



**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 29-13 – Easement from Angela Haley 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 Angela Haley, T.O.D. (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>
Present Road Occupied (P.R.O.)	0.127	\$1
Permanent Multi-Use, Utility, Grading and Drainage Easement	0.024	\$1,599
Temporary Construction and Grading Easements	0.015 0.017	\$150 \$200
Vegetation/Natural Growth Being Removed		\$4,300
Total		\$ 6,250

**Recommendation**

Ordinance 29-13 authorizes the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interests described above. Staff recommends approval of Ordinance 29-13 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

**29-13**

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

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

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTATION TO ACQUIRE A 0.127 ACRES, MORE OR LESS, FEE SIMPLE INTEREST (WITH 0.127 ACRES AS PRESENT ROAD OCCUPIED), A 0.024 ACRES, MORE OR LESS, PERMANENT SHARED-USE PATH, UTILITIES, DRAINAGE, AND GRADING EASEMENT, A 0.015 ACRES, MORE OR LESS, TEMPORARY EASEMENT, AND A 0.017 ACRES, MORE OR LESS, TEMPORARY EASEMENT, FROM ANGELA HALEY, T.O.D.**

**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. 273-000437-00 owned by Angela Haley, T.O.D. (the "Grantor"), with an address of 5705 Brand Road, Dublin, Ohio 43016, 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 Six Thousand Two-Hundred Fifty Dollars (\$6,250.00); 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 0.127 acre, more or less, fee simple interest (with 0.127 acres as present road occupied), a 0.024 acres, more or less, permanent shared-use path, utilities, drainage, and grading easement, a 0.015 acres, more or less, temporary easement, and a 0.017 acres, more or less, temporary easement from Angela Haley, T.O.D. for the sum of Six Thousand Two-Hundred Fifty Dollars (\$6,250.00), said property interests located within Franklin County and identified as Parcel No. 273-000437, 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  
11-022-CIP  
CIP  
PARCEL 4-WD  
PROJECT BRAND SUP  
Version Date 12/06/12

**PARCEL 4-WD  
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE  
IN THE FOLLOWING DESCRIBED PROPERTY  
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey Number 2544, being a part of a 1.545 acre tract in the name Angela Haley, T.O.D., as recorded in Deed Volume 1975, Page 614 and also Instrument No. 200811280171587(T.O.D.), all records are referenced to the Franklin County Recorder's Office, and being more particularly described as follows:

Beginning, for reference, at a railroad spike (found) at the centerline intersection of Ashbaugh Road and Brand Road;

Thence, North 79°22'57" West, a distance of 459.60 feet, along the centerline of Brand Road, to a magnail (set) at the northwesterly corner of a 1.000 acre tract in the name of Michael C. Christman, as recorded in Instrument No.200405110107952, and being the **True Place of Beginning** for the parcel herein described:

Thence, South 03°10'57" East, a distance of 30.89 feet, along the westerly line of said 1.000 acre tract, to an iron pipe (set) on the southerly existing highway easement for Brand Road;

Thence, North 79°22'57" West, a distance of 185.00 feet, leaving said westerly line and running across said 1.545 acre tract, being parallel with and 30.00 feet perpendicular to the existing centerline of Brand Road, to an iron pipe (set) on the easterly line of a 1.921 acre tract in the name of Michael A. Wade, as recorded in Instrument No. 200111280274896;

Thence, North 03°10'57" West, a distance of 30.89 feet, along the easterly line of said 1.921 acre tract, to a magnail (set) in the centerline of Brand Road at the northeasterly corner of said 1.921 acre tract;

Thence, South 79°22'57 East, a distance of 185.00 feet, along the centerline of Brand Road to the **True Place of Beginning**, containing 0.127 acres more or less, of which 0.127 acres is in the Present Roadway Occupied (P.R.O.).

Iron Pipes set are 3/4 inch inside diameter iron pipes, 30 inches long, with a yellow cap stamped "W.E. STILSON".

