



**To:** Members of Dublin City Council

**From:** Marsha I. Grigsby, City Manager

**Date:** April 4, 2013

**Initiated By:** Sara Ott, Sr. Project Manager 

**Re:** Ordinance 28-13 – Easements from Neal and Nancy Hahn for Brand Road Shared Use Path

**Background**

The City of Dublin ("City") is preparing to construct a shared use path on the southern side of Brand Road between Muirfield Drive and Earlington Parkway (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 Neal M. and Nancy S. Hahn (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 the appraised value. The acquisition is detailed below:

| <i>Property Interest Acquiring</i>                          | <i>PROPOSED ACRES</i> | <i>APPRAISED COST</i> |
|---|-----------------------|-----------------------|
| Permanent Multi-Use, Utility, Grading and Drainage Easement | 0.016                 | \$1,099               |
| Temporary Construction and Grading Easements                | 0.009<br>0.006        | \$100<br>\$50         |
| Vegetation/Natural Growth Being Removed                     |                       | \$1,500               |
| Total   |                       | \$ 2,750              |

**Recommendation**

Ordinance 28-13 authorizes the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interests described above. Staff recommends approval of Ordinance 28-13 at the second reading/public hearing on April 22, 2013 as obtaining the property interests is necessary for the furtherance of this project.

# RECORD OF ORDINANCES

**28-13**

Ordinance No. \_\_\_\_\_

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

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTATION TO ACQUIRE A 0.016 ACRES, MORE OR LESS, PERMANENT SHARED-USE PATH, UTILITIES, DRAINAGE, AND GRADING EASEMENT, A 0.009 ACRES, MORE OR LESS, TEMPORARY EASEMENT, AND A 0.006 ACRES, MORE OR LESS, TEMPORARY EASEMENT, FROM NEAL M. AND NANCY S. HAHN**

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

**WHEREAS**, said project requires that the City obtain certain property interests within Franklin County Parcel No. 273-001939-00 owned by Neal M. and Nancy S. Hahn (the "Grantors"), with an address of 5505 Brand Road, Dublin, Ohio 43017, 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 for the sum of Two Thousand Seven-Hundred Fifty Dollars (\$2,750.00); 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 0.016 acres, more or less, permanent shared-use path, utilities, drainage, and grading easement, a 0.009 acres, more or less, temporary easement, and a 0.006 acres, more or less, temporary easement from Neal M. and Nancy S. Hahn for the sum of Two Thousand Seven-Hundred Fifty Dollars (\$2,750.00), said property interests located within Franklin County and identified as Parcel No. 273-001939, 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**

Page 1 of 1  
CIP 11-022-CIP  
PARCEL 11-P  
PROJECT BRAND SUP  
Version Date 01/17/13

**PARCEL 11-P  
DESCRIPTION OF A PERMANENT EASEMENT  
FOR A SHARED-USE PATH, UTILITIES, DRAINAGE AND GRADING**

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey Number 2543, being a part of a 1.000 acre tract in the name of Neal M. & Nancy S. Hahn, as recorded in Official Record Volume 7606, Page I19, all records are referenced to the Franklin County Recorder's Office, and being more particularly described as follows:

Beginning, at the northeasterly corner of a 1.269 acre tract, known as the 4th Amendment to The Villas of Earlington Condominium, as recorded in Condominium Plat Book 72, Page 21, and the southeasterly corner of a 0.184 acre tract in the name of the City of Dublin, as recorded in Plat Book 83, Page 3, said corner being on westerly line of said 1.000 acre tract, and also being the **True Place of Beginning** for the easement herein described:

Thence, South 54°55'50" East, a distance of 64.48 feet, parallel with and 40.00 feet southwesterly from the existing centerline of Brand Road, leaving said property line, with said highway easement, to a point;

Thence, North 78°07'45" West, a distance of 38.08 feet, leaving said highway easement, running across said 1.000 acre tract, to a point;

Thence, North 54°55'50" West, a distance of 29.48 feet, to a point on the easterly line of a 1.269 acre tract, known as the 4th Amendment to the Villas of Earlington Condominium, as recorded in Condominium Plat Book 72, Page 21;

Thence, North 35°04'10" East, a distance of 15.00 feet, with said line, to the **True Place of Beginning**, containing 0.016 acres more or less.

