



## Legislation Text

File #: 1867-2017, Version: 1

### 1. BACKGROUND

The City of Columbus, Department of Public Service, received a request from Bass Studio Architects on behalf of the property owner asking that the City allow for an awning to project into the public right-of-way. This encroachment is part of a remodeling project located at 246 West Fifth Avenue. The property is owned by 246 W 5th - 1281 Forsythe LLC. The encroachment will protrude into the public right-of-way approximately three feet. The following legislation authorizes the Director of the Department of Public Service to execute those documents necessary for the City to grant this encroachment to legally allow the awning to extend into the public rights-of-way as described below and depicted on the attached exhibit. Installation of this building element will enhance the building and fit into the architectural desire. A value of \$500.00 for the encroachment easement 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 encroachment.

To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant an encroachment easement at 246 West Fifth Avenue. (\$0.00)

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from Bass Studio Architects on behalf of the property owner asking that the City allow for an awning to project into the public right-of-way; and

**WHEREAS**, this encroachment is part of a remodeling project located at 246 West Fifth Avenue. The property is owned by 246 W 5th - 1281 Forsythe LLC. The encroachment will protrude into the public right-of-way approximately three feet; and

**WHEREAS**, a value of \$500.00 for the encroachment easement was established; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Service to authorize the Director to execute those documents necessary for the City to grant this encroachment to legally allow the awning to extend into the public rights-of-way as described below and depicted on the attached exhibit. Installation of this building element will enhance the building and fit into the architectural desire; **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 encroachment to legally allow the awning to extend into the public rights-of-way as described below and depicted on the attached exhibit; to-wit:

### **3 DIMENSIONAL 0.0020 ACRE ENCROACHMENT EASEMENT**

Situated in the State of Ohio, County of Franklin, City of Columbus, being part of Section 3, Township-1, Range-18, United States Military Lands and part of West 5<sup>th</sup> Avenue (60') and Forsythe Avenue (60') as dedicated by Dennison Place Addition as recorded in Plat Book 3, Page 13 in said Franklin County, Ohio and more fully described as follows:

Beginning at the southeast corner of Lot 313 of said Dennison Place Addition also being the intersection of the west right of way of Forsythe Avenue and the north right of way of West 5<sup>th</sup> Avenue being the Point of Beginning;

Thence North 3°57'06" East a distance of 18.37 feet, along the easterly line of said Lot 313 and the westerly right of way of said Forsythe Avenue, to a point;

Thence South 85°56'55" East a distance of 3.44 feet to a point;

Thence South 3°57'06" West a distance of 18.69 feet to a point;

Thence North 86°54'01" West a distance of 65.43 feet to a point;

Thence North 3°05'59" East a distance of 0.28 feet to a point in the southerly line of said Lot 313 and the northerly right of way of said West 5<sup>th</sup> Avenue;

Thence South 86°59'41" East a distance of 62.00 feet, along the southerly line of said Lot 313 and the northerly right of way of said West 5<sup>th</sup> Avenue, to the Point of Beginning containing 85 square feet or 0.0020 acres more or less according to an actual field survey made by Hockaden and Associates, Inc. in June of 2017

The easement described herein only applies from proposed ground elevation if 751.55 feet to 765.55 feet.

Bearings are based on Ohio State Plane Grid North, NAD 83 Ohio South Zone.

Elevations are referenced to the Franklin County Engineers Benchmark 82, located in the southwest quadrant, having an elevation of 748.542 NAVD 88.

**SECTION 2.** That the City will receive a total of \$500.00 for granting this easement to be deposited in Fund 7748, Project 537650.

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