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.

0.107 E  
SPLIT  
0.127 A  
OUT OF  
(273)  
000437

*John Jeffrey Raab*

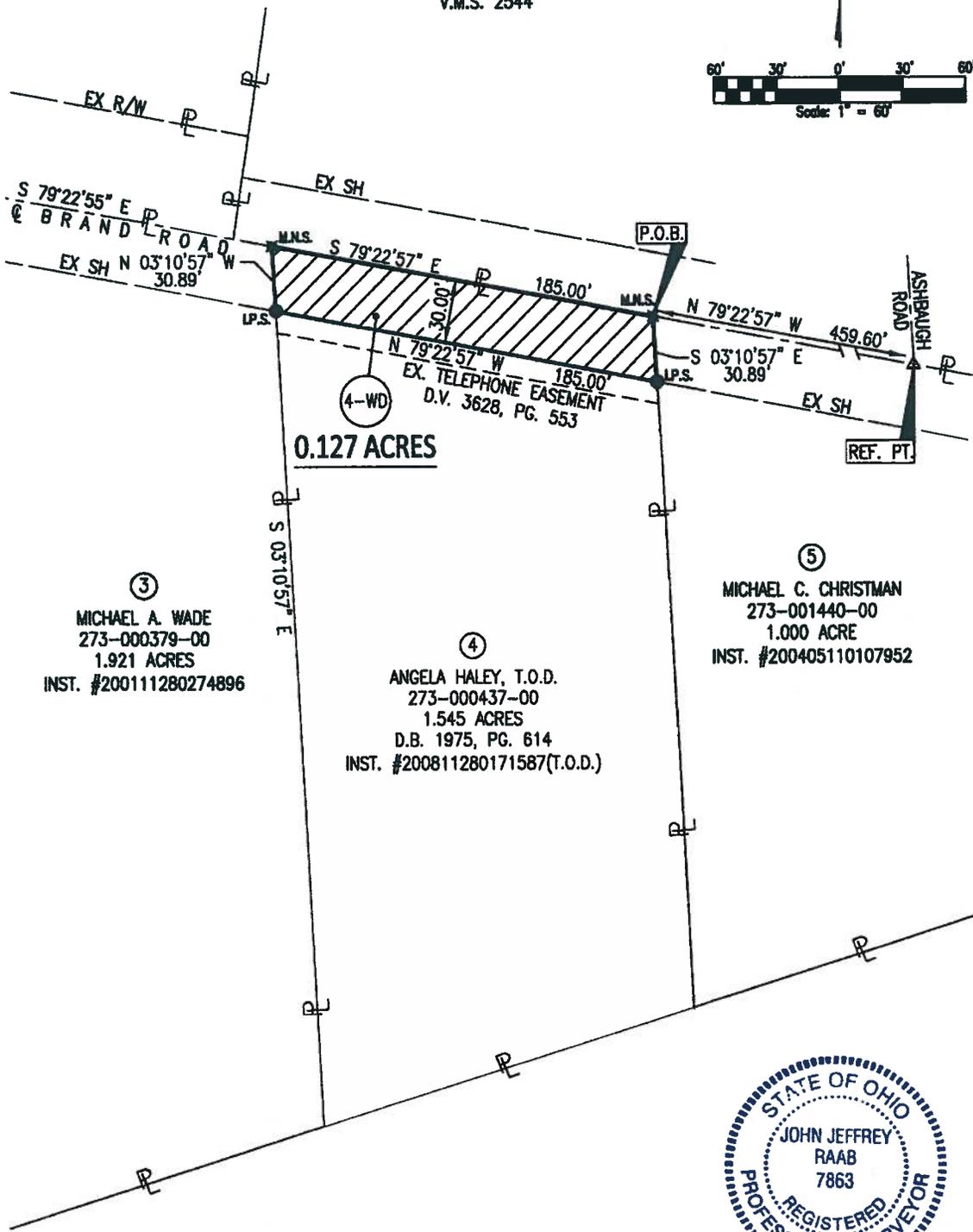
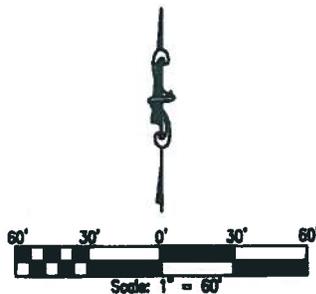
12/10/12 Date

