



Legislation Text

File #: 2473-2013, Version: 1

1. BACKGROUND

The City of Columbus, Department of Public Service, received a request from E.W. Hubbard High, LLC, for their Hubbard Project, asking that the City allow the installation of a pedestrian bridge over North Pearl Street and to allow a number of other encroachments within the public right-of-way along High Street, Hubbard Avenue, and Pearl Street. These encroachments are detailed and defined within the attached drawings labeled as Right of Way Encroachments. These encroachments are stone bands, canopy, awnings, building mounted lights, brick cornice, steps, and the pedestrian bridge.

The Hubbard Project, is proposing to be comprised of a six-story apartment (72 units) building, 250-space public parking garage and row houses. It was determined these encroachments will help the building aesthetically blend into the area and meet the requested design standards.

The following legislation authorizes the Director of the Department of Public Service to execute those documents necessary for the City to grant the encroachment easements that will legally allow the installation of the proposed pedestrian bridge and the proposed building elements listed above to extend into the public rights-of-way needed for this project. A value of \$1,000.00 was established for these two encroachment easements.

2. FISCAL IMPACT

The City will receive a total of \$1,000.00, to be deposited in Fund 748, for granting the requested encroachment easements.

To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant the encroachment easements that will legally allow the installation of the proposed pedestrian bridge and the proposed building elements listed above to extend into the public rights-of-way needed for this project and to accept funds for the easements (\$0.00)

WHEREAS, the City of Columbus, Department of Public Service, received a request from E.W. Hubbard High, LLC, for their Hubbard Project asking that the City allow the installation of a pedestrian bridge over North Pearl Street and to allow a number of other encroachments within the public right-of-way along High Street, Hubbard Avenue and Pearl Street; and

WHEREAS, these encroachments are stone bands, canopy, awnings, building mounted lights, brick cornice, steps and the pedestrian bridge; and

WHEREAS, the following legislation authorizes the Director of the Department of Public Service to execute those documents necessary for the City to grant two encroachment easements to legally allow the installation of the proposed building elements and the pedestrian bridge within the public rights-of-way needed for this project; and

WHEREAS, a value of \$1000.00 was established for these two encroachment easements; and

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 the pedestrian bridge encroachment easement and the encroachment of the other building elements and the pedestrian bridge as depicted on the attached drawings; to-wit:

**Encroachment Easement
PEDESTRIAN BRIDGE
0.006 ACRE**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 5, Township 5, Range 22, Refugee Lands, being a 8 foot strip of land on, over, and across North Pearl Street (30 feet wide), as originally dedicated as Swan Alley in Plat Book 1, Page 389, and to extend between an elevation of 779 feet and 796 feet (NAVD88), (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at the intersection of the northerly right-of-way line of Hubbard Street (50 feet wide), as originally dedicated as Gill Street in Plat Book 1, Page 389, and the easterly right-of-way line of said North Pearl Street, being the southwesterly corner of that 0.575 acre tract conveyed to E.W. High Street, LLC by deed of record in Instrument Number 201209060130694;

Thence North 08°20'26" West, with the westerly line of said 0.575 acre tract, and said easterly right-of-way line, a distance of 33.24 feet to the TRUE POINT OF BEGINNING;

Thence South 78°40'08" West, across said North Pearl Street, a distance of 30.04 feet to a point in the westerly right-of-way line thereof, being the easterly line of that 0.773 acre tract conveyed to E.W. Hubbard High, LLC by deed of record in Instrument Number 201209060130693;

Thence North 08°20'26" West, with said westerly right-of-way line and said easterly line, a distance of 8.01 feet to a point;

Thence North 78°40'08" East, across said North Pearl Street, a distance of 30.04 feet to a point in said easterly right-of-way line and said westerly line;

Thence South 08°20'26" East, with said easterly right-of-way line and said westerly line, a distance of 8.01 feet to the TRUE POINT OF BEGINNING, containing 0.006 acre, more or less.

The Vertical Datum is based on the elevation established by the Franklin County Engineering Department, Monument COC 13-18, being 752.140 feet in elevation. The said monument being a source bench mark with an elevation that is based on the North American Vertical Datum of 1988.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

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