The bearings for this description are based on the bearing between Franklin County Engineer's stations "MCNEAL" and "FCGS 6648" being South 15°07'52" East, as measured using GPS methods and the Ohio State Plane Coordinate System, South Zone, NAD 83 (1986 Adjustment).

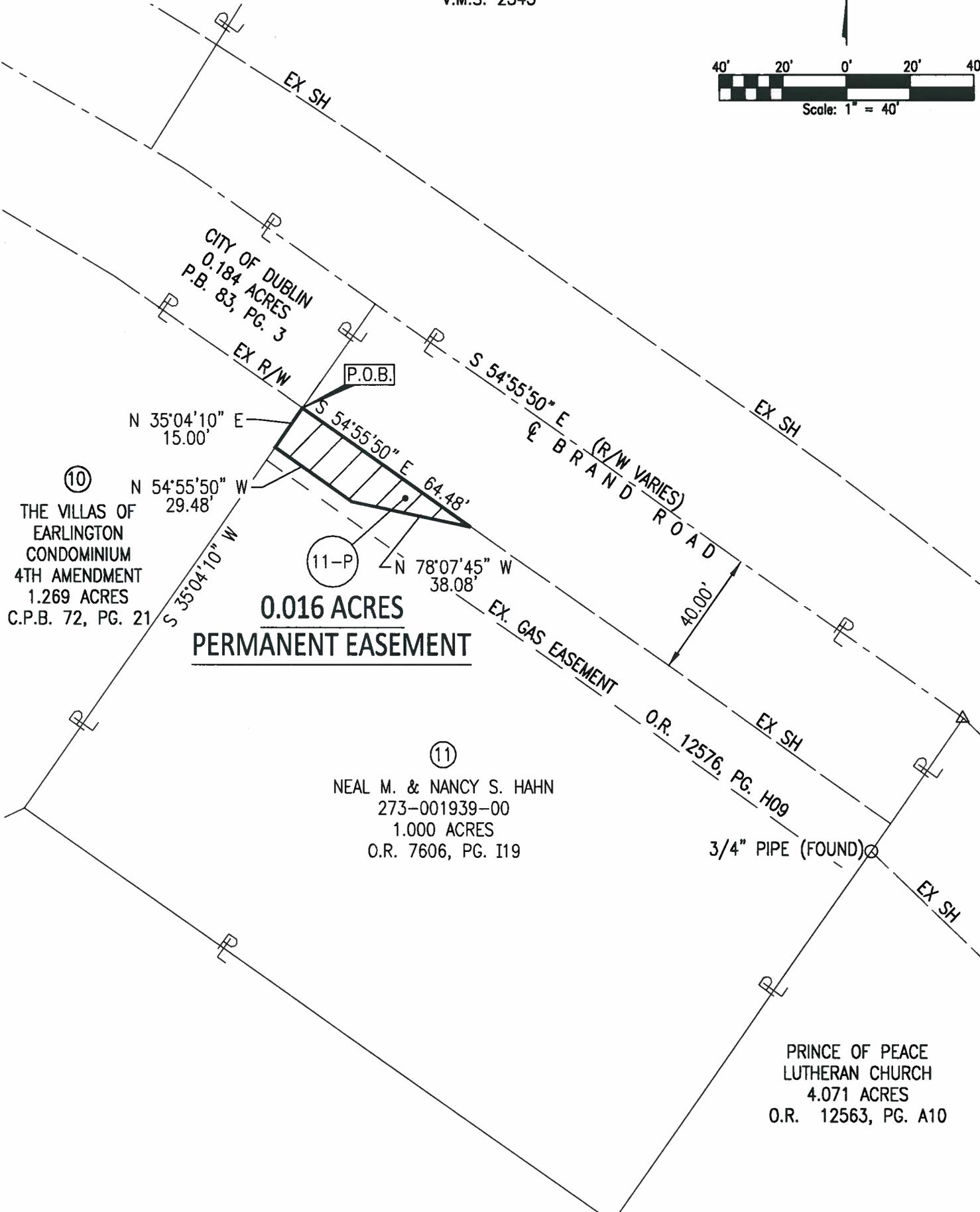
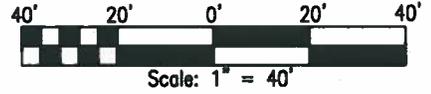
I hereby certify this description was written by using measurements obtained by an actual field survey conducted under my direct supervision.