John Jeffrey Raab, Ohio Registered Surveyor No 7863  
Prepared by: W.E. Stilson Consulting Group, LLC.  
Job No.: 111013.00  
(Auditor's Parcel No. 273-000437-00)

DESCRIPTION VERIFIED  
DEAN C. RINGLE, P.E., P.S.  
BY: *RJR*  
DATE: 12-14-2012



**EXHIBIT B  
PARCEL 4-WD  
BRAND ROAD SHARED-USE PATH  
CITY OF DUBLIN, FRANKLIN COUNTY, OHIO  
V.M.S. 2544**



③  
MICHAEL A. WADE  
273-000379-00  
1.921 ACRES  
INST. #200111280274896

④  
ANGELA HALEY, T.O.D.  
273-000437-00  
1.545 ACRES  
D.B. 1975, PG. 614  
INST. #200811280171587(T.O.D.)

⑤  
MICHAEL C. CHRISTMAN  
273-001440-00  
1.000 ACRE  
INST. #200405110107952



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

*John Jeffrey Raab* 12/10/12  
JOHN JEFFREY RAAB, P.S. 7863 DATE

**LEGEND:**

- △ RAILROAD SPIKE FOUND
- IRON MONUMENT FOUND
- L.P.S. 3/4" I.D. PIPE SET W/CAP STAMPED "W.E. STILSON"
- M.N.S. MAGNAIL SET

**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  
11-022-CIP  
CIP  
PARCEL 4-P  
PROJECT BRAND SUP  
Version Date 01/17/13

**PARCEL 4-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 2544, being a part of a 1.545 acre tract in the name Angela Haley, T.O.D., as recorded in Deed Volume 1975, Page 614 and also Instrument No. 200811280171587(T.O.D.), all records are referenced to the Franklin County Recorder's Office, and being more particularly described as follows:

Beginning, for reference, at the northwesterly corner of said 1.545 acre tract, said corner being on the centerline of Brand Road, and also being the northeasterly corner of a 1.921 acre tract in the name of Michael A. Wade, as recorded in Instrument No. 200111280274896;

Thence, South 03°10'57" East, a distance of 30.89 feet, with the easterly line of said 1.921 acre tract, to a point on the southerly existing highway easement for Brand Road, said point also being the **True Place of Beginning** for the easement herein described:

Thence, South 79°22'57" East, a distance of 185.00 feet, being parallel with and 30.00 feet from said centerline, leaving said property line with said southerly existing highway easement, to a point on the westerly line of a 1.000 acre tract in the name of Michael C. Christman, as recorded in Instrument No. 200405110107952;

Thence, South 03°10'57" East, a distance of 8.24 feet, leaving said southerly existing highway easement, with the westerly line of said 1.000 acre tract, to a point;

Thence, leaving said line and running across said 1.545 acre tract, for the following six (6) calls:

- 1.) Thence, North 77°13'16" West, a distance of 46.53 feet, to a point;
- 2.) Thence, South 12°46'44" West, a distance of 8.00 feet, to a point;
- 3.) Thence, North 77°13'16" West, a distance of 10.00 feet, to a point;
- 4.) Thence, North 12°46'44" East, a distance of 8.00 feet, to a point;
- 5.) Thence, North 77°13'16" West, a distance of 49.53 feet, to a point;
- 6.) Thence, North 79°22'57" West, a distance of 80.00 feet to a point on the easterly line of said 1.921 acre tract;

Thence, North 03°10'57" West, a distance of 4.12 feet, with said line, to the **True Place of Beginning**, containing 0.024 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).

