File #: 2748-2025, **Version:** 1

1. BACKGROUND
To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant revocable encroachment easements to Green Cougar to allow a portion of their building (0.001 acres) to remain on City property within existing right-of-way, at 999 Mt Vernon Avenue Columbus, Ohio 43203 (parcel 010-041255).

The Department of Public service is engaged in the Roadway - Multimodal - Mt Vernon Avenue Phase 1 project. This project includes roadway improvements to the Martin Luther King Jr/Mount Vernon Avenue corridor from Hamilton Avenue to North Champion Avenue. Improvements include adding on-street separated bike paths with an added concrete median, floating bus islands at various locations, repaving the full width of the roadway, and sidewalk repairs.

The City of Columbus, Department of Public Service, received a request that the City grant a Revocable Encroachment Easement to allow a portion of their building (0.001 acres) to remain on City property within existing right-of-way. The existing building was identified to be encroaching into the right-of-way while reviewing the construction plans for the project. The existing building is not impacting any functionality of the right-of-way. Granting these encroachment easements is needed in order for ODOT and the City of Columbus to clear the right-of-way for this project. The following ordinance authorizes the Director of the Department of Public Service to execute documents necessary to grant these encroachment easements for the proposed building into the public right-of-way.

Ordinance 0688-2023 authorized the Director of Public Service, on behalf of the City of Columbus, to submit applications to and execute grant agreements with the Ohio Department of Transportation (ODOT) for Highway Safety Improvement Program funds for the Operation Safewalks - FRA - SRTS Mt. Vernon Avenue project.

2. FISCAL IMPACT
There is no fiscal impact to grant this Revocable Encroachment Easement.

3. EMERGENCY DESIGNATION
Emergency action is requested so establishment of the necessary encroachment easements can proceed without delay allowing for acquisition related activities to continue towards clearing right-of-way for this project and to ensure the safety of the traveling public.

To authorize the Director of the Department of Public Service to execute those documents necessary for the City to grant a Revocable Encroachment Easement to Green Cougar to allow a portion of their building at 999 Mt Vernon Avenue to remain on City property within existing right-of-way; and to declare an emergency. ($0.00)

WHEREAS, a Revocable Encroachment Easement in the public rights-of-way was requested by the owner of the property located at 999 Mt Vernon Avenue Columbus, Ohio 43203; and

WHEREAS, the encroachments include the existing building; and

WHEREAS, an emergency exists in the usual daily operations of the Department of Public Service in that it is immediately necessary to authorize the Director of Public Service to execute those documents necessary to grant encroachment easements to Green Cougar in order to establish the necessary encroachment easements and prevent delay of acquisition related activities to continue towards clearing right-of-way for this project, to ensure the safety of the traveling public for the immediate preservation of the public health, peace, property, safety, and welfare; **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 encroachment easements to Green Cougar, and attached exhibits; to -wit:

PARCEL 38-ENC
0.001
ACRES
ENCROACHMENT EASEMENT

Situate in the State of Ohio, County of Franklin, City of Columbus, being located in Half Section 13, Township 5, Range 22, Refugee Lands, and being a portion of right of way of Mount Vernon Avenue, as originally dedicated in the Knapp DeWitt & Hoffman Addition, of record in Plat Book 2, Page 254. All records being of record in the Franklin County Recorder's Office, Franklin County, Ohio and being more fully described as follows:

Commencing at the centerline intersection of Mount Vernon Avenue (variable R/W width) and Eighteenth Street (R/W width 60');

Thence **North 77 degrees 28 minutes 32 seconds East** a distance of **86.17 feet** with the centerline of Mount Vernon Avenue;

Thence **South 12 degrees 31 minutes 28 seconds East** a distance of **31.50 feet** across the right of way of Mount Vernon Avenue to the ***True Point of Beginning***;

Thence **North 77 degrees 28 minutes 32 seconds East** a distance of **14.48 feet** across the right of way of Mount Vernon Avenue;

Thence **South 12 degrees 31 minutes 28 seconds East**, across the right of way of Mount Vernon Avenue, a distance of **1.50 feet** to the southerly existing right of way of Mount Vernon Avenue, being also the northeast corner of Lot 18 of said Knapp DeWitt & Hoffman Addition as conveyed to Green Cougar in Instrument Number 202103040039684 and the northwest corner of Lot 19 of said Knapp DeWitt & Hoffman Addition as conveyed to Tarik L. White, Trustee of the White Family Preservation Trust, dated September 18, 2024 in Instrument Number 202409260100929;

Thence **South 77 degrees 28 minutes 32 seconds West**, with said southerly existing right of way of Mount Vernon Avenue and the north line of said Lot 18, a distance of **14.48 feet** to the northwest corner of the portion of said Lot 18 as conveyed to Green Cougar and the northeast corner of the portion of said Lot 18 as conveyed to Dwayne Jackson in Instrument Number 202310020102890;

Thence **North 12 degrees 31 minutes 28 seconds West**, leaving said southerly existing right of way of Mount Vernon Avenue and the north line of said Lot 18, a distance of **1.50 feet** across the right of way of Mount Vernon Avenue to the ***True Point of Beginning***.

The above described area contains a total of **0.001 acres** *(21.72 square feet)*, more or less, within the right of way of Mount Vernon Avenue.

Bearings used in this description are based on Ohio State Plane Coordinate System, South Zone as per NAD 83(2011) and were established utilizing ODOT's RTN System, GPS equipment and procedures and with a reference bearing of N 77° 28'32" E on the centerline of Mount Vernon Avenue.

This description was prepared from existing records and a field survey performed in November 2024 by Resource

International, Inc.

SECTION 2. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.