



## Legislation Text

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**File #: 1538-2008, Version: 1**

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High & Hubbard LLC currently has a valid sidewalk dining lease with the City of Columbus for the south side of Hubbard Avenue adjacent to the building at 793 North High Street. They installed fencing and other amenities within their leased area and have recently submitted a request to the Department of Public Service, Division of Transportation for permission to install a permanent awning over their leased area. Per plans submitted by High & Hubbard LLC the ground supports for the proposed awning will be installed entirely within the fenced area and will not encroach upon any of the sidewalk area not already encumbered by their sidewalk dining lease. After review of the plans submitted and field review the Division of Transportation has determined the proposed installation of a permanent awning at this location will not adversely impact the City's continued use of the unencumbered adjacent sidewalk or roadway area. The City will receive a total of \$500.00, to be deposited in Fund 748, Project 537650, for the proposed encroachment easement. The following legislation authorizes the Director of the Department of Public Service to grant an encroachment easement to High & Hubbard LLC for an awning to be installed over their existing sidewalk dining leased area.

To authorize the Director of the Department of Public Service to execute those documents necessary to allow the City to grant an encroachment easement for a permanent awning over a portion of the south side of Hubbard Avenue adjacent to the existing building at 793 North High Street to High & Hubbard LLC.

**WHEREAS**, High & Hubbard LLC currently has a valid sidewalk dining lease with the City of Columbus for the south side of Hubbard Avenue adjacent to the building located at 793 North High Street; and

**WHEREAS**, with the approval of the Division of Transportation, High & Hubbard LLC has installed fencing and other amenities within their leased dining area; and

**WHEREAS**, High & Hubbard LLC has submitted a request to install a permanent awning over their sidewalk dining area to the Department of Public Service, Division of Transportation; and

**WHEREAS**, per plans submitted by High & Hubbard LLC the ground supports for the proposed awning will be installed entirely within the fenced area; and

**WHEREAS**, the Division of Transportation has determined the proposed installation of a permanent awning at this location will not adversely impact the City's continued use of the unencumbered adjacent sidewalk or roadway area; and

**WHEREAS**, the City will receive a total of \$500.00, to be deposited in Fund 748, Project 537650, for the proposed 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 High & Hubbard LLC; to-wit:

Situate in the State of Ohio, County of Franklin, City of Columbus, being a strip of land lying on, over and across Hubbard Avenue (60 feet in width), as shown on the recorded plat of M. HELEN HUTCHINSON'S SUBDIVISION OF HUBBARD PROPERTY, of record in Plat Book 3, Page 414, Recorder's Office, Franklin County, Ohio and being bounded and more particularly described as follows:

Begin for reference at the intersection of the southerly line of said Hubbard Avenue and the westerly line of N. High Street (76 feet in width);

Thence South 83°49'22" West, a distance of 2.83 feet, along the southerly line of said Hubbard Avenue to the **Point of True Beginning**;

Thence South 83°49'22" West, a distance of 33.20 feet, continuing along the southerly line of said Hubbard Avenue to a point;

Thence the following three (3) courses and distances over and across said Hubbard Avenue:

1. North 06°06'51" West, a distance of 7.60 feet, to a point;
2. North 83°49'22" East, a distance of 33.20 feet, to a point;
3. South 06°06'51" East, a distance of 7.60 feet, to the **Point of True Beginning**, containing 252.3 Sq. Ft., more or less.

The bearings in the above description are based on the assumed bearing of South 83°49'22" West for the southerly line of Hubbard Avenue and are used to denote lot angles only.

Landmark Surveying Group, Inc.  
Scott D. Grundei, P.S. 8047

**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.