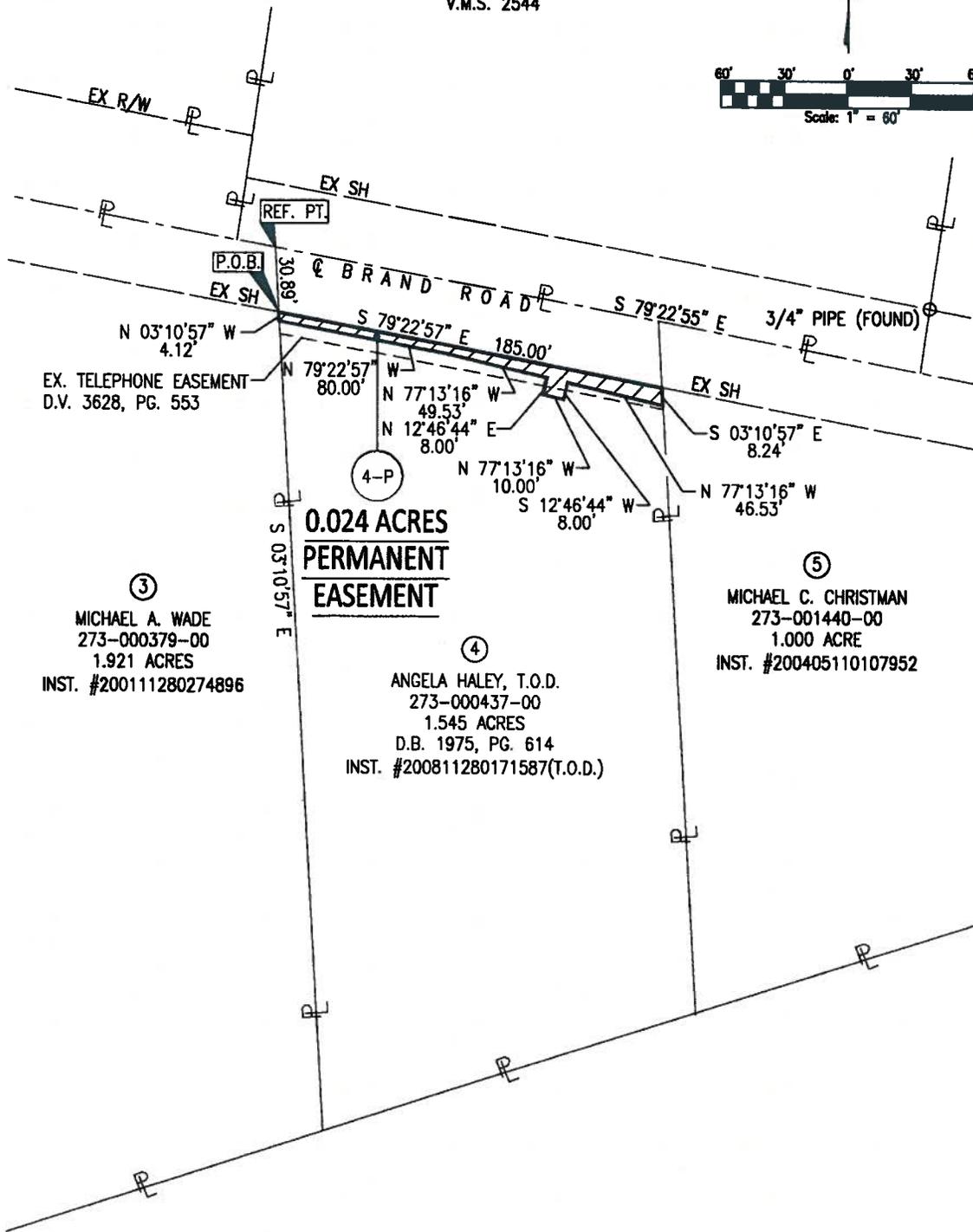
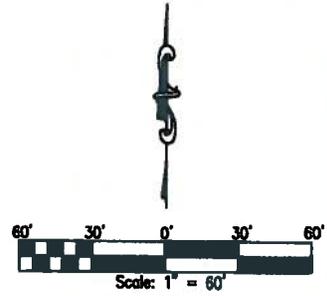
I hereby certify this description was written by using measurements obtained by an actual field survey conducted under my direct supervision.

