



Legislation Details (With Text)

File #: 1494-2009 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 10/28/2009 **In control:** Public Service & Transportation Committee
On agenda: 11/23/2009 **Final action:** 11/25/2009

Title: To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant encroachment easements for existing building foundations and/or stoops within those public rights-of-way adjacent to the Lifestyle Communities Riversouth Development.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance 1494-2009 exhibits.pdf

Date	Ver.	Action By	Action	Result
11/25/2009	1	MAYOR	Signed	
11/25/2009	1	CITY CLERK	Attest	
11/23/2009	1	Columbus City Council	Approved	Pass
11/23/2009	1	COUNCIL PRESIDENT	Signed	
11/16/2009	1	Columbus City Council	Read for the First Time	
11/2/2009	1	Service Drafter	Sent to Clerk's Office for Council	
10/30/2009	1	SERVICE DIRECTOR	Reviewed and Approved	
10/30/2009	1	Service Drafter	Sent for Approval	
10/30/2009	1	CITY ATTORNEY	Reviewed and Approved	
10/29/2009	1	Service Drafter	Sent for Approval	
10/28/2009	1	Service Drafter	Sent for Approval	
10/28/2009	1	Service Reviewer	Reviewed and Approved	

1. BACKGROUND

Lifestyle Communities has recently constructed residential condominium and apartment buildings within that area bounded on the north by Town Street, on the east by Wall Street, on the south by Rich Street and on the west by Ludlow Street. These residential units are one component of the City's Riversouth Redevelopment project. It is anticipated these residential units will act as catalyst for additional redevelopment within the project area. The City of Columbus, Department of Public Service, has been notified there are several foundation and/or stoop encroachments within this Lifestyle Communities Development. These encroachments do not adversely affect pedestrian use of the sidewalks adjacent to these residences nor do they affect those utilities located within this redevelopment area. The following legislation authorizes the Director of the Department of Public Service to execute any documents necessary to grant encroachment easements for these foundation and/or stoop encroachments into the public rights-of-way.

2. FISCAL IMPACT

N/A

3. EMERGENCY JUSTIFICATION

N/A

To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant encroachment easements for existing building foundations and/or stoops within those public rights-of-way adjacent to the Lifestyle Communities Riversouth Development.

WHEREAS, Lifestyle Communities has recently constructed residential condominium and apartment buildings within that area bounded on the north by Town Street, on the east by Wall Street, on the south by Rich Street and on the west by Ludlow Street; and

WHEREAS, these residential units are one component of the City's Riversouth Redevelopment project; and

WHEREAS, it is anticipated these residential units will act as catalyst for additional redevelopment within the project area; and

WHEREAS, the City of Columbus, Department of Public Service, has been notified there are several foundation and/or stoop encroachments into the public rights-of-way within this Lifestyle Communities Development; and

WHEREAS, these encroachments do not adversely affect pedestrian use of the sidewalks adjacent to these residences nor do they affect those utilities located within this redevelopment area; and

WHEREAS, the following legislation authorizes the Director of the Department of Public Service to execute any documents necessary to grant encroachment easements for these foundation and/or stoop encroachments into the public rights-of-way; now, therefore

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

Section 1. That the Director of the Department of Public Service be and is hereby authorized to execute those documents necessary to grant the following described encroachment easements to Lifestyles Communities; to-wit:

29.760 Square Foot Easement

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 11, Township 5, Range 22, Refugee Lands, being on, over and across the right-of-way of Ludlow Street (width varies), (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being more particularly bounded and described as follows:

Beginning, for reference, at the intersection of the easterly right-of-way line of said Ludlow Street and the southerly right-of-way line of Town Street (82.5 feet wide), being the northwesterly corner of that 0.075 acre tract as conveyed to South Front Street West, LTD. by deed of record in Instrument Number 200806110089836

Thence South 08°04'45" East, with said easterly right-of-way line, a distance of 46.07 feet to the TRUE POINT OF BEGINNING;

Thence South 08°04'45" East, continuing with said easterly right-of-way line, a distance of 29.76 feet to a point;

Thence across the right-of-way of said Ludlow Street, the following courses and distances:

South 81°55'15" West, a distance of 1.00 feet to a point;

North 08°04'45" West, a distance of 29.76 feet to a point;

North 81°55'15" East, a distance of 1.00 feet to the TRUE POINT OF BEGINNING and containing 27.760 square feet of land, more or less.

