



**To:** Members of Dublin City Council

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

**Date:** May 2, 2013

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

**Re:** Ordinances 35-13 and 36-13 - Acceptance of Donations of Certain Land and Easements from Washington Township to the City of Dublin

### Background

The City of Dublin ("City") is preparing to construct a shared use path on the south side of Brand Road between Muirfield Drive and Earlington Parkway and a right turn lane from northbound Riverside Drive to eastbound Hard Road ("Projects"). To construct these projects, the City needs to acquire property interests from Washington Township ("Township").

After amicable discussion with the Township, the Township has agreed to donate at no cost the necessary property interests.

### Acquisition

The City will acquire from the Township only those property interests necessary for the construction of the Projects as depicted in the legal descriptions and maps attached to legislation. The acquisition is detailed below:

<i>Property Interest Acquiring</i>	<i>PROPOSED ACRES</i>
Brand Road - Present Road Occupied (P.R.O.)	0.167
Brand Road - Permanent Multi-Use, Utility, Grading and Drainage Easement	0.047
Riverside Drive – Right of Way	0.136

### Recommendation

Ordinances 35-13 and 36-13 authorize the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interests described above. Staff recommends approval of Ordinances 35-13 and 36-13 at the second reading/public hearing on May 20, 2013 as obtaining the property interests is necessary for the furtherance of these projects.

# RECORD OF ORDINANCES

**35-13**

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

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

**AN ORDINANCE ACCEPTING THE DEDICATION OF A 0.167 ACRES (WITH 0.167 ACRES AS PRESENT ROAD OCCUPIED), MORE OR LESS, FEE SIMPLE INTEREST AND 0.047 ACRE, MORE OR LESS, PERMANENT MULTI-USE, UTILITY, GRADING AND DRAINAGE EASEMENT FROM THE WASHINGTON TOWNSHIP BOARD OF TRUSTEES.**

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

**WHEREAS**, said project requires that the City obtain certain property interests within Franklin County owned by Washington Township (the "Grantor"), said property interests more fully described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," all attached hereto and incorporated herein; and

**WHEREAS**, the Grantor desires to donate and dedicate and the City desires to accept the donation and dedication of the Present Road Occupied and shared-use path easement; 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 hereby authorizes the City Manager to accept the dedication of an a 0.167 acres, more or less, fee simple interest (0.167 acres of which are in Present Road Occupied) and a 0.047 acres, more or less, permanent multi-use, utility, grading and drainage easement within Franklin County parcel no. 273-004780, from Washington Township as set forth in the legal descriptions attached as Exhibit "A."

Section 2. This ordinance shall go into effect at the earliest time 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 1-WD  
PARCEL 1-WD  
PROJECT BRAND SUP  
Version Date 12/06/12

**PARCEL 1-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 2.914 acre tract in the name of the Washington Township Board of Trustees, as recorded in Official Record Volume 12406, Page D09, all records are referenced to the Franklin County Recorder's Office, and being more particularly described as follows:

Beginning at a magnail (set) at the northwesterly corner of said 2.914 acre tract in the centerline of Brand Road, also being the northeasterly corner of a 3.884 acre tract known as the 8<sup>th</sup> Amendment to The Lakes at Dunmere Condominium, as recorded in Condominium Plat Book 81, Page 27, and the **True Place of Beginning** for the parcel herein described;

Thence, South 68°48'04" East, a distance of 132.86 feet, along the centerline of Brand Road to a railroad spike (set);

Thence, South 79°22'57" East, a distance of 102.14 feet, along the centerline of Brand Road to a magnail (set) at the northwesterly corner of a 2.500 acre tract in the name of Michael A. & Judith E. Teets, as recorded in Official Record Volume 25045, Page B20;

Thence, South 03°10'57" East, a distance of 30.89 feet, along the westerly line of said 2.500 acre tract, to a 3/4" I.D. pipe (found) on the southerly existing highway easement for Brand Road, passing a 3/4" I.D. pipe (found) at a distance of 25.84 feet;

Thence, North 79°22'57" West, a distance of 112.29 feet, leaving said line, running parallel with and 30.00 feet perpendicular to the centerline of Brand Road, to an iron pipe (set);

Thence, North 68°48'04" West, a distance of 137.74 feet, running parallel and 30.00 feet perpendicular to the centerline of Brand Road to an iron pipe (set) on the easterly line of said 3.884 acre tract;

Thence, North 25°11'56" East, a distance of 30.07 feet, along said line, to the **True Place of Beginning**, containing 0.167 acres more or less, of which 0.167 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.