  
John Jeffrey Raab, Ohio Registered Surveyor No 7863  
Prepared by: W.E. Stilson Consulting Group, LLC.  
Job No.: 111013.00  
(Auditor's Parcel No. 273-000437-00)

1/18/13  
Date



**EXHIBIT B  
PARCEL 4-P  
BRAND ROAD SHARED-USE PATH**  
CITY OF DUBLIN, FRANKLIN COUNTY, OHIO  
V.M.S. 2544



**0.024 ACRES  
PERMANENT  
EASEMENT**

③  
MICHAEL A. WADE  
273-000379-00  
1.921 ACRES  
INST. #200111280274896

④  
ANGELA HALEY, T.O.D.  
273-000437-00  
1.545 ACRES  
D.B. 1975, PG. 614  
INST. #200811280171587(T.O.D.)

⑤  
MICHAEL C. CHRISTMAN  
273-001440-00  
1.000 ACRE  
INST. #200405110107952

 **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

**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*  
JOHN JEFFREY RAAB, P.S. 7863      DATE 11/29/12

**EXHIBIT A**

Page 1 of 1  
CIP 11-022-CIP  
PARCEL 4-T-1  
PROJECT BRAND SUP  
Version Date 11/20/12

**PARCEL 4-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 2544, being a part of a 1.545 acre tract in the name Angela Haley, T.O.D., as recorded in Deed Volume 1975, Page 614 and also Instrument No. 200811280171587(T.O.D.), all records are referenced to the Franklin County Recorder's Office, and being more particularly described as follows:

Beginning, for reference, at the northwesterly corner of said 1.545 acre tract, said corner being on the centerline of Brand Road, and also being the northeasterly corner of a 1.921 acre tract in the name of Michael A. Wade, as recorded in Instrument No. 200111280274896;

Thence, South 03°10'57" East, a distance of 35.01 feet, with the easterly line of said 1.921 acre tract, to a point, said point being the **True Place of Beginning** for the easement herein described:

Thence, leaving said line, and running across said 1.545 acre tract, parallel with and 34.00 feet from said centerline, for the following five (5) calls:

- 1.) Thence, South 79°22'57" East, a distance of 80.00 feet, to a point;
- 2.) Thence, South 77°13'16" East, a distance of 49.53 feet, to a point;
- 3.) Thence, South 12°46'44" West, a distance of 5.00 feet, to a point;
- 4.) Thence, North 77°13'16" West, a distance of 49.43 feet, to a point;
- 5.) Thence, North 79°22'57" West, a distance of 78.68 feet, to a point on the easterly line of said 1.921 acre tract;

Thence, North 03°10'57" West, a distance of 5.15 feet, with said line, to the **True Place of Beginning**, containing 0.015 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).

