



## Legislation Details (With Text)

**File #:** 0073-2023      **Version:** 1

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

**File created:** 1/3/2023      **In control:** Public Service & Transportation Committee

**On agenda:** 2/6/2023      **Final action:** 2/8/2023

**Title:** To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant an encroachment and legally allow the building located at 1404 Granville Street to remain extended into the public rights-of-way. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord 0073-2023 Exhibit.pdf

Date	Ver.	Action By	Action	Result
2/8/2023	1	CITY CLERK	Attest	
2/7/2023	1	MAYOR	Signed	
2/6/2023	1	COUNCIL PRESIDENT	Signed	
2/6/2023	1	Columbus City Council	Approved	Pass
1/30/2023	1	Columbus City Council	Read for the First Time	

### 1. BACKGROUND

The City of Columbus, Department of Public Service, Division of Infrastructure Management, received a request from the property owner, Since 1797 LLC, asking that the City allow the building located at 1404 Granville Street to remain encroaching into the public right-of-way for their project. The project is located along the west side of Graham Street. This project is a renovation of the building to modify it into two (2) family dwelling units and the existing encroachment consist of below ground and above building structure. This structure was built in approximately 1920 and 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 and legally allow the building to remain extended into the public rights-of-way. Allowing this structure to remain will enhance the building and keep the original foundation in place. 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 easement.

To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant an encroachment and legally allow the building located at 1404 Granville Street to remain extended into the public rights-of-way. (\$0.00)

**WHEREAS**, the City of Columbus, Department of Public Service, Division of Infrastructure Management, received a request from the property owner, Since 1797 LLC, asking that the City allow the building located at 1404 Granville Street to remain encroaching into the public right-of-way, for their project. The project is located along the west side of Graham Street; and

**WHEREAS**, this project is a renovation of the building to modify it into two (2) family dwelling units and the existing

encroachment consist of below ground and above building structure. This structure was built approximately in 1920 and protrudes into the public right-of-way as described below and shown on the attached exhibit; and

**WHEREAS**, the following legislation authorizes the Director of the Department of Public Service to execute those documents necessary for the City to grant this encroachment and legally allow the building to remain extended into the public rights-of-way. Allowing this structure to remain will enhance the building and keep the original foundation in place; and

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

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

**SECTION 1.** That the Director of the Department of Public Service to execute those documents necessary for the City to grant this encroachment and legally allow the building to remain extended into the public rights-of-way; to-wit:

**AREA 1**

**26.5 SQUARE FEET 3-DIMENSIONAL EASEMENT  
BETWEEN ELEVATIONS 812.8± TO 847.3± AS DEFINED ON THE ATTACHED EXHIBIT**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying on, over and across the right-of-way of Graham Street (50 feet wide, P.B. 5, Pg. 133), as dedicated to the City of Columbus by the record plat of Benjamin Monett's Mt. Vernon Avenue Addition, as shown and delineated in Plat Book 5, Page 133, Recorder's Office, Franklin County, Ohio and being bounded and more particularly described as follows:

Beginning for reference, at a point, at the northwesterly intersection of said Graham Street, and Granville Street (40 feet wide, P.B. 5, Pg. 133), and the southeasterly corner of lot 22 of said Benjamin Monett's Mt. Vernon Avenue Addition; Thence North 03°49'19" East, a distance of 45.71 feet, along the easterly line of said lot 22, and the westerly line of said Graham Street, to the **Point of True Beginning**;

Thence North 03°49'19" East, a distance of 14.88 feet, along the line common to said lot 22 and said Graham Street, to a point;

Thence with the following two (2) courses and distances, across the right-of-way of said Graham Street:

- 1) South 10°28'19" East, a distance of 14.42 feet, to a point;
- 2) South 79°31'41" West, a distance of 3.67 feet, to the **Point of True Beginning**, containing 26.5 square feet more or less.

The bearings are based on the Ohio State Plane Coordinate System, south zone, NAD83 (CORS). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation virtual reference station network.

**AREA 2**

**73.5 SQUARE FEET 3-DIMENSIONAL EASEMENT  
BETWEEN ELEVATIONS 812.8± TO 847.3± AS DEFINED ON THE ATTACHED EXHIBIT**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying on, over and across the right-of-way of Graham Street (50 feet wide, P.B. 5, Pg. 133), as dedicated to the City of Columbus by the record plat of Benjamin Monett's Mt. Vernon Avenue Addition, as shown and delineated in Plat Book 5, Page 133, Recorder's Office, Franklin County, Ohio and being bounded and more particularly described as follows:

Beginning for reference, at a point, at the northwesterly intersection of said Graham Street, and Granville Street (40 feet wide, P.B. 5, Pg. 133), and the southeasterly corner of lot 22 of said Benjamin Monett's Mt. Vernon Avenue Addition; Thence North 03°49'19" East, a distance of 14.34 feet, along the easterly line of said lot 22, and the westerly line of said Graham Street, to the **Point of True Beginning**;

Thence North 03°49'19" East, a distance of 24.78 feet, along the line common to said lot 22 and said Graham Street, to a point;

Thence with the following two (2) courses and distances, across the right-of-way of said Graham Street:

- 1) South 10°28'19" East, a distance of 24.02 feet, to a point;

- 2) South 79°31'41" West, a distance of 6.12 feet, to the **Point of True Beginning**, containing 73.5 square feet more or less.

The bearings are based on the Ohio State Plane Coordinate System, south zone, NAD83 (CORS). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation virtual reference station network.

LANDMARK SURVEY GROUP, INC.

**SECTION 2.** That the City will receive a total of \$500.00 to be deposited in Fund 7748, Project P537650, for the sale of the right-of-way.

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