  
\_\_\_\_\_  
John Jeffrey Raab, Ohio Registered Surveyor No 7863  
Prepared by: W.E. Stilson Consulting Group, LLC.  
Job No.: 111013.00  
(Auditor's Parcel No. 273-001939-00)

1/18/13  
\_\_\_\_\_  
Date



**EXHIBIT B**  
**PARCEL 11-P**  
**BRAND ROAD SHARED-USE PATH**  
 CITY OF DUBLIN, FRANKLIN COUNTY, OHIO  
 V.M.S. 2543



 **W.E. STILSON**  
 CONSULTING GROUP

*Pride in the Details. Passion in our People.*  
 355 E. CAMPUS VIEW BLVD  
 COLUMBUS, OH 43235  
 (614) 847-4670



**LEGEND:**  
 ○ IRON MONUMENT FOUND  
 △ RAILROAD SPIKE FOUND

**BASIS OF BEARINGS:**  
 THE BEARINGS FOR THIS SURVEY ARE BASED ON THE BEARING BETWEEN FRANKLIN COUNTY ENGINEER'S STATIONS "MCNEAL" AND "FCGS 6648" BEING S 15°07'52" E, AS MEASURED USING GPS METHODS AND THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 83 (1986 ADJUSTMENT).

*John Jeffrey Raab* 11/20/12  
 JOHN JEFFREY RAAB, P.S. 7863      DATE

**EXHIBIT A**

Page 1 of 1  
CIP 11-022-CIP  
PARCEL 11-T-1  
PROJECT BRAND SUP  
Version Date 11/20/12

**PARCEL 11-T-1  
DESCRIPTION OF A TEMPORARY EASEMENT  
FOR GRADING**

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey Number 2543, being a part of a 1.000 acre tract in the name of Neal M. & Nancy S. Hahn, as recorded in Official Record Volume 7606, Page I19, all records are referenced to the Franklin County Recorder's Office, and being more particularly described as follows:

Beginning, for reference, at the northeasterly corner of a 1.269 acre tract, known as the 4th Amendment to The Villas of Earlington Condominium, as recorded in Condominium Plat Book 72, Page 21, and the southeasterly corner of a 0.184 acre tract in the name of the City of Dublin, as recorded in Plat Book 83, Page 3, said corner being on the westerly line of said 1.000 acre tract;

Thence, South 35°04'10" West, a distance of 15.00 feet, with the easterly line of said 1.269 acre tract, to the **True Place of Beginning** for the easement herein described:

Thence, South 54°55'50" East, a distance of 29.48 feet, being parallel with and 55.00 feet southwesterly from the existing centerline of Brand Road, leaving said property line, running across said 1.000 acre tract, to a point;

Thence, South 78°07'45" East, a distance of 38.08 feet, running across said 1.000 acre tract, to a point on the southerly existing highway easement for Brand Road;

Thence, South 54°55'50" East, a distance of 13.46 feet, parallel with and 40.00 feet southeasterly from said centerline, with said highway easement, to a point;

Thence, North 78°09'24" West, a distance of 50.72 feet, leaving said highway easement, running across said 1.000 acre tract, to a point;

Thence, North 54°55'50" West, a distance of 31.33 feet, running across said 1.000 acre tract, to the easterly line of said 1.269 acre tract;

Thence, North 35°04'10" East, a distance of 5.00 feet, with said line, to the **True Place of Beginning**, containing 0.009 acres more or less.

The bearings for this description are based on the bearing between Franklin County Engineer's stations "MCNEAL" and "FCGS 6648" being South 15°07'52" East, as measured using GPS methods and the Ohio State Plane Coordinate System, South Zone, NAD 83 (1986 Adjustment).

I hereby certify this description was written by using measurements obtained by an actual field survey conducted under my direct supervision.