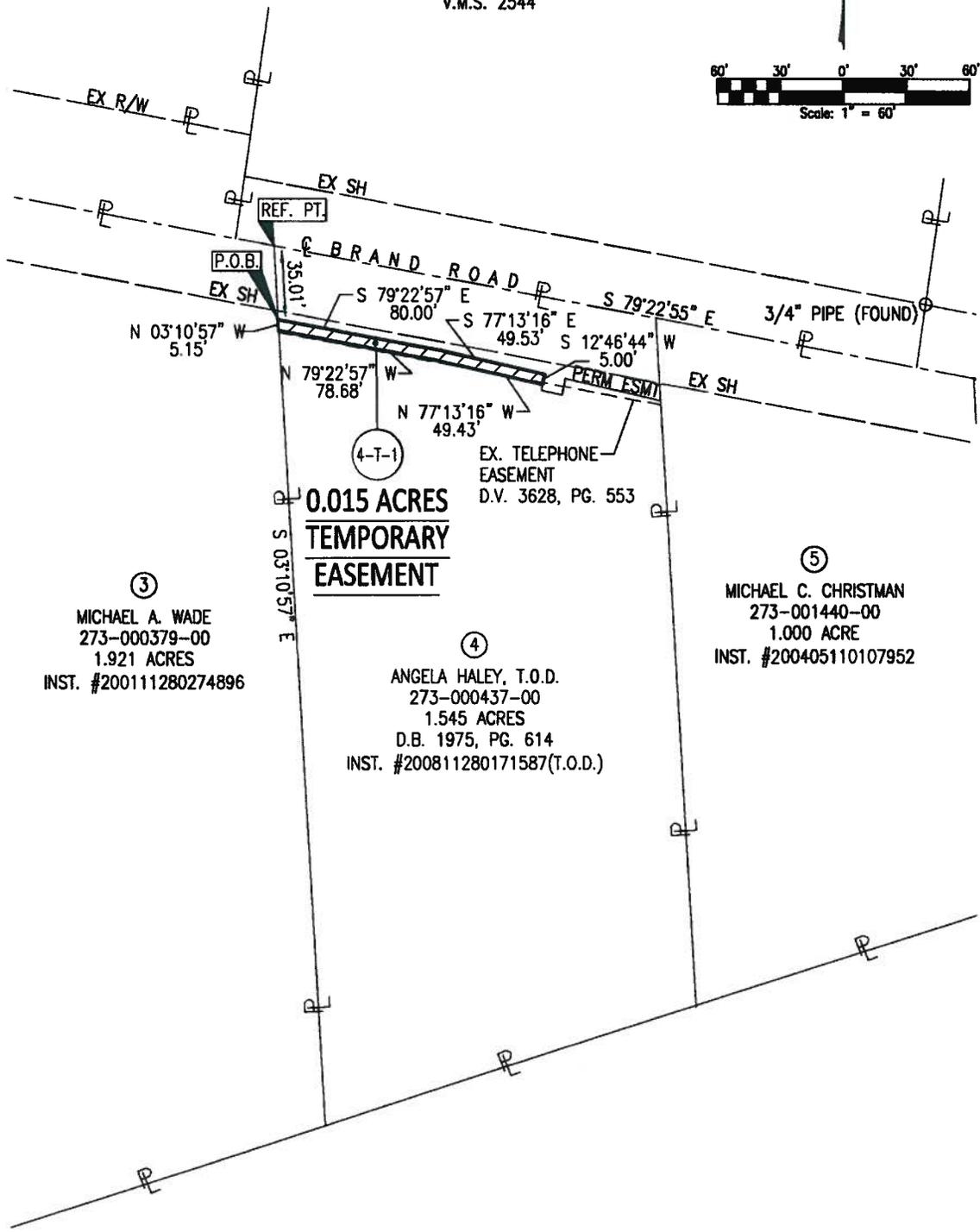
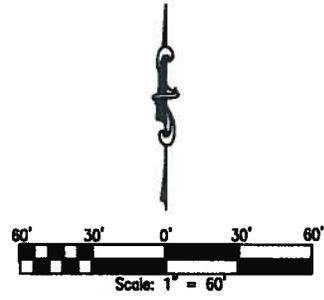
I hereby certify this description was written by using measurements obtained by an actual field survey conducted under my direct supervision.

