:

SAWMILL RD at SUMMIT VIEW RD EAST

across the south leg

PARKING REGULATIONS

The parking regulations on the 600 foot long block face along the S side of ABERDEEN AVE from MEDINA AVE extending to DRESDEN ST shall be

Range in feet	Code Section	Regulation
0 - 487	2151.01	(STATUTORY RESTRICTIONS APPLY)
487 - 510	2105.03	HANDICAPPED PARKING ONLY
510 - 600	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 587 foot long block face along the W side of EDWIN ST from MOUND ST extending to SAFFORD AVE shall be

Range in feet	Code Section	Regulation
------------------	-----------------	------------

0 - 152		(STATUTORY RESTRICTIONS APPLY)
152 - 165		(NAMELESS ALLEY)
165 - 427		(STATUTORY RESTRICTIONS APPLY)
427 - 450	2105.03	HANDICAPPED PARKING ONLY
450 - 587		(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 655 foot long block face along the S side of EIGHTEENTH AVE from NAMELESS ALLEY extending to LEXINGTON AVE shall be

Range in feet	Code Section	Regulation
0 - 235	2151.01	(STATUTORY RESTRICTIONS APPLY)
235 - 258	2105.03	HANDICAPPED PARKING ONLY
258 - 655	2151.01	(STATUTORY RESTRICTIONS APPLY)

The parking regulations on the 518 foot long block face along the E side of FORSYTHE AVE from FIFTH AVE extending to SIXTH AVE shall be

Range in feet	Code Section	Regulation
0 - 23	2105.17	NO STOPPING ANYTIME
23 - 185	2105.21	NO PARKING 6AM - 6PM WEEKDAYS EXCEPT CITY PERMIT P
185 - 339	2105.17	NO PARKING 8AM - 4PM SCHOOL DAYS
339 - 471	2105.21	NO PARKING 6AM - 6PM WEEKDAYS EXCEPT CITY PERMIT P
471 - 502	2105.17	NO STOPPING ANYTIME

The parking regulations on the 521 foot long block face along the W side of FORSYTHE AVE from SIXTH AVE extending to KING AVE shall be

Range in feet	Code Section	Regulation
0 - 47	2105.17	NO STOPPING ANYTIME
47 - 220	2105.21	NO PARKING 6AM - 6PM WEEKDAYS EXCEPT CITY PERMIT P
220 - 347	2105.17	NO STOPPING ANYTIME
347 - 360		(NAMELESS ALLEY)
360 - 380	2105.17	NO STOPPING ANYTIME
380 - 465	2105.21	NO PARKING 6AM - 6PM WEEKDAYS EXCEPT CITY PERMIT P
465 - 491	2105.15	NO PARKING LOADING ZONE
491 - 521	2105.17	NO STOPPING ANYTIME

The parking regulations on the 520 foot long block face along the E side of FORSYTHE AVE from SIXTH AVE extending to KING AVE shall be

Range in feet	Code Section	Regulation
0 - 37	2105.17	NO STOPPING ANYTIME
37 - 326	2105.21	NO PARKING 6AM - 6PM WEEKDAYS EXCEPT CITY PERMIT P
326 - 346	2105.17	NO STOPPING ANYTIME
346 - 360		(NAMELESS ALLEY)
360 - 380	2105.17	NO STOPPING ANYTIME
380 - 462	2105.21	NO PARKING 6AM - 6PM WEEKDAYS EXCEPT CITY PERMIT P
462 - 520	2105.17	NO STOPPING ANYTIME

The parking regulations on the 520 foot long block face along the W side of FORSYTHE AVE from FIFTH AVE extending to SIXTH AVE shall be

Range in feet	Code Section	Regulation
0 - 38	2105.17	NO STOPPING ANYTIME
38 - 489	2105.21	NO PARKING 6AM - 6PM WEEKDAYS EXCEPT CITY PERMIT P
489 - 520	2105.17	NO STOPPING ANYTIME

The parking regulations on the 843 foot long block face along the S side of NORTHWOOD AVE from WALDECK AVE extending to INDIANOLA AVE shall be

Range in feet	Code Section	Regulation
0 - 29	2105.17	NO STOPPING ANYTIME
29 - 800	2105.21	NO PARKING 6AM - 6PM WEEKDAYS EXCEPT CITY PERMIT F
193 - 216	2105.03	HANDICAPPED PARKING ONLY
800 - 843	2105.17	NO STOPPING ANYTIME

The parking regulations on the 778 foot long block face along the W side of OGDEN AVE from WICKLOW RD extending to FREMONT ST shall be