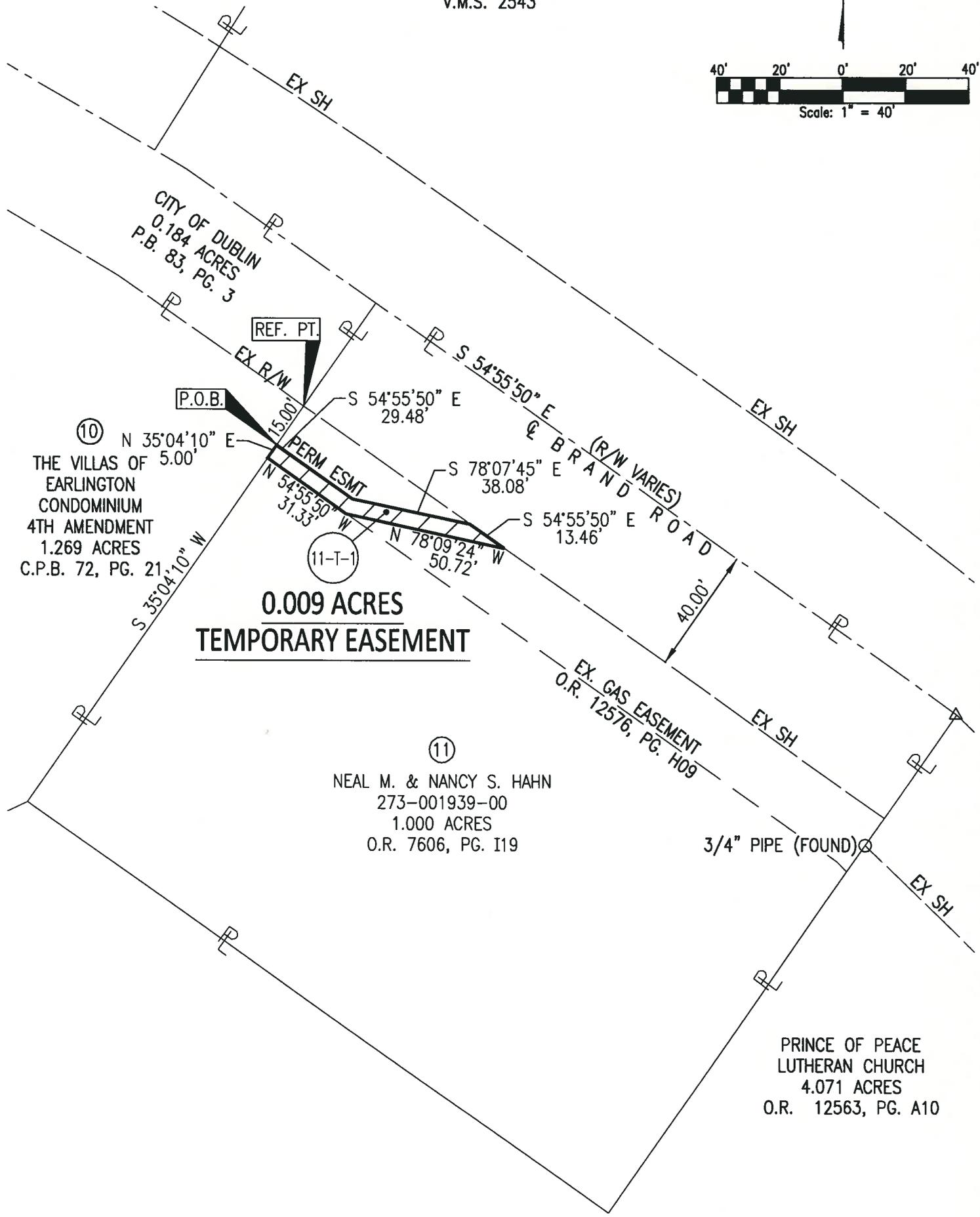
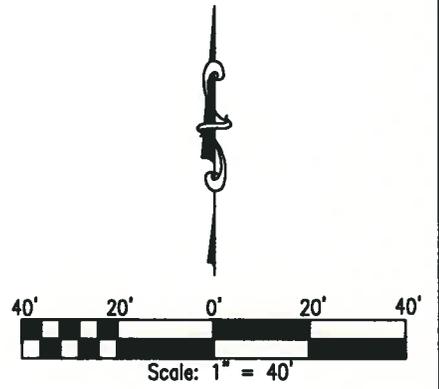
John Jeffrey Raab, Ohio Registered Surveyor No 7863

11/20/12  
Date

Prepared by: W.E. Stilson Consulting Group, LLC.  
Job No.: 111013.00  
(Auditor's Parcel No. 273-001939-00)



