



## Legislation Details (With Text)

**File #:** 2681-2018      **Version:** 1

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

**File created:** 9/21/2018      **In control:** Public Service & Transportation Committee

**On agenda:** 11/5/2018      **Final action:** 11/7/2018

**Title:** To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant encroachment easements within the public right-of-ways to Alexander Partners, LLC, for their project known as 265 East State Street.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A.pdf, 2. Rev Exhibit.pdf

Date	Ver.	Action By	Action	Result
11/7/2018	1	CITY CLERK	Attest	
11/6/2018	1	MAYOR	Signed	
11/5/2018	1	COUNCIL PRESIDENT	Signed	
11/5/2018	1	Columbus City Council	Approved	Pass
10/22/2018	1	Columbus City Council	Read for the First Time	

### 1. BACKGROUND

The City of Columbus, Department of Public Service, received a request from the property owner, Alexander Partners, LLC, asking that the City allow an encroachment into the public right-of-way for their project known as 265 East State Street located at the southwest corner of State Street and Sixth Street. The project consists of a new six story building with mixed use development with first floor restaurant/retail spaces, and residential apartments on the upper floors. The encroachments will consist of canopies, vertical columns, and balconies that will protrude into the public right-of-way as described below and shown on the attached exhibits. The following legislation authorizes the Director of the Department of Public Service to execute those documents necessary for the City to grant these encroachments to legally allow them to extend into the public rights-of-way. Installation of these building elements will enhance the building and fit into the architectural desire. A value of \$500.00 for the encroachment easements 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 Director of the Department of Public Service to execute those documents necessary for the City to grant encroachment easements within the public right-of-ways to Alexander Partners, LLC, for their project known as 265 East State Street.

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from the property owner, Alexander Partners, LLC, asking that the City allow encroachments into the public right-of-way for their project known as 265 East State Street located at the Southwest corner of State Street and Sixth Street; and

**WHEREAS**, the project consists of a new six story building with mixed use development consisting of first floor restaurant/retail spaces, and residential apartments on the upper floors. The encroachments will consist of canopies,

vertical columns, and balconies that will protrude into the public right-of-way as described below and shown on the attached exhibits; and

**WHEREAS**, the following legislation authorizes the Director of the Department of Public Service to execute those documents necessary for the City to grant these encroachments to legally allow them to extend into the public rights-of-way. Installation of these building elements will enhance the building and fit into the architectural desire; and

**WHEREAS**, a value of \$500.00, to be deposited in Fund 7748, Project P537650, for granting the requested encroachment easement was established; **now therefore**

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

**SECTION 1.** That the Director of the Department of Public Service is authorized to execute those documents necessary for the City to grant these encroachments to legally allow them to extend into the public rights-of-way. Installation of these building elements will enhance the building and fit into the architectural desire and as described below and depicted on the attached exhibit; to-wit:

**ENCROACHMENT EASEMENT 1~ 0.002 ACRE**

Situated in the City of Columbus, County of Franklin, State of Ohio; also being a portion of State Street (82.5' right-of-way) as established in "Allotment of the Central Reservation" subdivision as recorded in Deed Book 19 Page 464; being a 3-dimensional easement extending from the existing sidewalk vertically for 10.00', approximately between elevations of 759' and 769' (North American Vertical Datum 1988), the footprint of said easement being more particularly described as follows:

Commencing at the intersection of the southerly right-of-way line of State Street and the westerly right-of-way line of Sixth Street (60' right-of-way); thence,

Along the southerly right-of-way line of State Street, *South 81° 47' 00" West for a distance of 120.99'* to a point, said point being the **TRUE POINT OF BEGINNING**, and from said beginning point running thence,

Along the southerly right-of-way line of State Street, *South 81° 47' 00" West for a distance of 15.33'* to a point; thence,

Along a line perpendicular to the southerly right-of-way line of State Street, *North 08° 13' 00" West for a distance of 4.67'* to a point; thence,

Along a line parallel and 4.67' distant to the southerly right-of-way line of State Street, *North 81° 47' 00" East for a distance of 15.33'* to a point; thence,

Along a line perpendicular to the southerly right-of-way line of State Street, *South 08° 13' 00" East for a distance of 4.67'* to the point of beginning, containing 0.002 acres (72 square feet) and a volume of 720 cubic feet of land, more or less.

