



## Legislation Details (With Text)

**File #:** 0840-2021      **Version:** 1

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

**File created:** 3/29/2021      **In control:** Public Service & Transportation Committee

**On agenda:** 4/26/2021      **Final action:** 4/29/2021

**Title:** To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant the encroachment easements to VS State Street, LLC along East State Street. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord. 0840-2021 Fifth Third Building at High and State Encroachments

Date	Ver.	Action By	Action	Result
4/29/2021	1	CITY CLERK	Attest	
4/28/2021	1	MAYOR	Signed	
4/26/2021	1	COUNCIL PRESIDENT	Signed	
4/26/2021	1	Columbus City Council	Approved	Pass
4/19/2021	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, VS State Street, LLC, asking that the City allow 3 canopies to encroach into the public right-of-way. These encroachments will be within the public right-of-way located along the south side and in front of 21 East State Street. This project is to enhance the entrance of the building. These canopies are located within an easement as described below and with 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 the encroachment easements to legally allow these items to be placed within the public rights-of-way. Installation of these elements will enhance the area and fit into the architectural desire. A value of \$500.00 for the encroachment easements was established.

### 2. FISCAL IMPACT

There is no cost to the City to grant the easements. The City will receive a total of \$500.00, to be deposited in Fund 7748, Project 537650, for granting the requested encroachments.

To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant the encroachment easements to VS State Street, LLC along East State Street. (\$0.00)

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from the property owner, VS State Street, LLC, asking that the City allow 3 canopies to encroach into the public right-of-way. These encroachments will be within the public right-of-way located along the south side and in front of 21 East State Street; and

**WHEREAS**, this project is to enhance the entrance of the building and are designed to fit into the architectural desire as described below and shown on the attached exhibit; and

**WHEREAS**, a value of \$500.00 to be deposited in Fund 7748, Project P537650, for the encroachment easements 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 the encroachments to legally allow these items to be placed within the public rights-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 is authorized to execute those documents necessary for the City to grant the encroachment easements as described below and in the attachments to this ordinance to legally allow these encroachments into the public rights-of-way. Installation of these elements will enhance the area and fit into the architectural desire; to-wit:

**3 Dimensional Encroachment Easement  
BETWEEN THE ELEVATIONS OF 789.90 feet AND 793.90 feet (NAVD88) (Geoid 12B)**

Situated in the State of Ohio, Franklin County, City of Columbus, and being part of the right of way of State Street as dedicated in the Plat of the Original Town of Franklinton (Plat Book 3, Page 247) and being more particularly described as follows:

**Commencing** at the intersection of the easterly line of High Street (100 feet wide) with the southerly line of State Street (82.5 feet wide), said point also being the northwesterly corner of Lot 1 in the Patterson, Minor and Adams Subdivision of Lots 334, 335 and 336 in the Original Town of Franklinton (Plat Book 15, Page 140);

**Thence** along the southerly line of State Street and the northerly line of said Patterson, Minor, and Adams Subdivision North 81° 51' 35" East for a distance of 107.26 feet to the TRUE POINT OF BEGINNING;

**Thence** North 08° 08' 25" West for a distance of **6.00 feet** to a point;

**Thence** parallel to and 6.00 feet distant from the southerly line of State Street North 81° 51' 35" East for a distance of 45.00 feet to a point;

**Thence** South 08° 08' 25" East for a distance of 6.00 feet to a point in the northerly line of State Street and in the northerly line of said Patterson, Minor, and Adams Subdivision;

**Thence** along the southerly line of State Street and the northerly line of said Patterson, Minor, and Adams Subdivision South 81° 51' 35" West for a distance of 45.00 feet to the TRUE POINT OF BEGINNING and containing 0.006 acres (207.00 Sq. Ft.), more or less, and being subject to all other legal easements, agreements, and rights-of-way of record.

The above described area shall encompass the canopy for the building located at the northwesterly corner of State Street and High Street. The vertical limits are specifically identified as being from elevation 789.90' to 793.90'. The existing sidewalk elevation below these items is 766.90'.

This description was prepared by Daniel L. Quick, Ohio Professional Surveyor Number 7803 from an actual field survey performed on March 17, 2020.

The horizontal bearings shown herein are based on the Ohio State Plane Coordinate System, South Zone, North American Datum of 1983 (NSRS 2007 adjustment) with the southerly line of State Street being N 81°51'35" E. The vertical elevations shown are based on NAVD88 (Geoid 12B).

**SECTION 2.** That the City will receive a total of \$500.00 to be deposited in Fund 7748, Project P537650, for granting the requested encroachments.

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