



Legislation Details (With Text)

File #: 0988-2017 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 4/5/2017 **In control:** Public Service & Transportation Committee

On agenda: 5/8/2017 **Final action:** 5/11/2017

Title: To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant encroachment easements to Lane and Tuttle 1, LLC located at 262 West Lane Avenue and 2212 Tuttle Park Place. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibits.pdf, 2. Exhibits.pdf

Date	Ver.	Action By	Action	Result
5/11/2017	1	CITY CLERK	Attest	
5/9/2017	1	MAYOR	Signed	
5/8/2017	1	COUNCIL PRESIDENT	Signed	
5/8/2017	1	Columbus City Council	Approved	Pass
5/1/2017	1	Columbus City Council	Read for the First Time	

BACKGROUND

Three encroachments into the public rights-of-way are requested by the owner of the property located at the north east corner of West Lane Avenue and Tuttle Park Place. The owner of the property is Lane and Tuttle 1 LLC. This project is located at 262 West Lane Avenue and 2212 Tuttle Park Place. It is proposing a new seven story mixed use building. The building will have commercial and residential units. The encroachments include an awning into West Lane Avenue, foundation into Tuttle Park Place, and foundation into the un-named Alley along the north side of the building. The following legislation authorizes the Director of the Department of Public Service to execute documents necessary to grant these encroachment easements for the proposed building into the public rights-of-way. A value of \$1000.00 was established for these encroachment easements.

During the design phase of this project it was determined the City's Traffic Control box was outside the public right-of-way and the owner agreed to donate a utility easement for this item.

The City will receive a total of \$1,000.00, to be deposited in Fund 7748, project P537650, 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 encroachment easements to Lane and Tuttle 1, LLC located at 262 West Lane Avenue and 2212 Tuttle Park Place. (\$0.00)

WHEREAS, three encroachment easements into the public rights-of-way were requested by the owner of the property located at the north east corner of West Lane Avenue and Tuttle Park Place; and

WHEREAS, the encroachments include an awning into West Lane Avenue, foundation into Tuttle Park Place, and foundation into the un-named Alley along the north side of the building; and

WHEREAS, a value of \$1,000.00 was established for these encroachment easements to be deposited into fund 7748, project P537650; 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 encroachment easements to Lane and Tuttle 1 LLC; **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 encroachment easements to Lane and Tuttle 1, LLC, and attached exhibits; to-wit:

3 DIMENSIONAL EASEMENT FOR A BUILDING FOUNDATION (EASEMENT No. 1) NORTH OF WEST LANE AVENUE (WIDTH VARIES) EAST OF TUTTLE PARK PLACE (50')

Situated in the State of Ohio, County of Franklin, City of Columbus, being a 3 foot wide strip of land located in a 20 foot wide alley, being the first alley north of West Lane Avenue and being further described as follows;

Beginning **FOR REFERENCE** at the intersection of the easterly right-of-way line of Tuttle Park Place (50.00 feet in width) and the southerly right-of-way line of the first alley north of West Lane Avenue (20.00 feet in width), also being the northwesterly corner of Lot 44 as shown and delineated on the plat entitled "Jacob Weber Place Subdivision", a subdivision of record in Plat Book 17, Page 29, Franklin County Recorder's Office; Thence South 86° 25' 52" East, along the southerly right-of-way line of said 20 foot wide alley, a distance of 10.00 feet to the **TRUE PLACE OF BEGINNING**;

Thence through said 20 foot wide alley the following courses;

1. **North 3° 34' 08" East**, a distance of **3.00 feet** to a point;
2. **South 86° 25' 52" East**, along a line 3.00 feet northerly of and parallel to said northerly right-of-way line, a distance of **80.00 feet** to a point in the northerly projection of the westerly right-of-way line of a 15.00 foot wide alley, being the first alley east of said Park Place;
3. **South 3° 20' 06" West**, along said northerly projection, a distance of **3.00 feet** to a point at the intersection of the northerly right-of-way line of said 20 foot wide alley with the westerly right-of-way line of said 15 foot wide alley;

Thence **North 86° 25' 52" West**, along the northerly right-of-way line of said 20 foot wide alley, a distance of **80.01 feet** to the **TRUE PLACE OF BEGINNING**;

The above described easement is a 3 dimensional easement that is located between elevations 700.0 feet and 745.00 feet. (NAVD 1988)

Bearings herein are based on GPS observations, being the Ohio State Plane Coordinate System, South Zone, NAD 1983 and referenced to the centerline of Tuttle Park Place being South 3° 20' 06" West.

