



**To:** Members of Dublin City Council  
**From:** Marsha I. Grigsby, City Manager  
**Date:** February 7, 2013  
**Initiated By:** Sara Ott, Sr. Project Manager  
**Re:** Ordinance 14-13 – Easements from John R. Wernz for Dublin Road South 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 John R. Wernz (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. In the negotiations, the Grantor requested review of the size of the easement and it was determined that the size could be slightly modified to reduce the encumbrances on the parcel. The City will acquire these property interests for slightly above the per acre appraised value. The acquisition is detailed below:

Property Interest Acquiring	PROPOSED ACRES	APPRAISED COST	REVISED PROPOSED ACRES	NEGOTIATED COST
Permanent Utility, Grading and Drainage Easement	0.069	\$5,300.00	0.046	\$5,300.00
Temporary Construction and Grading Easement			0.007	
Vegetation/Natural Growth Being Removed		\$5,000.00	-	\$5,000.00
Total		\$ 10,300.00		\$10,300.00

**Recommendation**

Ordinance 14-13 authorizes the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interests described above. Staff recommends approval of Ordinance 14-13 at the second reading/public hearing on February 25, 2013 as obtaining the property interests is necessary for the furtherance of this project.

# RECORD OF ORDINANCES

Ordinance No.: 14-13

Passed \_\_\_\_\_, 20\_\_\_\_

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTATION TO ACQUIRE A 0.046 ACRES, MORE OR LESS, PERMANENT MULTI-USE, UTILITY, GRADING AND DRAINAGE EASEMENT AND A 0.007 ACRES, MORE OR LESS, TEMPORARY EASEMENT FROM JOHN R. WERNZ**

**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. 273-002026 owned by John R. Wernz (the "Grantor"), 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 Grantor participated in good faith discussions and have come to mutually agreeable terms for the acquisition of the necessary property interests for the sum of Ten Thousand Three Hundred Dollars (\$10,300); and

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

**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 0.046 acres, more or less, permanent multi-use, utility, grading and drainage easement and a 0.007 Temporary Easement from John R. Wernz, said property interests located within Franklin County Parcel No. 27-002026, 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 1  
08-009  
PARCEL 14-P  
PROJECT DUBLIN MUP  
Version Date 01/15/13

**PARCEL 14-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 48 of the subdivision entitled LLEWELLYN FARMS, Section 1, as recorded in Plat Book 60, Page 31, and as conveyed to John R. Wernz and Joan Wernz, by deed of record in Official Record 3612 B01, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

**Beginning** at the southeast corner of said Lot 48 in the existing westerly right-of-way line of Dublin Road, being 37.22 feet left of centerline station 131+41.11;

Thence North 13 deg. 36 min. 05 sec. West, a distance of 54.28 feet across said Lot 48 to a point being 37.22 feet left of centerline station 131+95.39;

Thence North 29 deg. 35 min. 03 sec. West a distance of 100.88 feet across said Lot 48 to a point in the northerly line of said Lot 48, being 65.00 feet left of centerline station 132+92.37;

Thence North 85 deg. 50 min. 11 sec. East, a distance of 35.48 feet along the northerly line of said Lot 48 to the intersection with the existing westerly right-of-way line of Dublin Road, being 30.00 feet left of centerline station 132+86.55;

Thence South 13 deg. 36 min. 05 sec. East, a distance of 64.51 feet, along the existing westerly right-of-way line of Dublin Road, to a point of non-tangent curvature being 30.00 feet left of centerline station 132+22.05;

Thence along the arc of a curve to the left for 81.27 feet, along the easterly line of said Lot 48, 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. 09 min. 45 sec., a chord bearing of South 08 deg. 30 min. 04 sec. East, a chord distance of 81.26 feet to the **Point of Beginning**, containing 0.046 acres, more or less.

Of the above described area, 0.069 acres are contained within Franklin County Auditor's Parcel 273-002026.