**EXHIBIT B**  
**PARCEL 11-T-1**  
**BRAND ROAD SHARED-USE PATH**  
 CITY OF DUBLIN, FRANKLIN COUNTY, OHIO  
 V.M.S. 2543



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 JOHN JEFFREY RAAB, P.S. 7863      DATE 

**LEGEND:**  
 ○ IRON MONUMENT FOUND  
 △ RAILROAD SPIKE FOUND

**BASIS OF BEARINGS:**  
 THE BEARINGS FOR THIS SURVEY ARE BASED ON THE BEARING BETWEEN FRANKLIN COUNTY ENGINEER'S STATIONS "MCNEAL" AND "FCGS 6648" BEING S 15°07'52" E, AS MEASURED USING GPS METHODS AND THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 83 (1986 ADJUSTMENT).

EXHIBIT A

Page 1 of 1  
CIP 11-022-CIP  
PARCEL 11-T-2  
PROJECT BRAND SUP  
Version Date 11/20/12

**PARCEL 11-T-2  
DESCRIPTION OF A TEMPORARY EASEMENT  
FOR GRADING AND DRIVE CONSTRUCTION**

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey Number 2543, being a part of a 1.000 acre tract in the name of Neal M. & Nancy S. Hahn, as recorded in Official Record Volume 7606, Page I19, all records are referenced to the Franklin County Recorder's Office, and being more particularly described as follows:

Beginning, for reference, at the northeasterly corner of said 1.00 acre tract, said corner being on the centerline of Brand Road, and also being the northwesterly corner of a 4.071 acre tract in the name of Prince of Peace Lutheran Church, as recorded in Official Record Volume 12563, Page A10;

Thence, South 35°04'10" West, a distance of 40.00 feet, with the westerly line of said 4.071 acre tract, to a point on the southerly existing highway easement for Brand Road, said point being the **True Place of Beginning** for the easement herein described:

Thence, South 35°04'10" West, a distance of 10.00 feet, with said highway easement and said property line, to a 3/4" pipe (found);

Thence, North 54°55'50" West, a distance of 28.17 feet, parallel with and 50.00 feet southwesterly from said centerline, leaving said property line and said highway easement, running across said 1.000 acre tract, to a point;

Thence, North 35°04'10" East, a distance of 10.00 feet, to a point on said highway easement;

Thence, South 54°55'50" East, a distance of 28.17 feet, parallel with and 40.00 feet southwesterly from said centerline, with said highway easement, to the **True Place of Beginning**, containing 0.006 acres more or less.

The bearings for this description are based on the bearing between Franklin County Engineer's stations "MCNEAL" and "FCGS 6648" being South 15°07'52" East, as measured using GPS methods and the Ohio State Plane Coordinate System, South Zone, NAD 83 (1986 Adjustment).

I hereby certify this description was written by using measurements obtained by an actual field survey conducted under my direct supervision.