This description was prepared by American Land Surveyors, LLC, by Jon B. Adcock, Ohio P.S. No. 8461.

3 DIMENSIONAL EASEMENT FOR A BUILDING FOUNDATION (EASEMENT No. 2) NORTH OF WEST LANE AVENUE (WIDTH VARIES) EAST OF TUTTLE PARK PLACE (50')

Situated in the State of Ohio, County of Franklin, City of Columbus, being a 3 foot wide strip of land located in a 20 foot wide alley, being the first alley north of West Lane Avenue and being further described as follows;

Beginning **FOR REFERENCE** at the intersection of the easterly right-of-way line of Tuttle Park Place (50.00 feet in width) and the southerly right-of-way of the first alley north of West Lane Avenue (20.00 feet in width), also being the

northwesterly corner of Lot 44 as shown and delineated on the plat entitled "Jacob Weber Place Subdivision", a subdivision of record in Plat Book 17, Page 29, Franklin County Recorder's Office; Thence South 3° 20' 06" West, along the westerly right-of-way line of said Tuttle Park Place, a distance of 9.70 feet to the **TRUE PLACE OF BEGINNING**;

Thence **South 3° 20' 06" West**, continuing along said easterly right-of-way line, a distance of **136.00 feet** to a point Thence through said Tuttle Park Place the following courses;

1. **North 86° 39' 54" West**, a distance of **3.00 feet** to a point;
2. **North 3° 20' 06" East**, along a line 3.00 feet westerly of and parallel to said easterly right-of-way line, a distance of **136.00 feet** to a point;
3. **South 86° 39' 54" East**, a distance of **3.00 feet** to the **TRUE PLACE OF BEGINNING**;

The above described easement is a 3 dimensional easement that is located between elevations 728.0 feet and 732.5 feet. (NAVD 1988)

Bearings herein are based on GPS observations, being the Ohio State Plane Coordinate System, South Zone, NAD 1983 and referenced to the centerline of Tuttle Park Place being South 3° 20' 06" West.

This description was prepared by American Land Surveyors, LLC, by Jon B. Adcock, Ohio P.S. No. 8461.

DESCRIPTION OF A 3 DIMENSIONAL EASEMENT FOR A BUILDING AWNING NORTH OF WEST LANE AVENUE (WIDTH VARIES) EAST OF TUTTLE PARK PLACE (50')

Situated in the State of Ohio, County of Franklin, City of Columbus, being a strip of land located in the right-of-way along the easterly side of Tuttle Park Place and being further described as follows;

Beginning **FOR REFERENCE** at the intersection of the easterly right-of-way line of Tuttle Park Place (50.00 feet in width) and the southerly right-of-way of the first alley north of West Lane Avenue (20.00 feet in width), also being the northwesterly corner of Lot 44 as shown and delineated on the plat entitled "Jacob Weber Place Subdivision", a subdivision of record in Plat Book 17, Page 29, Franklin County Recorder's Office; Thence South 3° 20' 06" West, along the easterly right-of-way line of said Tuttle Park Place, a distance of 39.43 feet to the **TRUE PLACE OF BEGINNING**;

Thence **South 3° 20' 06" West**, continuing along said easterly right-of-way line, a distance of **106.27 feet** to a point at the northwesterly corner of a 0.004 acre tract of land described as Parcel 10-WD in a deed to the City Of Columbus, of record in Instrument No. 200107310173764;

Thence **South 58° 16' 23" East**, along the northerly line of said 0.004 acre tract, a distance of 1.71 feet to a point;

Thence through the right-of-way of said Tuttle Park Place the following courses;

1. **North 86° 39' 54" West**, a distance of **3.90 feet** to a point;
2. **North 3° 20' 06" East**, a distance of **107.08 feet** to a point;
3. **South 86° 39' 54" East**, a distance of **2.39 feet** to the **TRUE PLACE OF BEGINNING**;

The above described easement is a 3 dimensional easement that is located between elevations 748.5.0 feet and 751.5 feet. (NAVD 1988)

Bearings herein are based on GPS observations, being the Ohio State Plane Coordinate System, South Zone, NAD 1983 and referenced to the centerline of Tuttle Park Place being South 3° 20' 06" West.

This description was prepared by American Land Surveyors, LLC, by Jon B. Adcock, Ohio P.S. No. 8461.

Section 2. That a value of \$1000.00 was established for these encroachment easements to be deposited into 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.