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 3612 B01, 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* 1/15/13  
Registered Surveyor No. 7191 Date

**EXHIBIT A**

CIP 1 of 1  
PARCEL 08-009  
PROJECT 14-T  
Version Date DUBLIN MUP  
01/15/13

**PARCEL 14-T  
DUBLIN ROAD SOUTH MULTI-USE PATH  
TEMPORARY EASEMENT  
TO PERFORM MINOR GRADING**

Situate in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey 2419, being a part of Lot 48 of the subdivision entitled LLEWELLYN FARMS, Section 1, as recorded in Plat Book 60, Page 31, and as conveyed to John R. Wernz and Joan Wernz, by deed of record in Official Record 3612 B01, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

**Beginning** at the southeast corner of said Lot 48 in the existing westerly right-of-way line of Dublin Road, being 37.22 feet left of centerline station 131+41.11;

Thence South 79 deg. 55 min. 19 sec. West, a distance of 5.01 feet along the southerly line of said Lot 48 to a point being 42.22 feet left of centerline station 131+41.42

Thence North 13 deg. 36 min. 05 sec. West, a distance of 71.43 feet across said Lot 48 to a point being 42.22 feet left of centerline station 132+12.85;

Thence South 29 deg. 35 min. 03 sec. East, a distance of 18.16 feet across said Lot 48 to a point being 37.22 feet left of centerline station 131+95.39;

Thence South 13 deg. 36 min. 05 sec. East, a distance of 64.51 feet across said Lot 48 to the **Point of Beginning**, containing 0.007 acres, more or less.

Of the above described area, 0.007 acres are contained within Franklin County Auditor's Parcel 273-002026.

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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*Steven E. Rader* 1/15/13  
Registered Surveyor No. 7191 Date

