



## Legislation Text

**File #:** 1252-2010, **Version:** 1

### 1. BACKGROUND

Wood Real Estate LLC is constructing a mixed uses 4 story building at 935-951 North High Street. As designed an awning over the main entrance door and portions of the building will encroach into the existing North High Street right-of-way. Wood Real Estate LLC has submitted a request asking that the City grant them a 362 square foot and a 162 square foot aerial encroachment easements into North High Street that will allow for installation of the proposed bay windows, building cornice, and canopy. Per current Division of Planning and Operations 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 aerial encroachment easements. A value of \$500.00 each was established for these easements.

### 2. FISCAL IMPACT

The City received a total of \$1,000.00, to be deposited in Fund 748, Project 537650, for granting the requested aerial encroachment easements.

To authorize the Director of the Department of Public Service to execute those documents necessary to allow the City to grant these aerial encroachment easements to Wood Real Estate LLC which will allow installation of a bay windows, building cornice, and canopy into North High Street, side of a new mixed uses building located at 935-951 North High Street.

**WHEREAS**, Wood Real Estate LLC, is constructing a mixed uses building at 935-951 North High Street; and

**WHEREAS**, as designed a canopy over the main entrance door and portions of the building will encroach into the existing North High Street right-of-way; and

**WHEREAS**, the City of Columbus, Department of Public Service, Division of Planning and Operations, recently received a request from Wood Real Estate, LLC asking that the City grant them a 362 square foot and a 162 square foot aerial encroachment easements into North High Street that will allow for installation of the proposed bay windows, building cornice, and canopy; and

**WHEREAS**, per current Division of Planning and Operations 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 aerial encroachment easements; and

**WHEREAS**, A value of \$500.00 each, was established for these easements; 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 aerial encroachment easements to Wood Real Estate LLC; to-wit:

**0.0023 Acre (102.00 square foot) Aerial Encroachment Easement**

Situated in the State of Ohio, County of Franklin, City of Columbus, being in the public right-of-way of East Main Street (82.5'), adjacent to and north of Lot No. 1 of J. and H. Miller's Subdivision, of record in Plat Book 1, Page 70 as conveyed to Indus Holdings, LLC by Instrument No. 200801250012335, Recorder's Office, Franklin County, Ohio, being more particularly described as follows:

Commencing at an iron pin found at the northwest corner of said Lot No. 1 and the northeast corner of a 0.136 acre tract conveyed to Douglas/CBP, LLC by Instrument No. 200710090176479, being on the south line of East Main Street;

Thence, easterly, with the south line of East Main Street and the north line of said Lot No. 1, South 88°08'49" East, 44.50 feet to the TRUE POINT OF BEGINNING;

Thence, leaving the south line of East Main Street and the north line of said Lot No. 1, crossing the public right-of-way of East Main Street the following three (3) courses:

1. North 01°51'11" East, 6.00 feet;
2. South 88°08'49" East, 17.00 feet;
3. South 01°51'11" West, 6.00 feet to the south line of East Main Street and the north line of said Lot No. 1.

Thence, westerly, with the south line of East Main Street and the north line of said Lot No. 1, North 88°08'49" West, 17.00 feet to the PLACE OF BEGINNING, containing 0.0023 acres (102.00 square feet), more or less.

The above described area shall extend vertically from a point approximately 6.5 feet above the existing ground at the building to a point 40.00 feet above the existing ground, which encompasses the proposed exterior building and canopy as shown on attached exhibit. The vertical limits are specifically identified as being from an approximate elevation of 800.6' to 834.0'. The basis of said vertical datum is the North American Vertical Datum of 1988. The source bench mark is based by GPS surveying methods. "GRANDVIEW", as published by the Franklin County Engineer, was used to establish site datum, with elevation being 754.534 feet.

This description was prepared by Matthew E. Ferris, Registered Surveyor No. 8230, of E.P. Ferris & Associates, Inc. on December 29, 2008.

**Basis of Bearings:** The south line of East Main Street was assumed to be South 88°08'49" East.

**Section 2.** That a total of \$1,000.00 to be received by the City as consideration for the granting of the requested aerial encroachment easements 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.