



Office of the City Manager
5200 Emerald Parkway • Dublin, OH 43017-1090
Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council
From: Marsha I. Grigsby, City Manager *mig*
Date: January 24, 2013
Initiated By: Sara Ott, Sr. Project Manager
Re: Ordinance 07-13 – Acquisition of Easements from James D. and Molly B. Nester for Dublin Road Shared Use Path

Background

The City of Dublin ("City") is preparing to construct a shared use path on the western side of Dublin Road between Hertford Lane and Rings Road (the "Project"). The City must obtain property interests from various landowners located within the City in order to construct this project. The City presented offers based upon appraisals to each of these landowners.

One of the landowners that the City must obtain property interests from for the construction of the Project is James D. and Molly B. Nester (the "Grantor"). After engaging in amicable negotiations, the City has come to an agreement with the Grantor to acquire these necessary property interests pursuant to the terms outlined in this memorandum.

Acquisition

The City will acquire from the Grantor only those property interests necessary for the construction of the Project as depicted in the legal descriptions and maps attached to this memorandum. The City will acquire these property interests for their appraised value. The acquisition is detailed below:

Property Interest Acquired	ACRES	APPRAISED COST
Permanent Utility, Grading and Drainage Easement	0.130	\$8,300.00
Temporary Construction and Grading Easement	0.031	\$800.00
Vegetation/Natural Growth Being Removed		\$1,000.00
Total		\$ 10,100.00

Recommendation

Ordinance 07-13 authorizes the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interests described above. Staff recommends approval of Ordinance 07-13 at the second reading/public hearing on February 11, 2013 as obtaining the property interests is necessary for the furtherance of this project.

RECORD OF ORDINANCES

Ordinance No. 07-13 Passed _____, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTATION TO ACQUIRE A 0.130 ACRES, MORE OR LESS, PERMANENT MULTI-USE, UTILITY, GRADING AND DRAINAGE EASEMENT AND A 0.031 ACRES, MORE OR LESS, TEMPORARY EASEMENT, FROM JAMES D. AND MOLLY B. NESTER

WHEREAS, the City of Dublin (the "City") is preparing to construct a multi-use path along Dublin Road (the "Project"); and

WHEREAS, said project requires that the City obtain certain property interests within Franklin County Parcel No. 273-002025 owned by James D. and Molly B. Nester (the "Grantors"), said property interests more fully described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B", all attached hereto; and

WHEREAS, the City and the Grantors participated in good faith discussions and have come to mutually agreeable terms for the acquisition of the necessary property interests; and

WHEREAS, the City desires to execute necessary conveyance documentation to complete the transaction between the City and the Grantors.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. The City Manager is hereby authorized to execute all necessary conveyance documentation to acquire an approximate 0.130 acres, more or less, permanent multi-use, utility, grading and drainage easement and a 0.031 Temporary Easement from James D. and Molly B. Nester, said property interests located within Franklin County Parcel No. 27-002025, and as more fully described and depicted in the attached Exhibits "A" and "B".

Section 2. This Ordinance shall take effect and be in force from and after the earliest date permitted by law.

Passed this _____ day of _____, 2013.

Mayor - Presiding Officer

ATTEST:

Clerk of Council

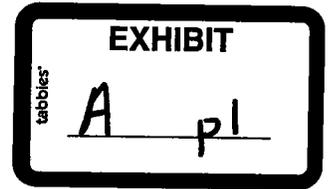


EXHIBIT A

CIP 1 of 2
PARCEL 08-009
PROJECT 15-P
Version Date DUBLIN MUF 05/18/12

**PARCEL 15-P
DUBLIN ROAD SOUTH MULTI-USE PATH
PERPETUAL EASEMENT
FOR UTILITIES, GRADING, and a MULTI-USE PATH**

Situate in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey 2419, being a part of Lot 47 of the subdivision entitled LLEWELLYN FARMS, Section 1, as recorded in Plat Book 60, Page 31, and as conveyed to James D. and Molly B. Nester, by deed of record in Official Record 34321 A08, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at the northeast corner of said Lot 47 in the existing westerly right-of-way line of Dublin Road, being 37.89 feet left of centerline station 134+65.06;

Thence along the arc of a curve to the left for 92.84 feet, along the easterly line of said Lot 47, and along the existing westerly right-of-way line of Dublin Road, having a radius of 1472.39 feet, a central angle of 03 deg. 36 min. 45 sec., a chord bearing of South 01 deg. 03 min. 30 sec. West, a chord distance of 92.82 feet to a point of non-tangency, being 30.00 feet left of centerline station 133+72.57;