Range in feet	Code Section	Regulation (STATUTORY RESTRICTIONS APPLY)
0 - 778		

The parking regulations on the 313 foot long block face along the W side of SUMMIT ST from ELEVENTH AVE extending to CHITTENDEN AVE shall be

Range in feet	Code Section	Regulation
0 - 59	2105.17	NO STOPPING ANYTIME
59 - 150	2105.17	NO STOPPING 7AM - 9AM WEEKDAYS
150 - 164		(NAMELESS ALLEY)
164 - 284	2105.17	NO STOPPING 7AM - 9AM WEEKDAYS
284 - 313	2105.17	NO STOPPING ANYTIME

Any existing traffic restrictions, prohibitions or traffic control devices which conflict with these orders shall be declared null and void and shall be removed.

(07/26/03)

MEETING NOTICE VICTORIAN VILLAGE COMMISSION

The next meeting of the Victorian Village Commission will be held on Thursday, August 14, 2003, at 6:15 p.m. in the Community Training Center, 109 N. Front Street, ground floor. The meeting will begin at 6:15 p.m.

A copy 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.

(07/26/03; 08/02/03; 08/09/03)

CHANGES IN YOUR 1959 COLUMBUS CITY CODE**ORD NO. 1741-2003**

To enact Section 3101.11 in Title 31, Planning and Platting, and Section 3303.055 in Title 33, Zoning, in order to provide for the expiration of applications for variances, rezonings or other administrative relief that have been held without action for an extended period of time.

WHEREAS, the adoption of time limits for the completion of the application process for plan and plat approval and for zoning related actions will allow the Department of Development to better focus its limited resources on plans, plats, and zonings that have met all submittal requirements; and

WHEREAS, this code change in no way affects ordinances that have either been tabled by the Development Commissions or are awaiting action by City Council unless additional information is requested and not supplied; and

WHEREAS, the Columbus Development Commission reviewed this proposed code change at its monthly public meeting on February 27, 2003, and voted to recommend its adoption by City Council; now therefore
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Columbus City Codes, 1959, are hereby supplemented by adoption of a new Section 3101.11 reading as follows:

Administration**3101.11 Expiration of application.**

Any application accepted for any Planning and Platting related administrative action and held either at the request of applicant, or due to the need for additional information not submitted by the applicant after a written request by the city has been made by the city, shall expire one year from the date the initial application was accepted or 6 months from the date the additional information was requested in writing, whichever is later. The applicant shall be notified in writing 30 days prior to the expiration of any application. Any application delayed due to a legislated moratorium or other legislated initiative shall not be subject to the time limit until such time as the legislated moratorium or other legislated initiative expires.

An application that so expires shall be deemed null and void and shall require a complete new application for reactivation, including the submittal of all fees required at the time the new application is made.

Section 2. That the Columbus City Codes, 1959, are hereby supplemented by adoption of a new Section 3305.055 reading as follows:

3305.055 Expiration of application.

Any application accepted for any zoning related clearance, variance, rezoning, permit, or other related administrative action and held either at the request of applicant, or due to the need for additional information not submitted by the applicant after a written request by the city has been made by the city, shall expire one year from the date the initial application was accepted or 6 months from the date the additional information was requested in writing, whichever is later. The applicant shall be notified in writing 30 days prior to the expiration of any application. Any application delayed due to a legislated moratorium or other legislated initiative shall not be subject to the time limit until such time as the legislated moratorium or other legislated initiative expires.

An application that so expires shall be deemed null and void and shall require a complete new application for reactivation, including the submittal of all fees required at the time the new application is made.

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

Passed July 21, 2003, Matthew D. Habash, President of Council / Approved July 22, 2003 Michael B. Coleman, Mayor / Attest, Andrea Blevins, CMC, City Clerk.