The basis of bearings for the herein-described courses is the State Plane Coordinate System, Ohio South Zone (NAD83-NSRS 2007), with a portion of the southerly right-of-way line of State Street being South 81° 47' 00" West.

**ENCROACHMENT EASEMENT 2~ 0.003 ACRE**

Situated in the City of Columbus, County of Franklin, State of Ohio; also being a portion of State Street (82.5' right-of-way) as established in "Allotment of the Central Reservation" subdivision as recorded in Deed Book 19 Page 464; being a 3-dimensional easement extending from the existing sidewalk vertically for 10.00', approximately between elevations of 759' and 769' (North American Vertical Datum 1988), the footprint of said easement being more particularly described as follows:

Commencing at the intersection of the southerly right-of-way line of State Street and the westerly right-of-way line of Sixth Street (60' right-of-way); thence,

Along the southerly right-of-way line of State Street, *South 81° 47' 00" West for a distance of 162.81'* to a point, said point being the **TRUE POINT OF BEGINNING**, and from said beginning point running thence,

Along the southerly right-of-way line of State Street, *South 81° 47' 00" West for a distance of 27.00'* to a point; thence,

Along a line perpendicular to the southerly right-of-way line of State Street, *North 08° 13' 00" West for a distance of 4.67'* to a point; thence,

Along a line parallel and 4.67' distant to the southerly right-of-way line of State Street, *North 81° 47' 00" East for a distance of 27.00'* to a point; thence,

Along a line perpendicular to the southerly right-of-way line of State Street, *South 08° 13' 00" East for a distance of 4.67'* to the point of beginning, containing 0.003 acres (126 square feet) and a volume of 1,260 cubic feet of land, more or less.

The basis of bearings for the herein-described courses is the State Plane Coordinate System, Ohio South Zone (NAD83-NSRS 2007), with a portion of the southerly right-of-way line of State Street being South 81° 47' 00" West.

### ENCROACHMENT EASEMENT 3~ 0.003 ACRE

Situated in the City of Columbus, County of Franklin, State of Ohio; also being a portion of State Street (82.5' right-of-way) as established in "Allotment of the Central Reservation" subdivision as recorded in Deed Book 19 Page 464; being a 3-dimensional easement extending from the existing sidewalk vertically for 10.00', approximately between elevations of 759' and 769' (North American Vertical Datum 1988), the footprint of said easement being more particularly described as follows:

Commencing at the intersection of the southerly right-of-way line of State Street and the westerly right-of-way line of Sixth Street (60' right-of-way); thence,

Along the southerly right-of-way line of State Street, *South 81° 47' 00" West for a distance of 264.08'* to a point, said point being the **TRUE POINT OF BEGINNING**, and from said beginning point running thence,

Along the southerly right-of-way line of State Street, *South 81° 47' 00" West for a distance of 27.00'* to a point; thence,

Along a line perpendicular to the southerly right-of-way line of State Street, *North 08° 13' 00" West for a distance of 4.67'* to a point; thence,

Along a line parallel and 4.67' distant to the southerly right-of-way line of State Street, *North 81° 47' 00" East for a distance of 27.00'* to a point; thence,

Along a line perpendicular to the southerly right-of-way line of State Street, *South 08° 13' 00" East for a distance of 4.67'* to the point of beginning, containing 0.003 acres (126 square feet) and a volume of 1,260 cubic feet of land, more or less

The basis of bearings for the herein-described courses is the State Plane Coordinate System, Ohio South Zone (NAD83-NSRS 2007), with a portion of the southerly right-of-way line of State Street being South 81° 47' 00" West.

**SECTION 2.** That the City will receive a total of \$500.00 to be deposited in Fund 7748, Project P537650, for granting the requested encroachments.

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