



## Legislation Text

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**File #: 1576-2014, Version: 1**

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### **1. BACKGROUND**

The City of Columbus, Department of Public Service, received a request from EMH&T c/o The Annex at River South II, Ltd., for their RiverSouth Apartment Phase II project, asking that the City allow a number of encroachments within the public right-of-way along High Street, Rich Street, and Wall Street.

These encroachment areas are detailed and defined within the attached drawings labeled as Right of Way Encroachments. The encroachments comprise of canopies, building mounted lights, cornice, floor projections, building foundations and stairs. The RiverSouth Apartment Phase II project is a mixed-use (106 apartment units) building with ground floor retail and 0.5 acres of green space. It was determined these encroachments will help the building aesthetically blend into the area and meet the requested design standards.

The following legislation authorizes the Director of the Department of Public Service to execute those documents necessary for the City to grant these encroachment easements that will legally allow the installation of the proposed building elements listed above to extend into the public rights-of-way needed for this project. A value of \$1000.00 was established for these encroachment easements.

### **2. FISCAL IMPACT**

The City will receive a total of \$1,000.00, to be deposited in Fund 748, 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 the encroachment easements that will legally allow the installation of the proposed building elements to extend into the public rights-of-way needed for the RiverSouth Apartment Phase II project and to accept funds for the easements.

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from EMH&T c/o The Annex at River South II, Ltd., for their RiverSouth Apartment Phase II project, asking that the City allow a number of encroachments within the public right-of-way along High Street, Rich Street, and Wall Street; and

**WHEREAS**, these encroachment areas are detailed and defined within the attached drawings labeled as Right of Way Encroachments. The encroachments comprise of canopies, building mounted lights, cornice, floor projections, building foundations and stairs; and

**WHEREAS**, the following legislation authorizes the Director of the Department of Public Service to execute those documents necessary for the City to grant these encroachment easements that will legally allow the installation of the proposed building elements listed above to extend into the public rights-of-way needed for this project; and

**WHEREAS**, a value of \$1000.00 was established for these encroachment easements; and

### **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 for the building foundation and elements; to-wit:

**FOUNDATION ENCROACHMENT EASEMENT  
0.022 ACRE**

Situated in the State of Ohio, County of Franklin, City of Columbus, located in Section 17, Township 5, Range 22, Refugee Lands and being across the right-of-way of Rich Street (82.5 feet wide) and High Street (100 feet wide), as defined by "Plat of the Town of Columbus", of record in Deed Book "F", Page 332 (destroyed by fire), as replatted in Plat Book 3, Page 247 and represented in Plat Book 14, Page 27, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

BEGINNING at the intersection of the westerly right-of-way line of said High Street with the northerly right-of-way line of said Rich Street, being the southeasterly corner of Inlot 252 as depicted on said "Plat of the Town of Columbus" and conveyed to Columbus Downtown Development Corporation by deed of record in Instrument Numbers 200612270255785;

thence North 08° 07' 14" West, with the westerly right-of-way line of said High Street, the easterly line of said Inlot 252 and Inlot 253 of said "Plat of the Town of Columbus" as conveyed to Columbus Downtown Development Corporation by deed of record in Instrument Number 200704180068134, a distance of 125.53 feet to a point;

thence North 81° 52' 46" East, across the right-of-way of said High Street, a distance of 3.00 feet to a point;

thence South 08° 07' 14" East, continuing across the right-of-way of said High Street, a distance of 128.53 feet to a point;

thence South 81° 50' 15" West, across the right-of-way of said Rich Street, a distance of 190.51 feet to a point;

thence North 08° 09' 45" West, continuing across the right-of-way of said Rich Street, a distance of 3.00 feet to a point at the intersection of the northerly right-of-way line of said Rich Street with the easterly right-of-way line of Wall Street (33 feet wide), being the southwesterly corner of said Inlot 252;

thence North 81° 50' 15" East, with said northerly right-of-way line, the southerly line of said Inlot 252, a distance of 187.51 feet to the POINT OF BEGINNING, and containing 0.022 acre, more or less.

**EVANS, MECHWART, HAMBLETON & TILTON, INC.**

**Section 2.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.