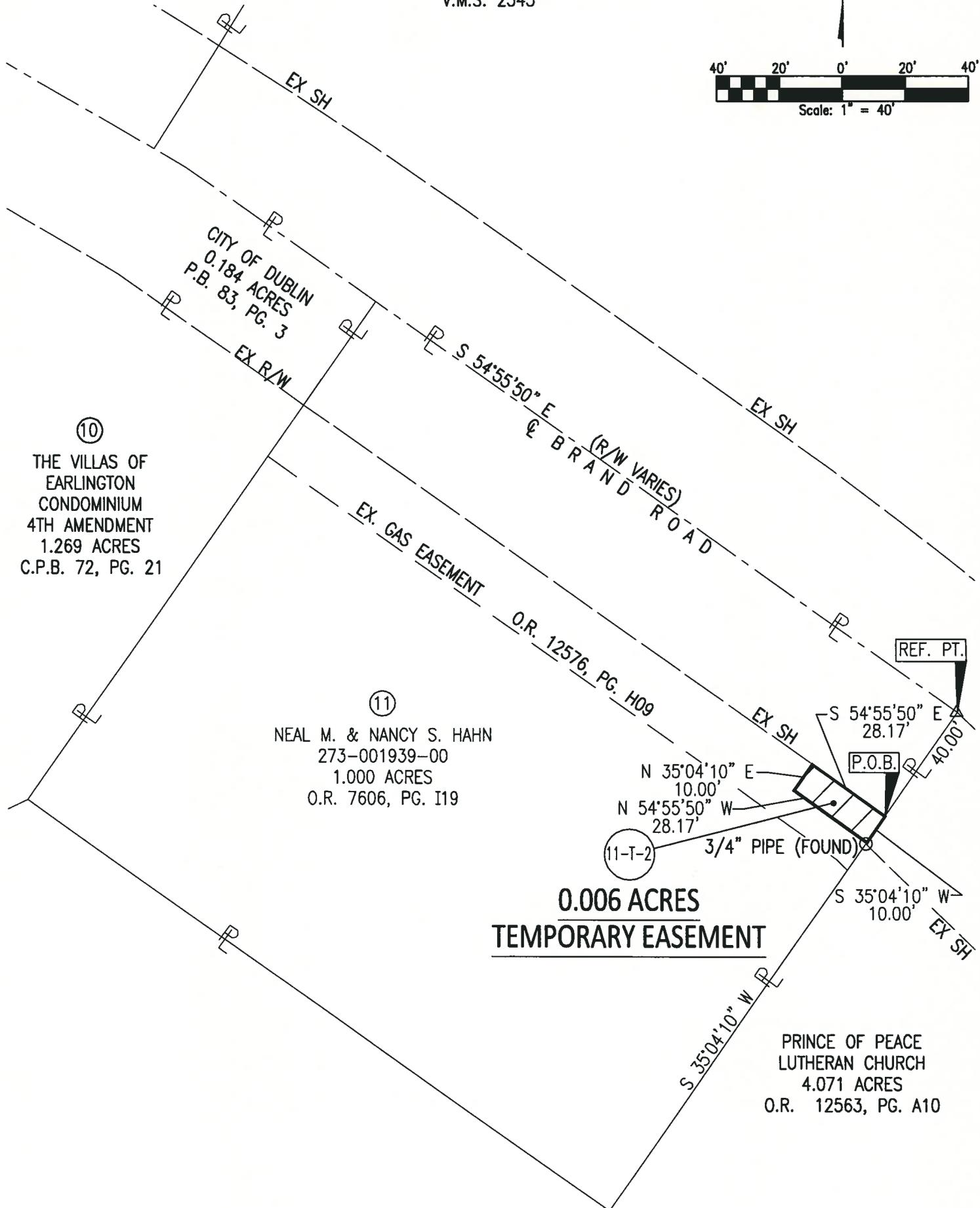
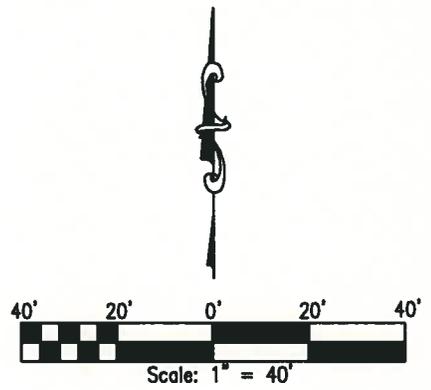
  
John Jeffrey Raab, Ohio Registered Surveyor No 7863

11/20/12  
Date

Prepared by: W.E. Stilson Consulting Group, LLC.  
Job No.: 111013.00  
(Auditor's Parcel No. 273-001939-00)



**EXHIBIT B**  
**PARCEL 11-T-2**  
**BRAND ROAD SHARED-USE PATH**  
 CITY OF DUBLIN, FRANKLIN COUNTY, OHIO  
 V.M.S. 2543



⑩  
 THE VILLAS OF  
 EARLINGTON  
 CONDOMINIUM  
 4TH AMENDMENT  
 1.269 ACRES  
 C.P.B. 72, PG. 21

⑪  
 NEAL M. & NANCY S. HAHN  
 273-001939-00  
 1.000 ACRES  
 O.R. 7606, PG. I19

**0.006 ACRES**  
**TEMPORARY EASEMENT**

PRINCE OF PEACE  
 LUTHERAN CHURCH  
 4.071 ACRES  
 O.R. 12563, PG. A10



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*John Jeffrey Raab*  
 JOHN JEFFREY RAAB, P.S. 7863      DATE 11/20/12