154.660 Square Foot Easement

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 11, Township 5, Range 22, Refugee Lands, being on, over and across the right-of-way of Ludlow Street (width varies), (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being more particularly bounded and described as follows:

Beginning, for reference, at the intersection of the easterly right-of-way line of said Ludlow Street and the southerly right-of-way line of Town Street (82.5 feet wide), being the northwesterly corner of that 0.075 acre tract as conveyed to South Front Street West, LTD. by deed of record in Instrument Number 200806110089836;

Thence South 08°04'45" East, with said easterly right-of-way line, a distance of 90.67 feet to the TRUE POINT OF BEGINNING;

Thence South 08°04'45" East, continuing with said easterly right-of-way line, a distance of 77.33 feet to a point;

Thence across the right-of-way of said Ludlow Street, the following courses and distances:

South 81°55'15" West, a distance of 2.00 feet to a point;

North 08°04'45" West, a distance of 77.33 feet to a point;

North 81°55'15" East, a distance of 2.00 feet to the TRUE POINT OF BEGINNING and containing 154.660 square feet of land, more or less

140.660 Square Foot Easement

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 11, Township 5, Range 22, Refugee Lands, being on, over and across the right-of-way of Ludlow Street (width varies), (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being more particularly bounded and described as follows:

Beginning, for reference, at the intersection of the easterly right-of-way line of said Ludlow Street and the northerly right-of-way line of Rich Street (width varies), being the southwesterly corner of that 0.075 acre tract as conveyed to South Front Street West, LTD. by deed of record in Instrument Number 200806110089836;

Thence North 08°04'45" West, with said easterly right-of-way line, a distance of 95.90 feet to the TRUE POINT OF BEGINNING;

Thence across the right-of-way of said Ludlow Street, the following courses and distances:

South 81°55'15" West, a distance of 2.00 feet to a point;

North 08°04'45" West, a distance of 70.33 feet to a point;

North 81°55'15" East, a distance of 2.00 feet to a point on the easterly right-of-way line of said Ludlow Street;

Thence South 08°04'45" East, with said easterly right-of-way line, a distance of 70.33 feet to the TRUE POINT OF BEGINNING and containing 140.660 square feet of land, more or less

9.170 Square Foot Easement

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 11, Township 5, Range 22, Refugee Lands, being on, over and across the right-of-way of Ludlow Street (width varies), (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being more particularly bounded and described as follows:

Beginning, for reference, at the intersection of the easterly right-of-way line of said Ludlow Street and the northerly right-of-way line of Rich Street (width varies), being the southwesterly corner of that 0.075 acre tract as conveyed to South Front Street West, LTD. by deed of record in Instrument Number 200806110089836;

Thence North 08°04'45" West, with said easterly right-of-way line, a distance of 48.27 feet to the TRUE POINT OF BEGINNING;

Thence across the right-of-way of said Ludlow Street, the following courses and distances:

South 81°55'15" West, a distance of 1.00 feet to a point;

North 08°04'45" West, a distance of 9.17 feet to a point;

North 81°55'15" East, a distance of 1.00 feet to a point on the easterly right-of-way line of said Ludlow Street;

Thence South 08°04'45" East, with said easterly right-of-way line, a distance of 9.17 feet to the TRUE POINT OF BEGINNING and containing 9.170 square feet of land, more or less

114.960 Square Foot Easement

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 11, Township 5, Range 22, Refugee Lands, being on, over and across the right-of-way of Front Street (82.5 feet wide), (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being more particularly bounded and described as follows:

Beginning, for reference, at the intersection of the westerly right-of-way line of said Front Street and the southerly right-of-way line of Town Street (82.5 feet wide), being the northeasterly corner of Lot 110 of that subdivision entitled "In-Lots to City of Columbus" of record in Plat Book 3, Pages 247 thru 249 and Plat Book 14, Page 27;