Thence South 05 deg. 56 min. 00 sec. West, a distance of 80.43 feet along the existing westerly right-of-way line of Dublin Road to an angle point;

Thence South 13 deg. 36 min. 05 sec. East, a distance of 15.92 feet, along the existing westerly right-of-way line of Dublin Road, to the intersection with the southerly line of said Lot 47, being 30.00 feet left of centerline station 132+86.55;

Thence South 85 deg. 50 min. 11 sec. West, a distance of 50.69 feet along the southerly line of said Lot 47 to a point being 80.00 feet left of centerline station 132+94.86;

Thence the following three (3) courses and distances across said Lot 47;

1. Thence North 01 deg. 53 min. 29 sec. East, a distance of 76.94 feet to a point being 80.00 feet left of centerline station 133+45.00;
2. Thence North 43 deg. 48 min. 30 sec. East, a distance of 57.01 feet to a point being 45.00 feet left of centerline station 133+90.00;
3. Thence North 05 deg. 56 min. 00 sec. East, a distance of 74.68 feet to the intersection with the northerly line of said Lot 47, being 45.00 feet left of centerline station 134+64.68;

Thence South 87 deg. 07 min. 34 sec. East, a distance of 7.12 feet along the northerly line of said Lot 47 to the **Point of Beginning**, containing 0.130 acres, more or less.

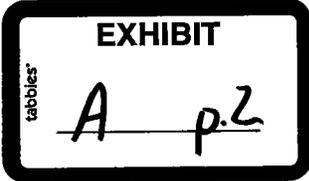


EXHIBIT A

CIP 2 of 2
PARCEL 08-009
PROJECT 15-F
Version Date DUBLIN MUP
05/18/12

Of the above described area, 0.130 acres are contained within Franklin County Auditor's Parcel 273-002025.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (86), as established from a GPS survey in 2008, occupying Franklin County Geodetic Control Monuments "FRANK 73" and "FCGS 6642 RESET".

This description was prepared by Steven E. Rader, registered surveyor 7191, and is based upon a field survey for the City of Dublin, Ohio, in 2008 by Stantec Consulting Services, Inc., under the direction of said surveyor.

Grantor claims title by the instrument of record in Official Record 34321 A08, of the Recorder's Office, Franklin County, Ohio.

A drawing of this description is attached hereto and made part thereof.

STANTEC CONSULTING SERVICES, INC.



Steven E. Rader 5/22/12
Registered Surveyor No. 7191 Date

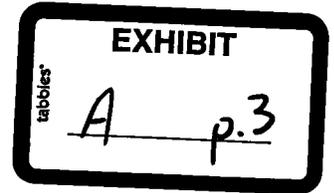


EXHIBIT A

1 of 1
CIP 08-009
PARCEL 13-T
PROJECT DUBLIN MUP
Version Date 05/18/12

**PARCEL 15-T
DUBLIN ROAD SOUTH MULTI-USE PATH
TEMPORARY EASEMENT
TO RECONSTRUCT A DRIVE**

Situate in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey 2419, being a part of Lot 47 of the subdivision entitled LLEWELLYN FARMS, Section 1, as recorded in Plat Book 60, Page 31, and as conveyed to James D. and Molly B. Nester, by deed of record in Official Record 34321 A08, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning for Reference at the northeast corner of said Lot 47 in the existing westerly right-of-way line of Dublin Road, being 37.89 feet left of centerline station 134+65.06;

Thence North 87 deg. 07 min. 34 sec. West, a distance of 7.12 feet, along the northerly line of said Lot 47, to the **Point of True Beginning** of the herein described parcel, being 45.00 feet left of centerline station 134+64.68;

Thence South 05 deg. 56 min. 00 sec. West, a distance of 34.68 feet, across said Lot 47 to a point being 45.00 feet left of centerline station 134+30.00;

Thence North 84 deg. 04 min. 00 sec. West, a distance of 40.00 feet, across said Lot 47 to a point being 85.00 feet left of centerline station 134+30.00;

Thence North 05 deg. 56 min. 00 sec. East, a distance of 32.54 feet, across said Lot 47 to a point in the northerly line of said Lot 47, being 85.00 feet left of centerline station 134+62.54;

Thence South 87 deg. 07 min. 34 sec. East, a distance of 40.06 feet along the northerly line of said Lot 47 to the **Point of True Beginning**, containing 0.031 acres, more or less.

Of the above described area, 0.031 acres are contained within Franklin County Auditor's Parcel 273-002025.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (86), as established from a GPS survey in 2008, occupying Franklin County Geodetic Control Monuments "FRANK 73" and "FCGS 6642 RESET".

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