



Legislation Text

File #: 1531-2017, **Version:** 1

BACKGROUND

Four (4) encroachments into the public rights-of-way were requested by the owner of the property located at 77 East Nationwide Blvd. The owner of the property is 77 Hotel Partners LLC/Indus Hotel 77 LLC. This project is located at 77 East Nationwide Blvd. This site is proposing a new twelve story 167 room, hotel with roof top kitchen and bar. The encroachments will consist of four (4) foundations/piers into East Locust Street, which are at the south side of the property. During the design phase of this project, it was also determined that an ADA path and easement would be required for the benefit of the abutting property, so the owner has agreed to dedicate a sidewalk easement to the abutting property owner. The following legislation authorizes the Director of the Department of Public Service to execute documents necessary to grant these easements for the proposed building into the public rights-of-way. A value of \$2,000.00 was established for these encroachment easements.

The City will receive a total of \$2,000.00, to be deposited in Fund 7748, Project P537605 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 encroachment easements to 77 Hotel Partners LLC/Indus Hotel 77 LLC for building foundations/piers at 77 East Nationwide Boulevard that will project into the public rights-of-way.

WHEREAS, four (4) encroachments into the public rights-of-way were requested by the owner of the property located at 77 East Nationwide Blvd; and

WHEREAS, the encroachments will consist of four (4) foundations/piers into East Locust Street, which are at the south side of the property. During the design phase of this project, it was also determined that an ADA path and easement would be required for the benefit of the abutting property, so the owner has agreed to dedicate a sidewalk easement to the abutting property owner; and

WHEREAS, a value of \$2,000.00 was established for these encroachments; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Public Service to execute those documents necessary for the City to grant encroachment easements to 77 Hotel Partners LLC/Indus Hotel 77 LLC for building foundations/piers at 77 East Nationwide Boulevard that will project into 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 be and is hereby authorized to execute those documents necessary to grant the following described easements and attached correlating exhibits; to-wit:

3 DIMENSIONAL 0.0007 ACRE (32 S.F.) ENCROACHMENT EASEMENT #1
From Elevation 637.00 to 737.00 (NAVD 88)(Geoid12A)
Locust Street

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of Locust Street, 33 feet wide, as delineated on the Town Plat of Columbus as recorded in Deed Book "F", Page 332, destroyed by fire and Re-recorded in Plat Book 3, Page 247 and Plat Book 14, Page 27, all records being of Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Commencing at a found $\frac{3}{4}$ " hollow iron pipe at the southwesterly corner of Lot 512 of said Town Plat of Columbus as conveyed to 77 Hotel Partners, LLC, as recorded in Inst. No. 201512220178482, also being the southeasterly corner of Lot 511 of said Town Plat of Columbus, as conveyed to Boulevard Inn, LLC in Inst. No. 199806160149099;

Thence along the south line of said Lot 512 and northerly right-of-way line of Locust Street, North 81 degrees 52 minutes 08 seconds East, 18.83 feet to a point, said point also being the **TRUE POINT OF BEGINNING** of the easement herein described;

Thence along the northerly right-of-way line of said Locust Street, North 81 degrees 52 minutes 08 seconds East, 10.33 feet to a point;

Thence across said Locust Street, South 08 degrees 07 minutes 52 seconds East, 3.05 feet to a point;

Thence continuing across said Locust Street, South 81 degrees 52 minutes 08 seconds West, 10.33 feet to a point;

Thence continuing across said Locust Street, North 08 degrees 07 minutes 52 seconds West, 3.05 feet to the **TRUE POINT OF BEGINNING**, containing 0.0007 acres (32 S.F.) more or less;

The above described area shall encompass one proposed pile cap and piles for the building. The vertical limits are specifically identified as being from elevation 637.00 to 737.00. The existing pavement elevation at this cap/piles is 740.00.

The horizontal bearings shown on this plat are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (2011). Vertical elevations shown on this plat are based on NAVD88 (Geoid 12A). Bearings and elevations 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's Virtual Reference Station network.

Basis of bearing is assumed to be North 81 degrees 52 minutes 08 seconds East on the north line of Locust Street.

This description was prepared by Matthew Lee Sloat, Registered Surveyor No. 8342, of E.P. Ferris & Associates, Inc. on May 10, 2017.

