



## Legislation Text

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**File #: 2917-2015, 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 III, Ltd., for their Otto Beatty 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, balconies, and building foundations. The Otto Beatty project, is proposing a mixed-use (137 total units) building with ground floor retail 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 \$1000.00, 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 listed above to extend into the public rights-of-way needed for this project and to accept funds for the easements (\$1000.00).

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from EMH&T c/o The Annex at River South III, Ltd., for their Otto Beatty 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, balconies, and building foundations; 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  
0.031 ACRE**

Situated in the State of Ohio, County of Franklin, City of Columbus, lying in Section 16, Township 5, Range 22, Refugee Lands, being across the right-of-way of Wall Street (33 feet wide), 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) being more particularly described as follows:

BEGINNING at the intersection of the southerly right-of-way line of said Rich Street (82.5 feet) with the westerly right-of-way line of said High Street (100 feet), being the northeasterly corner of Lot 251 of said "Plat of the Town of Columbus", as conveyed to The Annex at River South III, Ltd. by deed of record in Instrument Number 201312160205527;

Thence South 81° 50' 15" West, with the southerly right-of-way line of said Rich Street, the northerly line of said Lot 251, a distance of 187.64 feet to a point at the intersection of said southerly right-of-way line with the easterly right-of-way line of said Wall Street;

Thence South 08° 08' 35" East, with said easterly right-of-way line, the westerly line of said Lot 251 and Lot 250 of said "Plat of the Town of Columbus", as conveyed to The Annex at River South III, Ltd. by deed of record in Instrument Number 201312160205527, a distance of 125.26 feet to the northwesterly corner of Lot 4 of "J. Hare's Subdivision of Inlot 249", of record in Plat Book 1, page 179, as conveyed to Swan Super Cleaners, Inc. by deed of record in Instrument Number 200003100048422;

Thence across said Wall Street, Rich Street and High Street, the following courses and distances:

South 81° 52' 22" West, a distance of 3.00 feet to a point;

North 08° 08' 35" West, a distance of 128.26 feet to a point;

North 81° 50' 15" East, a distance of 193.64 feet to a point;

South 08° 07' 38" East, a distance of 128.38 feet to a point; and

South 81° 52' 22" West, a distance of 3.00 feet to a point in the westerly right-of-way line of said High Street at the common corner of said Lot 250 and Lot 1 of said "J. Hare's Subdivision of Inlot 249", as conveyed to Swan Super Cleaners, Inc. by deed of record in Instrument Number 200003100048420;

Thence North 08° 07' 38" West, with said westerly right-of-way line, the easterly line of said Lots 250 and 251, a distance of 125.37 feet to the POINT OF BEGINNING, containing 0.031 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.