



## Legislation Text

File #: 0336-2019, Version: 1

### 1. BACKGROUND

The City of Columbus, Department of Public Service, received a request from Ohio State University asking that the City allow the installation of a new building for the College of Optometry that would bridge over the first alley east of Neil Avenue, running between Eleventh Avenue and Tenth Avenue within the public right-of-way. The proposed building will extend from a proposed 13,000± sq. ft. building west of the alley to a proposed 10,000± sq. ft. building on the east side of the alley. During the preliminary design phase of these proposed buildings, it was determined that for pedestrian safety reasons they could utilize the building/bridge making this request warranted. The following legislation authorizes the Director of the Department of Public Service to execute those documents necessary for the City to grant the aerial encroachment easement that will legally allow the installation of this proposed building/bridge to extend over the public rights-of-way of this alley. A value of \$500.00 was established for this aerial encroachment easement.

### 2. FISCAL IMPACT

There is no cost to the City for granting this encroachment. The City will receive a total of \$500.00 to be deposited in Fund 7748, Project P537650, 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 an aerial encroachment easement to Ohio State University over the alley east of Neil Avenue running between Tenth Avenue and Eleventh Avenue for the new College of Optometry Building. (\$0.00)

**WHEREAS**, the City of Columbus, Department of Public Service, received a request from Ohio State University asking that the City allow the installation of a new building for the College of Optometry that would bridge over the first alley east of Neil Avenue, running between Eleventh Avenue and Tenth Avenue within the public right-of-way; and

**WHEREAS**, the aerial encroachment is for a building/bridge; and

**WHEREAS**, the following legislation authorizes the Director of the Department of Public Service to execute those documents necessary for the City to grant the aerial encroachment easement that will legally allow the installation of this proposed building/bridge to extend over the public rights-of-way of this alley; and

**WHEREAS**, a value of \$500.00 was established for this aerial encroachment easement to be deposited in Fund 7748, Project P537650; **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 proposed building/bridge aerial encroachment easement as described and depicted within the attached drawing; to-wit:

THREE DIMENSIONAL DESCRIPTION OF 0.032 ACRES BETWEEN  
ELEVATION 770.67 FEET AND 838.50 FEET U.S.GEODETIC SURVEY  
DATUM  
COLUMBUS, OHIO  
(20 FT ALLEY AERIAL EASEMENT)

Situated in the State of Ohio, County of Franklin, City of Columbus, between elevation 770.67 feet and 838.50 feet,

U.S. Geodetic Survey Datum of a 0.032 acre tract all out of an Alley right of-way (20.00 feet width) as delineated and dedicated on the University Heights Addition plat of record in Plat Book 4 Page 255 in the Recorder's Office of Franklin County, Ohio. Said 0.032 acre tract being more particularly described as follows:

Being the space lying between elevation 770.67 feet and elevation 838.50 feet, U.S. Geodetic Survey Datum and lying within the boundaries projected vertically hereinafter described;

Commencing at the point of intersection of the existing southerly right-of-way line of W 11th Avenue (55.00 feet width) with the existing easterly right-of-way line of Neil Avenue (80.00 feet width), said intersection point being also the northwest corner of Lot 1 as numbered and delineated on the above mention University Heights Addition plat of record in Plat Book 4 Page 255;

Thence S 86° degrees 47' minutes 25" seconds E a distance of 153.10 feet with the existing southerly right-of-way line of W 11th Avenue and the northerly line of said Lot 1 to the point of intersection with the existing westerly right of way line of said 20.00 feet wide Alley, said point also being the northeast corner of said Lot 1 and being the *TRUE POINT OF BEGINNING*;

Thence continuing S 86° degrees 47' minutes 25" seconds E a distance of 20.41 feet across the right-of-way area of said Alley with the easterly extension of the existing southerly right of way line for W 11th Avenue to the point of intersection with the existing easterly right of way line of said Alley, said point also being the northwest corner of Lot 28 as numbered and delineated on said University Heights Addition plat;

Thence S 08° degrees 19' minutes 29" seconds W a distance of 66.97 feet with the existing easterly right-of-way line of said Alley and the westerly line of said Lot 28 to a point in said line;

Thence S 81° degrees 40' minutes 31" seconds W a distance of 20.00 feet across the right-of-way area of said Alley to a point in the existing westerly right of way line of said Alley, said point also being in the southeast corner of Lot 2, same being the northeast corner of Lot 3 as numbered and delineated on said University Heights Addition plat;

Thence N 08° degrees 19' minutes 29" seconds W a distance of 71.05 feet with the existing westerly right-of-way line of said Alley, the easterly line of said Lot 2 and the easterly line of said Lot 1 to the *TRUE POINT OF BEGINNING*; containing 0.032 acres or 1380.22 square feet of area or 93620.031 cubic feet of space.

The bearings used in this description are based on the Ohio State Plane Coordinate System, (South) Zone, NAD83 (2007), said bearings originated from a field traverse which was tied (referenced) to said Coordinate System by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network with an established bearing of N 08°19'29" W on the centerline of Neil Avenue.

The description was prepared from existing records and field survey performed in June 2018.

Resource International, Inc.  
Mark S. Ward, P.S.

Professional Surveyor No. S-7514

**SECTION 2.** That the City will receive a total of \$500.00 that will be deposited in Fund 7748, Project P537650, as consideration for granting the easement.

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