*John Jeffrey Raab*  
John Jeffrey Raab, Ohio Registered Surveyor No 7863

12/10/12 Date

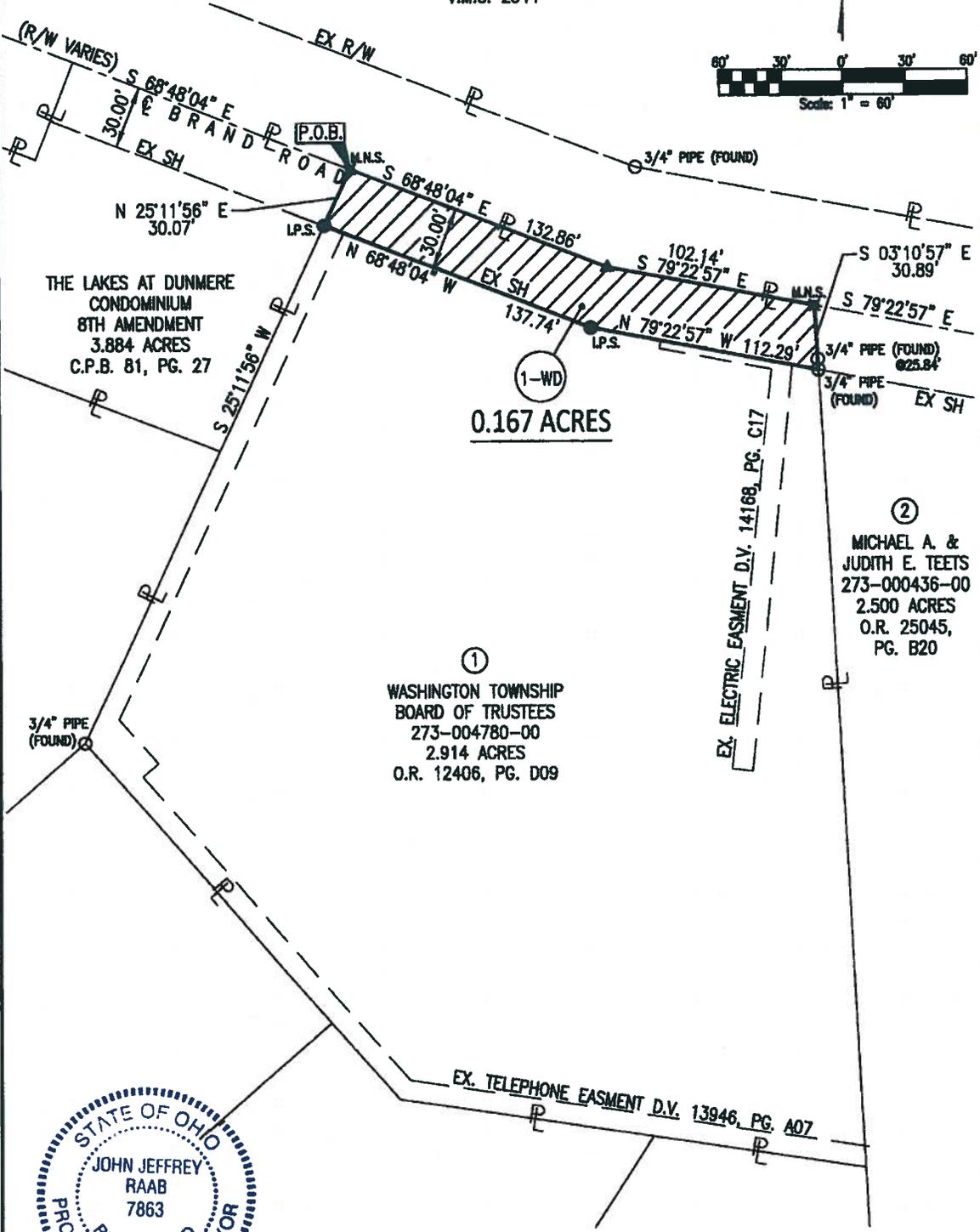
Prepared by: W.E. Stilson Consulting Group, LLC.  
Job No.: 111013.00  
(Auditor's Parcel No. 273-004780-00)

