



## Legislation Details (With Text)

**File #:** 0940-2008      **Version:** 1

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

**File created:** 5/29/2008      **In control:** Public Service & Transportation Committee

**On agenda:** 6/23/2008      **Final action:** 6/25/2008

**Title:** To authorize the Director of the Public Service Department to execute those documents necessary to allow the City to grant a 29 square foot encroachment easement into the west side of Hess Street, north of West Fifth Avenue, to Hero Investments Inc, an Ohio Corporation; Zampano Management Group LLC; Shoppes on Fifth Ave., LLC and their respective undivided interests, to allow for installation of an entrance stoop and steps for the side service door of the new Buffalo Wild Wings at the Shoppes on 5th.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
6/25/2008	1	CITY CLERK	Attest	
6/24/2008	1	MAYOR	Signed	
6/23/2008	1	Columbus City Council	Approved	Pass
6/23/2008	1	COUNCIL PRESIDENT	Signed	
6/16/2008	1	Columbus City Council	Read for the First Time	
5/30/2008	1	CITY ATTORNEY	Reviewed and Approved	
5/30/2008	1	SERVICE DIRECTOR	Sent to Clerk's Office for Council	
5/29/2008	1	Service Drafter	Sent for Approval	
5/29/2008	1	Service Reviewer	Reviewed and Approved	
5/29/2008	1	SERVICE DIRECTOR	Reviewed and Approved	

Hero Investments Inc, an Ohio Corporation; Zampano Management Group LLC; Shoppes on Fifth Ave., LLC and their respective undivided interests have recently rehabilitated an existing building at the northwest corner of West Fifth Avenue and Hess Street. One of the new tenants in this rehabilitated building, Buffalo Wild Wings, recently submitted a request to the Public Service Department, Transportation Division, asking that the City grant them a 29 square foot encroachment easement into the west side of Hess Street to allow for installation of an entrance stoop and steps for the side service door to their restaurant. Per current Transportation Division practice, comments were solicited from interested parties, including City departments before it was determined that the City would not be adversely affected by the granting of the requested encroachment easement. A \$500.00 value was established for this easement.

The City will receive a total of \$500.00, to be deposited in Fund 748, Project 537650, as consideration for the granting of the requested encroachment easement.

To authorize the Director of the Public Service Department to execute those documents necessary to allow the City to grant a 29 square foot encroachment easement into the west side of Hess Street, north of West Fifth Avenue, to Hero Investments Inc, an Ohio Corporation; Zampano Management Group LLC; Shoppes on Fifth Ave., LLC and their respective undivided interests, to allow for

installation of an entrance stoop and steps for the side service door of the new Buffalo Wild Wings at the Shoppes on 5<sup>th</sup>.

**WHEREAS**, Hero Investments Inc, an Ohio Corporation; Zampano Management Group LLC; Shoppes on Fifth Ave., LLC and their respective undivided interests have rehabilitated an existing building located at the northwest corner of West Fifth Avenue and Hess Street; and

**WHEREAS**, one of the new tenants in this rehabilitated building, Buffalo Wild Wings, recently submitted a request to the Public Service Department, Transportation Division, asking that the City grant them a 29 square foot encroachment easement into the west side of Hess Street to allow for installation of an entrance stoop and steps for the side service door to their restaurant; and

**WHEREAS**, per current Transportation Division practice, comments were solicited from interested parties, including City departments before it was determined that the City would not be adversely affected upon the granting of the requested encroachment easement; and

**WHEREAS**, a value of \$500.00 has been established for the requested encroachment easement; 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 those documents necessary to grant the following described encroachment easement to Hero Investments Inc, an Ohio Corporation; Zampano Management Group LLC; Shoppes on Fifth Ave., LLC and their respective undivided interests; to-wit:

**0.001 Acre Easement**

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Hess Avenue (50' right-of-way), adjacent to Lot 1 of H.H. Williams 5<sup>th</sup> Avenue Subdivision as recorded in Plat Book 17, Page 172-173, and being more particularly bounded and described as follows:

**BEGINNING** at a ½" Iron Pipe Found at the northeast corner of Lot 5 of said H.H. Williams 5<sup>th</sup> Avenue Subdivision, said point also being at the intersection of the southerly right-of-way line of Sixth Avenue (40 feet wide) with the westerly right-of-way line of Hess Avenue (50 feet wide), thence along the westerly right-of-way line of said Hess Avenue, South 00 degrees 00 minutes 00 seconds West, 145.84 feet to the True Point of Beginning of the Easement herein to be described;

Thence crossing said Hess Avenue right-of-way the following Three (3) courses:

- 1) South 89 degrees 50 minutes 51 seconds East, 5.83 feet to a point;
- 2) South 00 degrees 09 minutes 09 seconds West, 5.00 feet to a point;
- 3) North 89 degrees 50 minutes 51 seconds West, 5.81 feet to a point in the westerly right-of-way line of said Hess Avenue, and the easterly line of said Lot 1;

Thence along the westerly right-of-way line of said Hess Avenue, and the easterly line of said Lot 1, North 00 degrees 00 minutes 00 seconds East, 5.00 feet to the True Point of Beginning, containing 29 Square Feet (0.001 Acres), more or less. Bearings herein described are assumed, based on the centerline of 5<sup>th</sup> Avenue as being North 90 degrees 00 minutes 00 seconds West, as found on the recorded plat of the H.H. Williams 5<sup>th</sup> Avenue Subdivision, Plat Book 17, Page 172-173, Recorder's Office, Franklin County, Ohio. This description was prepared by Smart Surveying, Inc. in April 2008 and is based upon actual field measurements.

Brian D. Smart, P.S. 7611

**Section 2.** That the \$500.00 to be received by the City as consideration for the granting of the requested encroachment easement shall be deposited in Fund 748, Project 537650.

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