



## Legislation Details (With Text)

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

**File created:** 3/27/2017      **In control:** Public Service & Transportation Committee

**On agenda:** 5/1/2017      **Final action:** 5/4/2017

**Title:** To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant an encroachment easement within the public right-of-way at 255 South High Street. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit.pdf

Date	Ver.	Action By	Action	Result
5/4/2017	1	CITY CLERK	Attest	
5/3/2017	1	MAYOR	Signed	
5/1/2017	1	COUNCIL PRESIDENT	Signed	
5/1/2017	1	Columbus City Council	Approved	Pass
4/17/2017	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, High and Cherry, LLC asking that the City allow for an awning to project into the public right-of-way. This encroachment is part of a building project, located at 255 South High Street. The encroachment will protrude into the public right-of-way approximately 5 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 drawing. 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 within the public right-of-way at 255 South High Street. (\$0.00)

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from the property owner, High and Cherry, LLC asking that the City allow for an awning to project into the public right-of-way; and

**WHEREAS**, this encroachment is part of a building project located at 255 South High Street and will protrude into the public right-of-way approximately 5 feet; and

**WHEREAS**, it is necessary to authorize 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 drawing to enhance the building and fit into the architectural desire; 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 an encroachment easement within the public right-of-way; 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 an encroachment easement to allow an awning to extend into the public right-of-way as described below and depicted on the attached drawing; to-wit:

**ENCROACHMENT EASEMENT  
BETWEEN 775.7' AND 777.7' ELEVATION (NAVD 88)  
0.001 ACRE (41.33 S.F.)**

Situated in the State of Ohio, County of Franklin, City of Columbus, Section 16, Township 5, Range 22, Refugee Lands and being located over the right-of-way of S. High Street, of record in Plat Book 1, Page 179, to extend between an elevation of 775.7 feet and 777.7 feet (NAVD 88) (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 west right-of-way line of said S. High Street with the north right-of-way line of said W. Cherry Street;

Thence North 08° 07' 38" West, with said west right-of-way line, a distance of 45.97 feet to the TRUE POINT OF BEGINNING;

Thence North 08° 07' 38" West, continuing with said west right-of-way line, a distance of 15.94 feet to a point;

Thence across the right-of-way of said S. High Street, the following courses and distances:

North 81° 52' 04" East, a distance of 5.19 feet to a point;

South 09° 54' 13" West, a distance of 16.76 feet to the TRUE POINT OF BEGINNING, containing 0.001 acre (41.33 square feet), more or less.

**Section 2.** The City will receive a total of \$500.00 for granting this encroachment, to be deposited in Fund 7748, Project P537650.

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