Thence South 08°08'35" West with said westerly right-of-way line a distance of 21.57 feet to the TRUE POINT OF BEGINNING;

Thence across the right-of-way of said Front Street, the following courses and distances:

North 81°51'25" East, a distance of 1.00 feet to a point;

South 08°08'35" East, a distance of 114.96 feet to a point;

South 81°51'25" West, a distance of 1.00 feet to a point on the westerly right-of-way line of said Front Street;

Thence North 08°08'35" West, with said westerly right-of-way line, a distance of 114.96 feet to the TRUE POINT OF BEGINNING and containing 114.960 square feet of land, more or less

116.960 Square Foot Easement

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 11, Township 5, Range 22, Refugee Lands, being on, over and across the right-of-way of Front Street (82.5 feet wide), (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being more particularly bounded and described as follows:

Beginning, for reference, at the intersection of the westerly right-of-way line of said Front Street and the northerly right-of-way line of Rich Street (width varies), being the southeasterly corner of Lot 3 of that subdivision entitled "Peter Putman's Subdivision" of record in Deed Book 38, Page 308;

Thence North 08°08'35" West, with said westerly right-of-way line, a distance of 21.74 feet to the TRUE POINT OF BEGINNING;

Thence North 08°08'35" West, continuing with said westerly right-of-way line, a distance of 116.96 feet to a point;

Thence across the right-of-way of said Front Street, the following courses and distances:

North 81°51'25" East, a distance of 1.00 feet to a point;

South 08°08'35" East, a distance of 116.96 feet to a point;

South 81°51'25" West, a distance of 1.00 feet to the TRUE POINT OF BEGINNING and containing 116.960 square feet of land, more or less.

27.670 Square Foot Easement (1)

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 11, Township 5, Range 22, Refugee Lands, being on, over and across the right-of-way of Wall Street (33 feet wide), (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being more particularly bounded and described as follows:

Beginning, for reference, at the intersection of the westerly right-of-way line of said Wall Street and the southerly right-of-way line of Town Street (82.5 feet wide), being the northeasterly corner of Lot 206 of that subdivision entitled "In-Lots to City of Columbus" of record in Plat Book 3, Pages 247 thru 249 and Plat Book 14, Page 27;

Thence South 08°08'35" East, with said westerly right-of-way line, a distance of 40.97 feet to the TRUE POINT OF BEGINNING;

Thence across the right-of-way of said Wall Street, the following courses and distances;

North 81°51'25" East, a distance of 1.00 feet to a point;

South 08°08'35" East, a distance of 27.67 feet to a point;

South 81°51'25" West, a distance of 1.00 feet to a point on the westerly right-of-way line of said Wall Street;

Thence North 08°08'35" West, with said westerly right-of-way line, a distance of 27.67 feet to the TRUE POINT OF BEGINNING and containing 27.670 square feet of land, more or less.

27.670 Square Foot Easement (2)

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 11, Township 5, Range 22, Refugee Lands, being on, over and across the right-of-way of Wall Street (33 feet wide), (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being more particularly bounded and described as follows:

Beginning, for reference, at the intersection of the westerly right-of-way line of said Wall Street and the southerly right-of-way line of Town Street (82.5 feet wide), being the northeasterly corner of Lot 206 of that subdivision entitled "In-Lots to City of Columbus" of record in Plat Book 3, Pages 247 thru 249 and Plat Book 14, Page 27;

Thence South 08°08'35" East, with said westerly right-of-way line, a distance of 125.97 feet to the TRUE POINT OF BEGINNING;

Thence across the right-of-way of said Wall Street, the following courses and distances;

North 81°51'25" East, a distance of 1.00 feet to a point;

South 08°08'35" East, a distance of 27.67 feet to a point;

South 81°51'25" West, a distance of 1.00 feet to a point on the westerly right-of-way line of said Wall Street;

Thence North 08°08'35" West, with said westerly right-of-way line, a distance of 27.67 feet to the TRUE POINT OF BEGINNING and containing 27.670 square feet of land, more or less.