  
John Jeffrey Raab, Ohio Registered Surveyor No 7863      Date 11/20/12

Prepared by: W.E. Stilson Consulting Group, LLC.  
Job No.: 111013.00  
(Auditor's Parcel No. 273-000437-00)



**EXHIBIT B**  
**PARCEL 4-T-1**  
**BRAND ROAD SHARED-USE PATH**  
 CITY OF DUBLIN, FRANKLIN COUNTY, OHIO  
 V.M.S. 2544



③  
 MICHAEL A. WADE  
 273-000379-00  
 1.921 ACRES  
 INST. #200111280274896

**0.015 ACRES  
 TEMPORARY  
 EASEMENT**

④  
 ANGELA HALEY, T.O.D.  
 273-000437-00  
 1.545 ACRES  
 D.B. 1975, PG. 614  
 INST. #200811280171587(T.O.D.)

⑤  
 MICHAEL C. CHRISTMAN  
 273-001440-00  
 1.000 ACRE  
 INST. #200405110107952

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 355 E. CAMPUS VIEW BLVD  
 COLUMBUS, OH 43235  
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**LEGEND:**  
 ○ IRON MONUMENT FOUND  
**BASIS OF BEARINGS:**  
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 JOHN JEFFREY RAAB, P.S. 7863      DATE 11/22/12

**EXHIBIT A**

Page 1 of 1  
CIP 11-022-CIP  
PARCEL 4-T-2  
PROJECT BRAND SUP  
Version Date 11/20/12

**PARCEL 4-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 2544, being a part of a 1.545 acre tract in the name Angela Haley, T.O.D., as recorded in Deed Volume 1975, Page 614 and also Instrument No. 200811280171587(T.O.D.), 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 1.545 acre tract, said corner being on the centerline of Brand Road, and also being the northwesterly corner of a 1.000 acre tract in the name of Michael C. Christman, as recorded in Instrument No. 200405110107952;

Thence, South 03°10'57" East, a distance of 39.13 feet, with the westerly line of said 1.000 acre tract, to a point, said point being the **True Place of Beginning** for the easement herein described:

Thence, South 03°10'57" East, a distance of 15.73 feet, with the westerly line of said 1.000 acre tract, to a point;

Thence, leaving said line, and running across said 1.545 acre tract, for the following three (3) calls:

- 1.) Thence, North 77°04'15" West, a distance of 50.85 feet, to a point;
- 2.) Thence, North 12°46'44" East, a distance of 14.99 feet, to a point;
- 3.) Thence, South 77°13'16" East, a distance of 46.53 feet, to the **True Place of Beginning**, containing 0.017 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).

