



## Legislation Details (With Text)

**File #:** 1609-2012      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 7/9/2012      **In control:** Public Service & Transportation Committee

**On agenda:** 7/30/2012      **Final action:** 8/1/2012

**Title:** To authorize the Director of the Department of Public Service to execute a Quitclaim Deed of Aerial Encroachment Easement necessary for Nationwide Realty Investors, Ltd. ("NRI"), to construct a pedestrian bridge over Columbus Convention Center Drive, to accept a pedestrian easement from NRI, and to declare and emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
8/1/2012	1	CITY CLERK	Attest	
7/31/2012	1	MAYOR	Signed	
7/30/2012	1	COUNCIL PRESIDENT	Signed	
7/30/2012	1	Columbus City Council	Approved	Pass

As part of the continued development of the Arena District, Nationwide Realty Investors, Ltd., ("NRI") desires to construct a pedestrian bridge to connect the Greater Columbus Convention Center parking garage with its new office building at 10 West Nationwide Blvd and the Arena District. The bridge will be placed over Columbus Convention Center Drive to provide better pedestrian access to the Arena District from the new convention center hotel and the Greater Columbus Convention Center. NRI has requested an aerial easement over the City's right of way, Columbus Convention Center Drive. Upon completion of the bridge NRI will grant a public access easement across the bridge over the portions outside the City's right of way to the City for the purpose of providing pedestrian access for the public. The Department of Public Service has determined that granting of an an aerial easement over the City's right of way will not adversely affect the City and should be allowed for so long as the easement is used to provide public pedestrian access/egress. The following ordinance is to authorize the Director of the Department of Public Services to execute a Quitclaim Deed of Aerial Encroachment Easement.

Fiscal Impact: N/A

Emergency Justification: Passage is necessary as an emergency in order to allow the completion of the bridge by the opening of the new convention center hotel, thereby providing pedestrian access.

To authorize the Director of the Department of Public Service to execute a Quitclaim Deed of Aerial Encroachment Easement necessary for Nationwide Realty Investors, Ltd. ("NRI"), to construct a pedestrian bridge over Columbus Convention Center Drive, to accept a pedestrian easement from NRI, and to declare and emergency.

**WHEREAS**, as part of the continued development of the Arena District , Nationwide Realty Investors, Ltd., an Ohio Limited Liability Company ("NRI") desires to construct a pedestrian bridge to connect the Greater Columbus Convention

Center parking garage with its new office building at 10 West Nationwide Blvd; and

**WHEREAS**, the bridge will traverse over Columbus Convention Center Drive to provide better pedestrian access among the Arena District, the new convention center hotel and the Greater Columbus Convention Center; and

**WHEREAS**, NRI has requested that the City of Columbus ("City") grant the necessary aerial easement to allow NRI to encroach upon the City's right-of-way to in order to construct, operate and maintain the bridge; and

**WHEREAS**, upon completion of the bridge NRI will grant a public access easement across the entire bridge to the City; and

**WHEREAS**, the Department of Public Service has determined that granting of the easement will not adversely affect the City and should be allowed for so long as the land is used for the purposes to be set forth by the City in the Quitclaim Deed of Aerial Encroachment Easement; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service, in that it is necessary to immediately authorize the Director of the Department of Public Service, to execute a Quitclaim Deed of Aerial Encroachment Easement to grant NRI the right to encroach upon certain City real property, more fully described in the body of this legislation, 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 the Department of Public Services, be and hereby is authorized to execute those documents, prepared by the City Attorney's Office, Department of Law, Real Estate Division, necessary to grant a Quitclaim Deed of Aerial Encroachment Easement unto Nationwide Realty Investors, an Ohio Limited Liability Company to construct a pedestrian bridge over the following described real property:

AERIAL ENCROACHMENT EASEMENT  
0.043 ACRE

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 8, Township 5, Range 22 of the Refugee Lands, being on, over and across Columbus Convention Center Drive of record in Plat Book 109, Page 88, being above the elevation of 759 feet, NAVD 88 (all references are to the records of the Recorder's Office, Franklin County, Ohio), being more particularly described as follows:

Beginning for reference at the intersection of the easterly right-of-way line of Front Street (80 feet wide) with the southerly right-of-way line of said Columbus Convention Center Drive (varying in width), at the northwest corner of Lot 28 of A.H. Phinney Addition to Columbus of record in Plat Book 1, Page 40;

Thence South 86°44'39" East, with said southerly right-of-way line, with the northerly line of said Lot 28, with the northerly line of Lot 26 of said A.H. Phinney Addition, a distance of 44.80 feet to the TRUE POINT OF BEGINNING;

Thence North 03°22'33" East, across said Columbus Convention Center Drive, a distance of 51.36 feet to a point in the northerly right-of-way line of said Columbus Convention Center Drive, in the southerly line of a 2.585 acre tract conveyed to Franklin County Convention Facilities Authority by deed of record in Instrument Number 201007230094006;

Thence South 86°47'05" East, with said northerly right-of-way line, with said southerly line, a distance of 36.50 feet to a point;

Thence South 03°22'33" West, across said Columbus Convention Center Drive, a distance of 51.37 feet to a point in said southerly right-of-way line, in the northerly line of Lot 24 of said A.H. Phinney Addition;

Thence North 86°45'47" West, with the northerly lines of said Lots 24 and 26, with said southerly right-of-way line, a distance of 36.50 feet to the TRUE POINT OF BEGINNING, containing 0.043 acre, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Daniel Neer, Professional Surveyor No. 8533, DAN June 27, 2012  
0\_043 20111057.doc

**Section 2.** That the City of Columbus hereby accepts a public access/egress easement from Nationwide Realty Investors, an Ohio Limited Liability Company, over the pedestrian bridge.

**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.