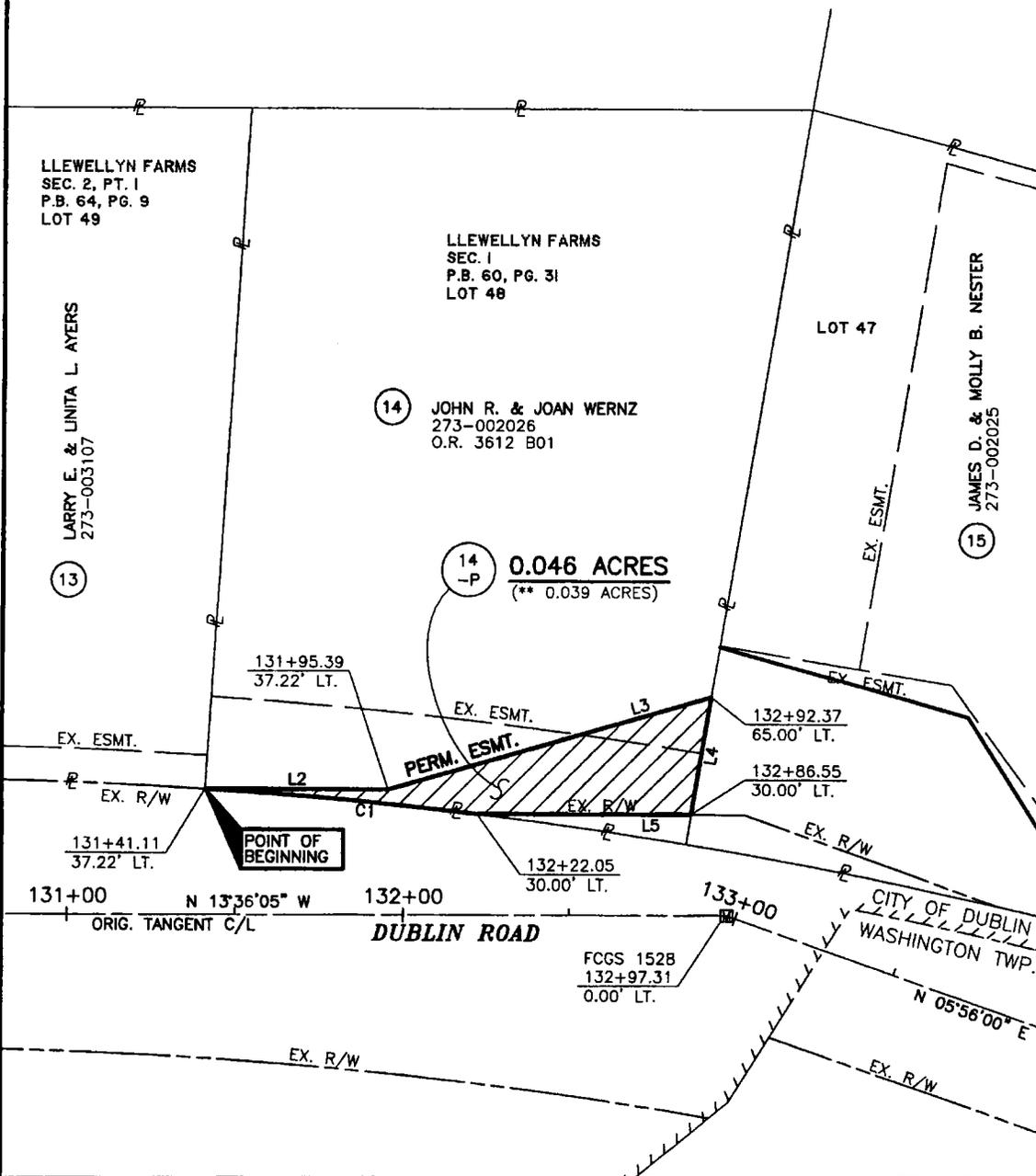
**EXHIBIT B**

NUMBER	DIRECTION	DISTANCE
L2	N 13°36'05" W	54.28'
L3	N 29°35'03" W	100.88'
L4	N 85°50'11" E	35.48'
L5	S 13°36'05" E	64.51'



**MONUMENT LEGEND**

- R.R.S. FOUND
- REBAR FOUND
- IRON PIN FOUND
- MONUMENT BOX
- 3/4" IRON PIN SET



NUMBER	DELTA ANG.	RADIUS	ARC LEN	CHORD	DIRECTION	CHORD
C1	03°09'45"	1472.39'	81.27'	81.26'	S 08°30'04" E	81.26'

**PARCEL 14-P**  
**DUBLIN ROAD SOUTH**  
**MULTI-USE PATH**  
 CITY OF DUBLIN, FRANKLIN COUNTY, OHIO



SCALE IN FEET  
 Prepared By

\*\* PORTION OF THE PROPOSED EASEMENT  
 LYING WITHIN AN EXISTING EASEMENT

**BASIS OF BEARINGS**

THE PROJECT BEARING DATUM IS BASED UPON STATE PLANE GRID BEARINGS FROM THE OHIO COORDINATE SYSTEM, SOUTH ZONE, NAD 83 (86), AS MEASURED USING G.P.S. METHODS THROUGH THE FRANKLIN COUNTY ENGINEER'S STATIONS "FRANK 73", AND "FCGS 6642 RESET".



Stantec Consulting Services, Inc.  
 1500 Lake Shore Drive, Suite 100  
 Columbus, Ohio 43204  
 Phone: (614) 486-4383

