



Legislation Details (With Text)

File #: 0882-2024 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 3/20/2024 **In control:** Public Service & Transportation Committee

On agenda: 4/15/2024 **Final action:** 4/19/2024

Title: To authorize the Interim Director of the Department of Public Service to execute those documents necessary for the City to grant an encroachment easement at 222 West Lane Avenue and legally allow Lane and Norwich Columbus Owner, LLC to extend into the public rights-of-way; and to authorize the acceptance of five hundred dollars (\$500.00) for the granting of said easement.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ord. 0882-2024 Exhibit

Date	Ver.	Action By	Action	Result
4/19/2024	1	CITY CLERK	Attest	
4/18/2024	1	MAYOR	Signed	
4/15/2024	1	COUNCIL PRESIDENT	Signed	
4/15/2024	1	Columbus City Council	Approved	Pass
4/8/2024	1	Columbus City Council	Read for the First Time	

1. BACKGROUND

The City of Columbus, Department of Public Service, received a request from Lane and Norwich Columbus Owner, LLC, owner of the site, asking that the City allow a wall to encroach into the public right-of-way. This encroachments consist of the northern end of a wall extending into Norwich Avenue. This project is located at 222 West Lane Avenue. The project is a new mixed-use building on Lane Avenue that will be replacing the Harrison House building. This encroachment is located along the west side of an alley and the easement is described below and within the attached exhibits.

The following legislation authorizes the Interim Director of the Department of Public Service to execute those documents necessary for the City to grant this encroachment and legally allow them to extend into the public rights-of-way. Allowing this element to extend into the public right-of-way will allow for the grading and retention of earth to protect the abutting property and fit into the architectural desire. A value of \$500.00 for the encroachment easement was established.

2. FISCAL IMPACT

The City will receive a total of \$500.00, to be deposited in Fund 7748, Project P537650, for granting the requested encroachments.

To authorize the Interim Director of the Department of Public Service to execute those documents necessary for the City to grant an encroachment easement at 222 West Lane Avenue and legally allow Lane and Norwich Columbus Owner, LLC to extend into the public rights-of-way; and to authorize the acceptance of five hundred dollars (\$500.00) for the granting of said easement.

WHEREAS, the City of Columbus, Department of Public Service, received a request from Lane and Norwich Columbus

Owner, LLC, owner of the parcel at 222 West Lane Avenue, asking that the City allow a wall to encroach into the public right-of-way. This encroachment consists of the northern end of a wall extending into Norwich Avenue; and

WHEREAS, this project is a new mixed-use building on Lane Avenue that will be replacing the Harrison House building. This encroachment is located along the west side of an alley and the easement is described below and within the attached exhibits; and

WHEREAS, the following legislation authorizes the Interim Director of the Department of Public Service to execute those documents necessary for the City to grant this encroachment and legally allow them to extend into the public rights-of-way. Allowing this element to extend into the public right-of-way will allow for the grading and retention of earth to protect the abutting property and fit into the architectural desire; and

WHEREAS, a value of \$500.00 for the encroachment easements was established; **NOW, THEREFORE,**

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

SECTION 1. Authorizes the Interim Director of the Department of Public Service to execute those documents necessary for the City to grant this encroachment and legally allow them to extend into the public rights-of-way. Allowing this element to extend into the public right-of-way will allow for the grading and retention of earth to protect the abutting property and fit into the architectural desire; to-wit:

**3 Dimensional Encroachment Easement
FROM 742.25' (NAVD 88) TO 751.00' (NAVD 88)
0.0002 ACRE**

Situated in the State of Ohio, County of Franklin, in the City of Columbus, and being in Quarter Township 3, Township 1, Range 18, United States Military Lands, being in the right-of-way of Norwich Avenue (50' Wide) as delineated in C.E. Justice's Northern Heights Addition, of record in Plat Book 7, Page 372, all records being of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows: This description has a vertical component. The intent of this description is to include an area from an elevation 5 foot below the finished grade at the bottom of a retaining wall up to an elevation 1 feet above top of the wall. The bottom of the area is 742.25 feet (NAVD88) and the top is 751.00 feet (NAVD 88). The elevations given go along with the horizontal metes and bounds described below, creating an extruded block of air-space.

BEGINNING at the northwesterly corner of a 0.085 acre tract as conveyed for right-of-way purposes to the City of Columbus, Ohio in Instrument Number 202208240122148, also being on the northeasterly corner of a tract conveyed to Ithica I, L.L.C., also being on the southerly right-of-way line of said Norwich Avenue; Thence across said Norwich Avenue right-of-way, the following four (4) courses:

North 03°19'58" East, 6.00 feet to a point, being from elevation 742.25 (NAVD 88) to 751.00 (NAVD88); South 86°11'07" East, 1.75 feet to a point, being from elevation 742.25 (NAVD 88) to 751.00 (NAVD88); South 03°19'58" West, 6.00 feet to a point on the northerly line of said 0.085 acre tract, being from elevation 742.25 (NAVD 88) to 751.00 (NAVD88); North 86°11'07" West, 1.75 feet to a point, being from elevation 742.25 (NAVD 88) to 751.00 (NAVD88), said point being the **POINT OF TRUE BEGINNING**, containing 0.0002 acres (10.5 S.F.), more or less.

Subject however to all legal easements and restrictions of record in the respective utility offices.

The bearings referenced herein are based on the Ohio State Plan Coordinate System, South Zone, NAD83 (2011) as determined by ODOT RTN observations, with the southerly right-of-way line of Norwich Avenue bearing South 86°11'07" East. The elevations are based on the North American Vertical Datum of 1988 (NAVD 88, Geoid 12A). Elevations were established using GPS observations of select control points utilizing the Ohio Department of Transportation's Virtual Reference Station and transferred to the site via bench circuit. All other elevations were calculated from proposed dimensions and the established elevations from local benchmarks. This description was prepared on March 11, 2024 by Matthew Lee Sloat, Ohio Registered Professional Surveyor 8342, of E.P. Ferris and Associates, Inc. based on field work from February 2020 through June 2020.

SECTION 2. That the City Attorney is required to approve all instrument(s) associated with this ordinance prior to the director of the Department of Public Service executing and acknowledging any of those instrument(s).

SECTION 3. That the City will receive a total of \$500.00 to be deposited in Fund 7748, Project P537650, for granting the requested easement.

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