3 DIMENSIONAL 0.0007 ACRE (32 S.F.) ENCROACHMENT EASEMENT #2
From Elevation 635.67 to 735.67 (NAVD 88)(Geoid12A)
Locust Street

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of Locust Street, 33 feet wide, as delineated on the Town Plat of Columbus as recorded in Deed Book "F", Page 332, destroyed by fire and Re-recorded in Plat Book 3, Page 247 and Plat Book 14, Page 27, all records being of Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Commencing at a found $\frac{3}{4}$ " hollow iron pipe at the southwesterly corner of Lot 512 of said Town Plat of Columbus as conveyed to 77 Hotel Partners, LLC, as recorded in Inst. No. 201512220178482, also being the southeasterly corner of Lot 511 of said Town Plat of Columbus, as conveyed to Boulevard Inn, LLC in Inst. No. 199806160149099;

Thence along the south line of said Lot 512 and northerly right-of-way line of Locust Street, North 81 degrees 52 minutes 08 seconds East, 44.31 feet to a point, said point also being the **TRUE POINT OF BEGINNING** of the easement herein described;

Thence along the northerly right-of-way line of said Locust Street, North 81 degrees 52 minutes 08 seconds East, 10.33 feet to a point;

Thence across said Locust Street, South 08 degrees 07 minutes 52 seconds East, 3.05 feet to a point;

Thence continuing across said Locust Street, South 81 degrees 52 minutes 08 seconds West, 10.33 feet to a point;

Thence continuing across said Locust Street, North 08 degrees 07 minutes 52 seconds West, 3.05 feet to the **TRUE POINT OF BEGINNING**, containing 0.0007 acres (32 S.F.) more or less;

The above described area shall encompass one proposed pile cap and piles for the building. The vertical limits are specifically identified as being from elevation 635.67 to 735.67. The existing pavement elevation at this cap/piles is 740.00.

The horizontal bearings shown on this plat are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (2011). Vertical elevations shown on this plat are based on NAVD88 (Geoid 12A). Bearings and elevations 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's Virtual Reference Station network.
Basis of bearing is assumed to be North 81 degrees 52 minutes 08 seconds East on the north line of Locust Street.
This description was prepared by Matthew Lee Sloat, Registered Surveyor No. 8342, of E.P. Ferris & Associates, Inc. on May 10, 2017.

3 DIMENSIONAL 0.0007 ACRE (32 S.F.) ENCROACHMENT EASEMENT #3
From Elevation 633.75 to 733.75 (NAVD 88)(Geoid12A)
Locust Street

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of Locust Street, 33 feet wide, as delineated on the Town Plat of Columbus as recorded in Deed Book "F", Page 332, destroyed by fire and Re-recorded in Plat Book 3, Page 247 and Plat Book 14, Page 27, all records being of Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Commencing at a found $\frac{3}{4}$ " hollow iron pipe at the southwesterly corner of Lot 512 of said Town Plat of Columbus as conveyed to 77 Hotel Partners, LLC, as recorded in Inst. No. 201512220178482, also being the southeasterly corner of Lot 511 of said Town Plat of Columbus, as conveyed to Boulevard Inn, LLC in Inst. No. 199806160149099;

Thence along the south line of said Lot 512 and northerly right-of-way line of Locust Street, North 81 degrees 52 minutes 08 seconds East, 60.66 feet to a point, said point also being the **TRUE POINT OF BEGINNING** of the easement herein described;

Thence along the northerly right-of-way line of said Locust Street, North 81 degrees 52 minutes 08 seconds East, 10.33 feet to a point;

Thence across said Locust Street, South 08 degrees 07 minutes 52 seconds East, 3.05 feet to a point;

Thence continuing across said Locust Street, South 81 degrees 52 minutes 08 seconds West, 10.33 feet to a point;

Thence continuing across said Locust Street, North 08 degrees 07 minutes 52 seconds West, 3.05 feet to the **TRUE POINT OF BEGINNING**, containing 0.0007 acres (32 S.F.) more or less;

The above described area shall encompass one proposed pile cap and piles for the building. The vertical limits are specifically identified as being from elevation 633.75 to 733.75. The existing pavement elevation at this cap/piles is 740.00.

The horizontal bearings shown on this plat are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (2011). Vertical elevations shown on this plat are based on NAVD88 (Geoid 12A). Bearings and elevations 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's Virtual Reference Station network.

Basis of bearing is assumed to be North 81 degrees 52 minutes 08 seconds East on the north line of Locust Street.

This description was prepared by Matthew Lee Sloat, Registered Surveyor No. 8342, of E.P. Ferris & Associates, Inc. on May 10, 2017.

