



Legislation Details (With Text)

File #: 2414-2020 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 10/20/2020 **In control:** Public Service & Transportation Committee

On agenda: 11/16/2020 **Final action:** 11/19/2020

Title: To authorize the Director of the Department of Public Service to execute those documents necessary for the City grant a right-of-way encroachment to 366 East Broad LLC for their project at 366 East Broad Street. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit

Date	Ver.	Action By	Action	Result
11/19/2020	1	CITY CLERK	Attest	
11/18/2020	1	MAYOR	Signed	
11/16/2020	1	COUNCIL PRESIDENT	Signed	
11/16/2020	1	Columbus City Council	Approved	Pass
11/9/2020	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, 366 East Broad LLC, asking that the City allow a basement vault to remain encroaching into the public right-of-way for their project. The project is located at 366 East Broad Street along the east side of Grant Avenue and the north side of East Broad Street. This project is a renovation of the building and the existing encroachment consists of a below ground basement vault built in 1925 that protrudes into the public right-of-way as described below and shown on the attached exhibit. 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 vault to remain extended into the public right-of-way. Allowing this element to remain will enhance the building, fit into the architectural desire, and keeps the original structure's foundation as-is. A value of \$500.00, to be deposited in Fund 7748, Project P537650, for the encroachment easement was established.

2. FISCAL IMPACT

There is no expense to the City to grant this encroachment. 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 grant a right-of-way encroachment to 366 East Broad LLC for their project at 366 East Broad Street. (\$0.00)

WHEREAS, the City of Columbus, Department of Public Service, received a request from the property owner, 366 East Broad LLC, asking that the City allow a basement vault to remain encroaching into the public right-of-way for their project located at 366 East Broad Street along the east side of Grant Avenue and the north side of East Broad Street; and

WHEREAS, this project is a renovation of the building and the existing encroachment consists of a below ground basement vault built in 1925 that protrudes into the public right-of-way as described below and shown on the attached

exhibit; and

WHEREAS, the Director of the Department of Public Service needs to execute those documents necessary for the City to grant this encroachment to legally allow the vault to remain extended into the public right-of-way; and

WHEREAS, a value of \$500.00 for the encroachment easement was established, to be deposited in Fund 7748, Project P537650, for granting the requested encroachment; **now therefore**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the Director of the Department of Public Service is authorized to execute those documents necessary for the City to grant an encroachment to legally allow the vault to remain extended into the public right-of-way; to-wit:

**3 Dimensional Encroachment Easement
BETWEEN THE ELEVATIONS OF 754.37 and 766.61 FEET
0.068 Acres**

Situated in the State of Ohio, County of Franklin, City of Columbus, being located in Half Section 25, Township 5, Range 22, Refugee Lands, and being within the rights-of-way for East Broad Street (120 feet wide) and Grant Avenue (66 feet wide), adjacent to S. Brush Subdivision of Out Lot 79, of record in Plat Book 1, Page 141, and adjacent to that tract described as Parcel 1 in a deed to 366 East Broad Street, LLC, of record in Instrument Number 201905080053437, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, and being further bounded and described as follows:

BEGINNING at the intersection of the existing north right-of-way line for East Broad Street and the existing east right-of-way line for Grant Avenue, being the southwest corner of said South Brush Subdivision of Out Lot 79 and being the southwest corner of said Parcel 1;

Thence North 81 degrees 50 minutes 45 seconds East, along the existing north right-of-way line for East Broad Street, along the south line of said S. Brush Subdivision of Out Lot 79 and along the south line of said Parcel 1, a distance of **122.99 feet** to the southeast corner of said Parcel 1, being the southwest corner of that tract described in a deed to Columbus College of Art and Design, of record in Instrument Number 200607190141415;

Thence across the rights-of-way for East Broad Street and Grant Avenue along the following seven (7) described courses:

- 1. South 07 degrees 58 minutes 06 seconds East**, a distance of **18.11 feet** to a point;
- 2. South 81 degrees 42 minutes 24 seconds West**, a distance of **122.67 feet** to a point;
- 3. North 53 degrees 17 minutes 36 seconds West**, a distance of **8.47 feet** to a point;
- 4. North 08 degrees 33 minutes 28 seconds West**, a distance of **16.29 feet** to a point;
- 5. South 81 degrees 58 minutes 30 seconds West**, a distance of **5.04 feet** to a point;
- 6. North 08 degrees 07 minutes 06 seconds West**, a distance of **55.39 feet** to a point;
- 7. North 81 degrees 52 minutes 54 seconds East**, a distance of **11.01 feet** to a point on the existing east right-of-way line for Grant Avenue, being the west line of said South Brush Subdivision of Out Lot 79 and being the west line of said Parcel 1;

Thence South 08 degrees 00 minutes 11 seconds East, along the existing east right-of-way line for Grant Avenue, along the west line of said S. Brush Subdivision of Out Lot 79 and along the west line of said Parcel 1, a distance of **59.25 feet** to the **POINT OF BEGINNING** for this description.

The above description contains a total area of **0.068 acres (2,296.750 square feet)**, all of which is located within the dedicated rights-of-way for East Broad Street and Grant Avenue and adjacent to Franklin County Auditor's Parcel Number 010-047658.

This easement is further constrained to the 12.24-foot vertical space existing between elevations 754.37 feet (being 1-foot below the basement floor) and elevation 766.61 feet (being the top of the interior basement ceiling).

Bearings described herein are based on the bearing of South 81 degrees 50 minutes 45 seconds West for the existing north right-of-way line for East Broad Street, as measured from Grid North, referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

Elevations are referenced to the North American Vertical Datum of 1988, as established utilizing a level circuit originating on C.O.C. BM 608 (Elev: 790.90 feet).

This description was prepared under the direct supervision of Brian P. Bingham, Registered Professional Surveyor No. 8438 on April 13, 2020, is based on an actual field survey and interior building measurements performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

SECTION 2. That a value of \$500.00 for the encroachment easement was established and is 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.