27.670 Square Foot Easement (3)

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 11, Township 5, Range 22, Refugee Lands, being on, over and across the right-of-way of Wall Street (33 feet wide), (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being more particularly bounded and

described as follows:

Beginning, for reference, at the intersection of the northerly right-of-way line of said Wall Street and the original northerly right-of-way line of Rich Street (width varies), being the southeasterly corner of Lot 211 of that subdivision entitled "In-Lots to City of Columbus" of record in Plat Book 3, Pages 247 thru 249 and Plat Book 14, Page 27;

Thence North 08°08'35" West, with said westerly right-of-way line, a distance of 120.25 feet to the TRUE POINT OF BEGINNING;

Thence North 08°08'35" West, continuing with said westerly right-of-way line, a distance of 27.67 feet to a point;

Thence across the right-of-way of said Wall Street, the following courses and distances;

North 81°51'25" East, a distance of 1.00 feet to a point;

South 08°08'35" East, a distance of 27.67 feet to a point;

South 81°51'25" West, a distance of 1.00 feet to the TRUE POINT OF BEGINNING and containing 27.670 square feet of land, more or less.

27.670 Square Foot Easement (4)

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 11, Township 5, Range 22, Refugee Lands, being on, over and across the right-of-way of Wall Street (33 feet wide), (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being more particularly bounded and described as follows:

Beginning, for reference, at the intersection of the westerly right-of-way line of said Wall Street and the original northerly right-of-way line of Rich Street (width varies), being the southeasterly corner of Lot 211 of that subdivision entitled "In-Lots to City of Columbus" of record in Plat Book 3, Pages 247 thru 249 and Plat Book 14, Page 27;

Thence North 08°08'35" West, with said westerly right-of-way line, a distance of 35.25 feet to the TRUE POINT OF BEGINNING;

Thence North 08°08'35" West, continuing with said westerly right-of-way line, a distance of 27.67 feet to a point;

Thence across the right-of-way of said Wall Street, the following courses and distances;

North 81°51'25" East, a distance of 1.00 feet to a point;

South 08°08'35" East, a distance of 27.67 feet to a point;

South 81°51'25" West, a distance of 1.00 feet to the TRUE POINT OF BEGINNING and containing 27.670 square feet of land, more or less.

27.670 Square Foot Easement (5)

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 11, Township 5, Range 22, Refugee Lands, being on, over and across the right-of-way of Front Street (82.5 feet wide), (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being more particularly bounded and described as follows:

Beginning, for reference, at the intersection of the easterly right-of-way line of said Front Street and the southerly right-of-way line of Town Street (82.5 feet wide), being the northwesterly corner of Lot 206 of that subdivision entitled "In-Lots to City of Columbus" of record in Plat Book 3, Pages 247 thru 249 and Plat Book 14, Page 27;

Thence South 08°08'35" East, with said easterly right-of-way line, a distance of 41.04 feet to the TRUE POINT OF BEGINNING;

Thence South 08°08'35" East, continuing with said easterly right-of-way line, a distance of 27.67 feet to a point;

Thence across the right-of-way of said Wall Street, the following courses and distances;

South 81°51'25" West, a distance of 1.00 feet to a point;

North 08°08'35" West, a distance of 27.67 feet to a point;

North 81°51'25" East, a distance of 1.00 feet to the TRUE POINT OF BEGINNING and containing 27.670 square feet of land, more or less.

27.670 Square Foot Easement (6)

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 11, Township 5, Range 22, Refugee Lands, being on, over and across the right-of-way of Front Street (82.5 feet wide), (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being more particularly bounded and described as follows:

Beginning, for reference, at the intersection of the easterly right-of-way line of said Front Street and the

southerly right-of-way line of Town Street (82.5 feet wide), being the northwesterly corner of Lot 206 of that subdivision entitled "In-Lots to City of Columbus" of record in Plat Book 3, Pages 247 thru 249 and Plat Book 14, Page 27;

Thence South 08°08'35" East, with said easterly right-of-way line, a distance of 126.04 feet to the TRUE POINT OF BEGINNING;

Thence South 08°08'35" East, continuing with said easterly right-of-way line, a distance of 27.67 feet to a point;

Thence across the right-of-way of said Wall Street, the following courses and distances;

South 81°51'25" West, a distance of 1.00 feet to a point;

North 08°08'35" West, a distance of 27.67 feet to a point;

North 81°51'25" East, a distance of 1.00 feet to the TRUE POINT OF BEGINNING and containing 27.670 square feet of land, more or less.