3 DIMENSIONAL 0.0007 ACRE (32 S.F.) ENCROACHMENT EASEMENT #4
From Elevation 637.00 to 737.00 (NAVD 88)(Geoid12A)
Locust Street

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of Locust Street, 33 feet wide, as delineated on the Town Plat of Columbus as recorded in Deed Book "F", Page 332, destroyed by fire and Re-recorded in Plat Book 3, Page 247 and Plat Book 14, Page 27, all records being of Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Commencing at a found $\frac{3}{4}$ " hollow iron pipe at the southwesterly corner of Lot 512 of said Town Plat of Columbus as conveyed to 77 Hotel Partners, LLC, as recorded in Inst. No. 201512220178482, also being the southeasterly corner of Lot 511 of said Town Plat of Columbus, as conveyed to Boulevard Inn, LLC in Inst. No. 199806160149099;

Thence along the south line of said Lot 512 and northerly right-of-way line of Locust Street, North 81 degrees 52 minutes 08 seconds East, 80.60 feet to a point, said point also being the **TRUE POINT OF BEGINNING** of the easement herein described;

Thence along the northerly right-of-way line of said Locust Street, North 81 degrees 52 minutes 08 seconds East, 10.33

feet to a point;

Thence across said Locust Street, South 08 degrees 07 minutes 52 seconds East, 3.05 feet to a point;

Thence continuing across said Locust Street, South 81 degrees 52 minutes 08 seconds West, 10.33 feet to a point;

Thence continuing across said Locust Street, North 08 degrees 07 minutes 52 seconds West, 3.05 feet to the **TRUE POINT OF BEGINNING**, containing 0.0007 acres (32 S.F.) more or less;

The above described area shall encompass one proposed pile cap and piles for the building. The vertical limits are specifically identified as being from elevation 637.00 to 737.00. The existing pavement elevation at this cap/piles is 740.00.

The horizontal bearings shown on this plat are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (2011). Vertical elevations shown on this plat are based on NAVD88 (Geoid 12A). Bearings and elevations 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's Virtual Reference Station network.

Basis of bearing is assumed to be North 81 degrees 52 minutes 08 seconds East on the north line of Locust Street.

This description was prepared by Matthew Lee Sloat, Registered Surveyor No. 8342, of E.P. Ferris & Associates, Inc. on May 10, 2017.

0.0063 ACRE (275 S.F.) PEDESTRIAN ACCESS EASEMENT

Situated in the State of Ohio, County of Franklin, City of Columbus, being a part of Naghten Street, 49.5 feet wide now known as Nationwide Boulevard, as delineated on the Town Plat of Columbus as recorded in Deed Book "F", Page 332, destroyed by fire and Re-recorded in Plat Book 3, Page 247 and Plat Book 14, Page 27, and being part of a 0.0825 acre tract as conveyed to 77 Hotel Partners, LLC, as recorded in Inst. No. 201705080061560, all records being of Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Commencing at a found mag nail, at the northeasterly corner of Lot 514 of said Town Plat of Columbus;

Thence along the north line of said Lot 514, North 86 degrees 54 minutes 25 seconds West, 63.06 feet to mag nail found, said nail also being at the southwest corner of a 0.0202 acre tract as conveyed to Philip J. Fulton, Trustee of the Philip J. Fulton 2/3/93, Revocable Trust, as recorded in Inst. No. 201705080061561 and also being at the southeast corner of said 0.0825 acre tract, said mag nail also being the **TRUE POINT OF BEGINNING** of the easement herein described;

Thence along the south line of said 0.0825 acre tract, North 86 degrees 54 minutes 25 seconds West, 13.79 feet to a point; Thence North 05 degrees 17 minutes 10 seconds East, 26.37 feet to a point on southerly right-of-way line of Nationwide Boulevard;

Thence along the southerly line of said Nationwide Boulevard along a curve to the right with a radius of 1839.67 feet, a central angle of 00 degrees 14 minutes 33 seconds, an arc length of 7.79 feet, and a chord which bears South 83 degrees 48 minutes 42 seconds East, a distance of 7.79 feet to a point;

Thence South 05 degrees 17 minutes 10 seconds West, 14.00 feet to a point;

Thence South 86 degrees 54 minutes 25 seconds East, 6.00 feet to a point on the easterly line of said 0.0825 acre tract;

Thence southerly along the easterly line of said 0.0825 acre tract, South 05 degrees 17 minutes 10 seconds West, 11.94 feet to the **TRUE POINT OF BEGINNING**, containing 0.0063 acres (275 S.F.) more or less;

Subject to all legal rights-of-way and/or easements, if any, of previous record.

Basis of bearing is assumed to be North 86° 54' 25" West on the south line of Nationwide Boulevard.

This description was prepared by Matthew Lee Sloat, Registered Surveyor No. 8342, of E.P. Ferris & Associates, Inc. on May 10, 2017.

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