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



0-107D  
SPUT  
0-167K  
OUT OF  
(273)  
004780

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



**W.E. STILSON**  
CONSULTING GROUP

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

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

- LEGEND:**
- ▲ RAILROAD SPIKE FOUND
  - △ RAILROAD SPIKE SET
  - IRON MONUMENT FOUND
  - L.P.S. 3/4" I.D. PIPE SET W/CAP STAMPED "W.E. STILSON"
  - M.M.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  
CIP 11-022-CIP  
PARCEL I-P  
PROJECT BRAND SUP  
Version Date 01/17/13

**PARCEL I-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 2.914 acre tract in the name of the Washington Township Board of Trustees, as recorded in Official Record Volume 12406, Page D09, 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 2.914 acre tract, said corner being on the centerline of Brand Road, and also being the northeasterly corner of the 8<sup>th</sup> Amendment to The Lakes at Dunmere Condominium, as recorded in Condominium Plat Book 81, Page 27;

Thence, South 25°11'56" West, a distance of 30.07 feet, with the easterly line of said 8<sup>th</sup> Amendment to The Lakes at Dunmere Condominium, 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 68°48'04" East, a distance of 137.74 feet, leaving said property line, parallel with and 30.00 feet southerly from said centerline, with the southerly existing highway easement for Brand Road, to a point;

Thence, South 79°22'57" East, a distance of 112.29 feet, parallel with and 30.00 feet southerly from said centerline, with the southerly existing highway easement for Brand Road, to a 3/4" iron pipe found on the westerly line of a 2.500 acre tract in the name of Michael A. & Judith E. Teets, as recorded in Official Record Volume 25045, Page B20;

Thence, South 03°10'57" East, a distance of 4.12 feet, with said line, to a point;

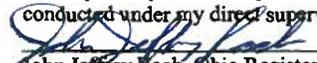
Thence, leaving said line, running across said 2.914 acre tract, for the following four (4) calls:

- 1.) Thence, North 79°22'57" West, a distance of 113.55 feet to a point;
- 2.) Thence, North 72°28'21" West, a distance of 93.97 feet, to a point;
- 3.) Thence, South 80°14'07" West, a distance of 29.15 feet to a point;
- 4.) Thence, North 68°48'04" West, a distance of 21.17 feet to a point on the easterly line of said Eighth Amendment to The Lakes at Dunmere Condominiums

Thence, North 25°11'56" East, a distance of 25.06 feet, with said line, to the **True Place of Beginning**, containing 0.047 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).