27.670 Square Foot Easement (7)

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 11, Township 5, Range 22, Refugee Lands, being on, over and across the right-of-way of Front Street (82.5 feet wide), (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being more particularly bounded and described as follows:

Beginning, for reference, at the intersection of the easterly right-of-way line of said Front Street and the original northerly right-of-way line of Rich Street (width varies), being the southwest corner of Lot 1 of that subdivision entitled "Amon Jenkins Heirs Subdivision" of record in Plat Book 3, Page 47;

Thence North 08°08'35" West, with said easterly right-of-way line, a distance of 120.32 feet to the TRUE POINT OF BEGINNING;

Thence across the right-of-way of said Front Street, the following courses and distances:

South 81°51'25" West, a distance of 1.00 feet to a point;

North 08°08'35" West, a distance of 27.67 feet to a point;

North 81°51'25" East, a distance of 1.00 feet to a point on the easterly right-of-way line of said Front Street;

Thence South 08°08'35" East, with said easterly right-of-way line, a distance of 27.67 feet to the TRUE POINT OF BEGINNING and containing 27.670 square feet of land, more or less.

27.670 Square Foot Easement (8)

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 11, Township 5, Range 22, Refugee Lands, being on, over and across the right-of-way of Front Street (82.5 feet wide), (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being more particularly bounded and described as follows:

Beginning, for reference, at the intersection of the easterly right-of-way line of said Front Street and the original northerly right-of-way line of Rich Street (width varies), being the southwest corner of Lot 1 of that subdivision entitled "Amon Jenkins Heirs Subdivision" of record in Plat Book 3, Page 47;

Thence North 08°08'35" West, with said easterly right-of-way line, a distance of 35.32 feet to the TRUE POINT OF BEGINNING;

Thence across the right-of-way of said Front Street, the following courses and distances:

South 81°51'25" West, a distance of 1.00 feet to a point;

North 08°08'35" West, a distance of 27.67 feet to a point;

North 81°51'25" East, a distance of 1.00 feet to a point on the easterly right-of-way line of said Front Street;

Thence South 08°08'35" East, with said easterly right-of-way line, a distance of 27.67 feet to the TRUE POINT OF BEGINNING and containing 27.670 square feet of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Edward J. Miller, Registered Surveyor No. 8250

194.476 Square Foot Easement

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 11, Township 5, Range 22, Refugee Lands, being on, over and across the right-of-way of Town Street (82.5 feet wide), (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being more particularly bounded and described as follows:

Beginning at the intersection of the easterly right-of-way line of said Ludlow Street (width varies) and the southerly right-of-way line of said Town Street (82.5 feet wide), being the northwesterly corner of Lot 110 of that subdivision entitled "In-Lots to City of Columbus" of record in Plat Book 3, Pages 247 thru 249 and Plat Book 14,

Page 27;

Thence North 08°08'18" West, with the northerly extension of the easterly right-of-way line of said Ludlow Street, across said Town Street, a distance of 1.00 feet to a point;

Thence North 81°51'42" East, across said Town Street, a distance of 194.45 feet to a point in the northerly extension of the westerly right-of-way line of Front Street (82.5 feet wide);

Thence South 08°08'18" East, with the northerly extension of the westerly right-of-way line of said Front Street, a distance of 1.00 feet to the intersection of the southerly right-of-way line of said Town Street, and the westerly right-of-way line of Front Street, being the northwesterly corner of said Lot 110;

Thence South 81°51'42" West, with the northerly line of said Lot 110, with the southerly right-of-way line of said Town Street, a distance of 194.45 feet to the POINT OF BEGINNING and containing 194.476 square feet of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Heather L. King, Registered Surveyor No. 8307

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