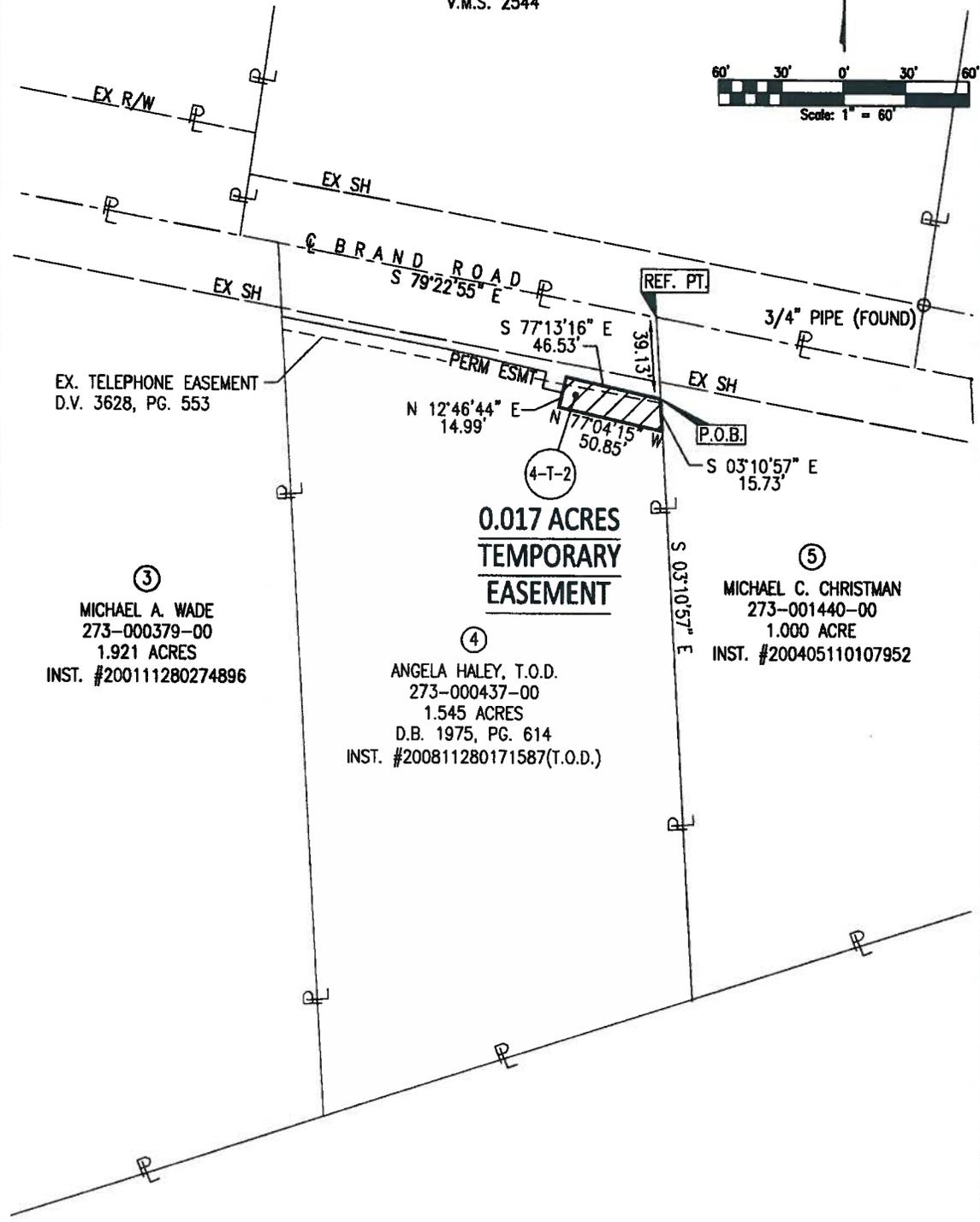
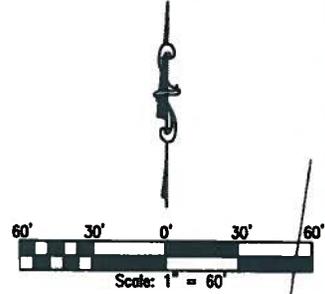
I hereby certify this description was written by using measurements obtained by an actual field survey conducted under my direct supervision.

  
John Jeffrey Raab, Ohio Registered Surveyor No 7863  
Prepared by: W.E. Stilson Consulting Group, LLC.  
Job No.: 111013.00  
(Auditor's Parcel No. 273-000437-00)

4/29/12  
Date



**EXHIBIT B**  
**PARCEL 4-T-2**  
**BRAND ROAD SHARED-USE PATH**  
 CITY OF DUBLIN, FRANKLIN COUNTY, OHIO  
 V.M.S. 2544



③  
 MICHAEL A. WADE  
 273-000379-00  
 1.921 ACRES  
 INST. #200111280274896

④  
 ANGELA HALEY, T.O.D.  
 273-000437-00  
 1.545 ACRES  
 D.B. 1975, PG. 614  
 INST. #200811280171587(T.O.D.)

⑤  
 MICHAEL C. CHRISTMAN  
 273-001440-00  
 1.000 ACRE  
 INST. #200405110107952

**0.017 ACRES**  
**TEMPORARY**  
**EASEMENT**

 **W.E. STILSON**  
 CONSULTING GROUP  
 Pride in the Details. Passion in our People.  
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**LEGEND:**  
 ○ IRON MONUMENT 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*  
 JOHN JEFFREY RAAB, P.S. 7863      DATE 11/22/12