TABLE OF CHANGES IN YOUR 1959
COLUMBUS CITY CODE

Code	Ordinance	2002	Page	Subject
To supplement the Columbus City Codes	1877-02	51	2516	To supplement the Columbus City Codes, 1959, by amending sections of Chapter 3332 by deleting reference to lot area standards from the use sections in this chapter; and by making general language, grammatical and organizational changes; and to adjust definitions in Chapter 3303 to clarify the delegations of zoning powers.
To repeal and enact various sections of the Columbus City Codes	1878-02	51	2526	To repeal and enact various sections of the Columbus City Codes, 1959, in order change the name and scope of the Columbus traffic and transportation commission to the Columbus Transportation and Pedestrian Commission.
To enact Chapter 904 of the Columbus City Code	1879-02	51	2527	To enact Chapter 904 of the Columbus City Code to regulate the limited use or occupation of public sidewalk other real property within public right-of-way.
To repeal and reenact Columbus City Code Chapters 3351, 3353 and 3355.	0236-03	10	3004	To repeal and reenact Columbus City Code Chapters 3351, 3353, 3355, dealing with allowable uses in the C1, C-2, C-3 and C-4 Commercial Zoning Districts of the city of Columbus, in order to update these chapters; to separate C-4 commercial uses out from the C-3 commercial uses found in Chapter 3355 and to create a new chapter 3356 for the C-4 Commercial uses.
To amend section 4109.09 of the Columbus City Codes	0457-03	13	3186	To amend section 4109.09 of the Columbus City Codes, 1959, in order to require a permit to be obtained prior to the securing of any building and structure that has been declared unsafe as allowed by the Columbus building Code (Title 41); and to declare an emergency.
To repeal Ordinance 1425-01 and 533-02, both promulgating changes in Title 33	0545-03	16	3383	To repeal Ordinance 1425-01 and 533-02, both promulgating changes in Title 33, the Columbus Zoning Code, relating to the regulation of adult only entertainment establishments in order to bring the Columbus Zoning Code into compliance with a Federal Court ruling; to clarify City Council's power to pass Zoning Code changes; and to declare an emergency.
To supplement the Columbus City Codes, 1959, by creating a Section 3301.03 and 3303.00; and amending C.C. 3303, 3305, 3355, 3363, and 3339	0546-03	16	3383	To supplement the Columbus City Codes, 1959, by creating a Section 3301.03 and 3303.00; and amending C.C. 3303, 3305, 3355, 3363, and 3339, creating contemporary definitions for adult uses; relocating Adult entertainment establishments and Adult stores to the Manufacturing Districts; designating the separation requirements between adult uses themselves and between adult uses and other specified private and public uses of sensitivity; and making various general language and grammatical changes and corrections; and to declare an emergency.
To create a Chapter 135, "Board of Health and the Health Commissioner"	1058-2003	24	3759	To create a Chapter 135, "Board of Health and the Health Commissioner" consisting of six (6) sections oddly numbered 135.01 through 135.99 of the Columbus City Codes, 1959, in order to maintain the authority of the Board of Health and the Health Commissioner to promulgate rules and regulations needed to ensure the public health, safety, and welfare.
To amend Chapter 1105 of the Columbus City Codes	1033-2003	25	3800	To amend Chapter 1105 of the Columbus City Codes, 1959, regarding terminology located within the Yard Restoration portion of the Code.
To amend Section 2903.01 of the Columbus City Code	0810-2003	26	3838	To amend Section 2903.01 of the Columbus City Code to provide for the necessary modification of inspection fees for weighing and measuring devices used commercially in the City of Columbus and to declare an emergency.
To amend sections, and to repeal sections of the Columbus City Codes	0868-2003	26	3839	To amend sections 501.09, 501.10, 501.14, 501.16, 505.06, 515.02, 517.04, 517.05, 523.06, 525.07, 525.21, 535.06, 540.04, 540.07, 545.03, 545.07, 549.03, 551.03, 551.10, 555.05, 559.12, 563.01, 573.06, 587.05, 587.08, 587.09, 587.13, 589.01, 589.10, 593.03, 593.06, 593.07, 593.21, 594.05, 594.22, 597.97, 2111.03, 2534.03 and to repeal sections 511.03, 519.04, 525.23, 537.07, 549.035, 557.01, 559.10, 563.03, 571.03, 587.04, 589.12, 594.16 of the Columbus City Codes, 1959, to increase various licensing fees.
To establish new Chapter 336 of the Columbus City Codes	1591-2003	27	3897	To establish new Chapter 336 of the Columbus City Codes, 1959, to be titled Disposition of Unclaimed Funds.
To enact new Sections 2133.01 and 2133.99 of the Columbus City Codes	1675-2003	27	3897	To enact new Sections 2133.01 and 2133.99 of the Columbus City Codes, 1959, to reflect recent changes in the Ohio Revised Code with respect to prohibited blood alcohol concentration levels while operating a motor vehicle, minimum penalties associated with such blood alcohol concentration levels as well as other traffic moving violation penalties; to repeal existing Sections 2133.01 and 2133.99; and to declare an emergency.
To enact Section 3101.11	1741-2003	30	4099	To enact Section 3101.11 in Title 31, Planning and Platting, and Section 3303.055 in Title 33, Zoning, in order to provide for the expiration of applications for variances, rezonings or other administrative relief that have been held without action for an extended period of time.