**Stantec**  
*Steven E. Rader*  
 Registered Surveyor #7191

1/15/13  
 Date

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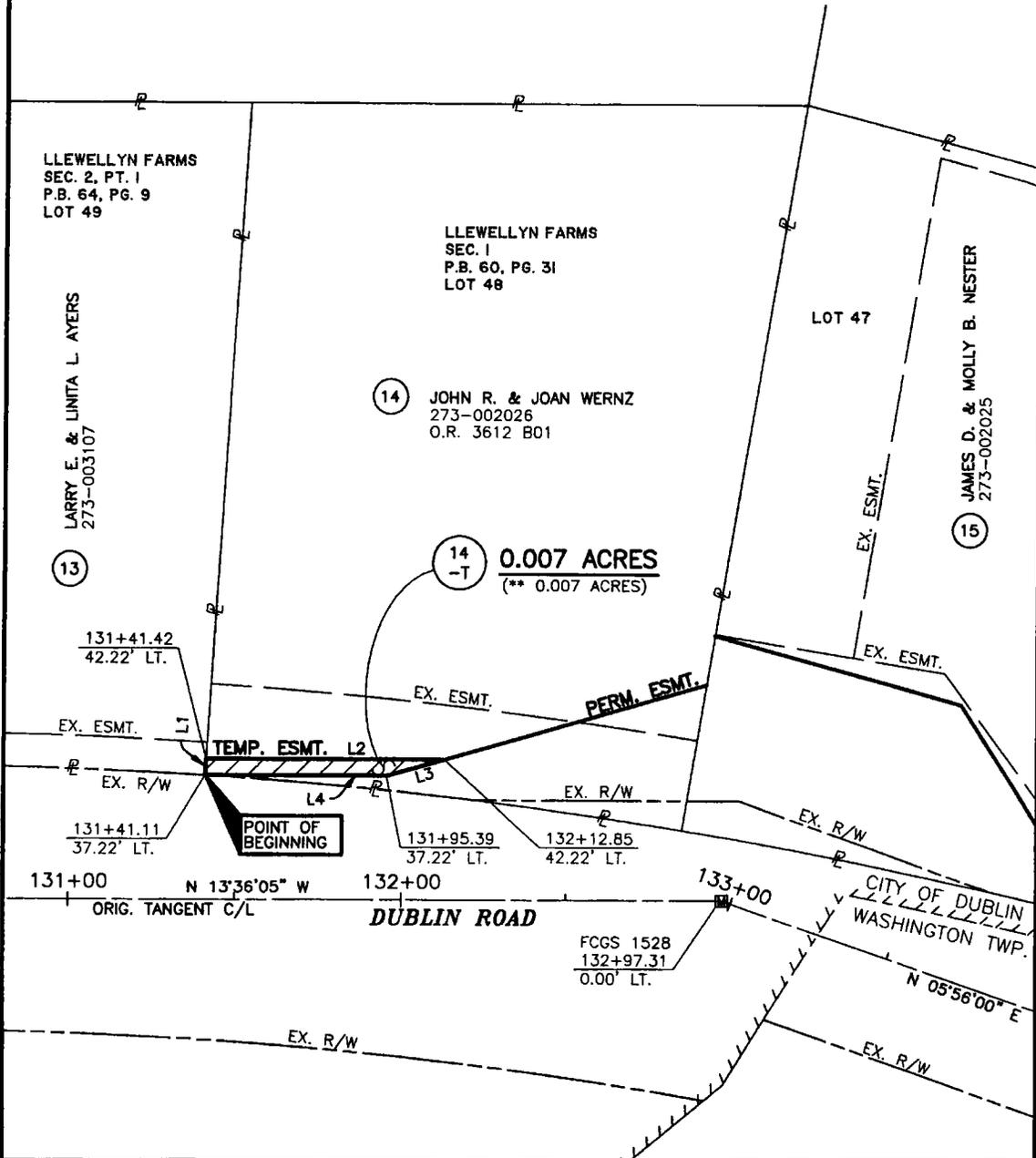
**EXHIBIT B**

NUMBER	DIRECTION	DISTANCE
L1	S 79°55'19" W	5.01'
L2	N 13°36'05" W	71.43'
L3	S 29°35'03" E	18.16'
L4	S 13°36'05" E	64.51'



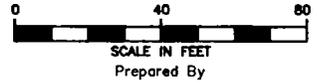
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**PARCEL 14-T**  
**DUBLIN ROAD SOUTH**  
**MULTI-USE PATH**  
 CITY OF DUBLIN, FRANKLIN COUNTY, OHIO



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 LYING WITHIN AN EXISTING EASEMENT

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 Phone: (614) 486-4383

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