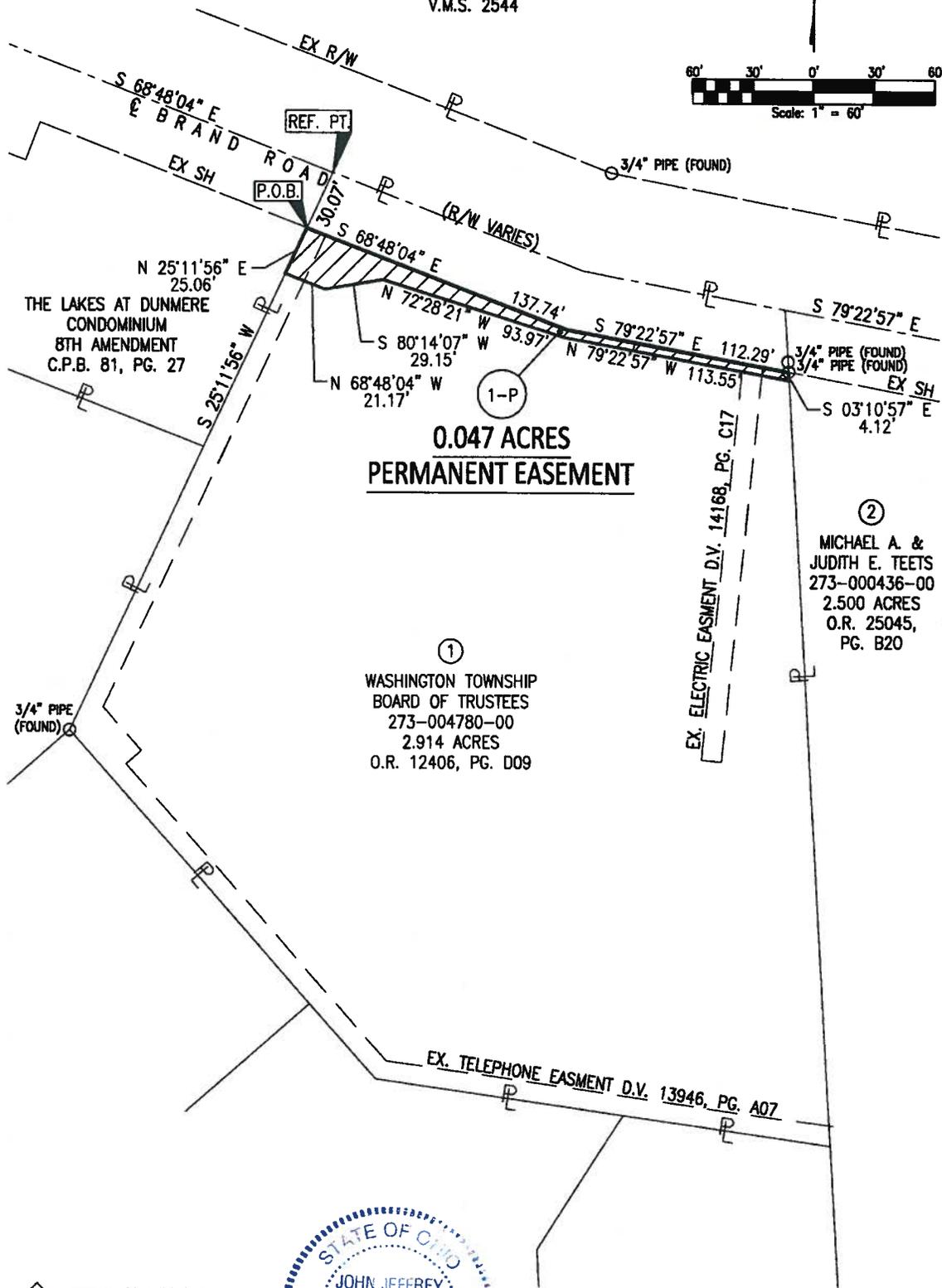
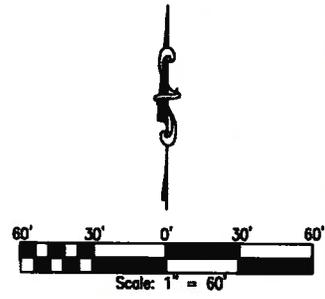
I hereby certify this description was written by using measurements obtained by an actual field survey conducted under my direct supervision.

 1/18/13  
John Jeffrey Raab, Ohio Registered Surveyor No 7863 Date

Prepared by: W.E. Stilson Consulting Group, LLC.  
Job No.: 111013.00  
(Auditor's Parcel No. 273-004780-00)



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



**0.047 ACRES  
PERMANENT EASEMENT**

①  
WASHINGTON TOWNSHIP  
BOARD OF TRUSTEES  
273-004780-00  
2.914 ACRES  
O.R. 12406, PG. D09

②  
MICHAEL A. &  
JUDITH E. TEETS  
273-000436-00  
2.500 ACRES  
O.R. 25045,  
PG. B20

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