



**To:** Members of Dublin City Council  
**From:** Marsha I. Grigsby, City Manager *MIG*  
**Date:** June 6, 2013

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

**Re:** Ordinance 48-13 – Authorizing the City Manager to Execute Necessary Conveyance Documentation to Acquire a 1.364 Acres, More or Less, Fee Simple Interest of Which 0.576 Acres, More or Less, is Present Road Occupied, and a 0.280 Acres, More or Less, Temporary Construction Easement from Gretchen A. Distelhorst, and Declaring an Emergency.

**Background**

The City of Dublin ("City") is preparing to construct intersection improvements and associated pedestrian facilities at the intersection of Brand Road and Coffman Road (the "Project"). The City must obtain property interests from various landowners located within the area of the Project 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 Gretchen A. Distelhorst (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 approximately 11.6 percent above appraised value. The acquisition is detailed below:

<i>Property Interest Acquiring</i>	<i>PROPOSED ACRES</i>	<i>APPRAISED COST</i>	<i>AGREED PURCHASE PRICE</i>
Present Road Occupied (P.R.O.)	0.576	\$1.00	\$1.00
Right of Way	0.778	\$42,549.00	\$47,711.76
Temporary Construction and Grading Easement	0.280	\$2,250.00	\$2,475.00
Total		\$ 44,800.00	\$50,187.76

In addition, the City will replace 10 trees adjacent to the bike path of 1-1/2 inch caliper and provide assistance with relocation of a mailbox.

**Recommendation**

Ordinance 48-13 authorizes the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interests described above. Staff recommends approval of Ordinance 48-13 by emergency passage on June 10, 2013 as obtaining the property interests is necessary for the furtherance of this Project and public safety.

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

**48-13**

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

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

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY CONVEYANCE DOCUMENTATION TO ACQUIRE A 1.364 ACRES, MORE OR LESS, FEE SIMPLE INTEREST OF WHICH 0.576 ACRES , MORE OR LESS, IS PRESENT ROAD OCCUPIED, AND A 0.280 ACRES, MORE OR LESS TEMPORARY CONSTRUCTION EASEMENT FROM GRETCHEN A. DISTELHORST, AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of Dublin the City is preparing to construct intersection improvements at the Brand and Coffman Road intersection; and

**WHEREAS**, said project requires that the City obtain certain property interests within Franklin County Parcel No. 273-000257-00, owned by Gretchen A. Distelhorst, the Grantor of 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 Fifty Thousand One Hundred Eighty Seven Dollars and Seventy Six Cents (\$50,187.76); and

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

**WHEREAS**, this project is a public emergency because the City needs to have the improvements completed as quickly as possible to relieve traffic concerns.

**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 1.364 acres, more or less, of which 0.576 is within Present Road Occupied, and a 0.280 acres, more or less, Temporary Easement from Gretchen A. Distelhorst for the sum of Fifty Thousand One Hundred Eighty Seven Dollars and Seventy Six Cents (\$50,187.76) plus ten (10) trees of one and one-half inch caliper, said property interests located within Franklin County Parcel No. 273-000257-00 and as more fully described and depicted in the attached Exhibits "A" and "B."

**Section 2.** This ordinance is declared to be an emergency necessary for the immediate preservation of the public peace, health, safety or welfare, and for the further reason that the project is needed to immediately address traffic concerns at the intersection of Brand and Coffman Roads. This ordinance shall therefore be effective upon passage.

Passed this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

\_\_\_\_\_  
Mayor - Presiding Officer

ATTEST:

\_\_\_\_\_  
Clerk of Council

**EXHIBIT A**

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	11-023-CIP
CIP	1-WD
PARCEL	BRAND/COFFMAN
PROJECT	02/19/13
Version Date	

**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, Washington Township, City of Dublin, located in Virginia Military Survey Number 2543, being a part of a 12.5804 acre tract in the name of Gretchen A. Distelhorst, as described in Official Record Volume 26330, Page C08, 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 Brand Road (60' right of way) and Coffman Road (70' right of way), said intersection being northeasterly corner of a 0.590 acre tract in the name of the City of Dublin, Ohio, as recorded in Official Record Volume 34907, Page H14;

Thence, North 70°15'42" West, a distance of 62.63 feet, along the centerline of said Brand Road, also being the northerly line of said 0.590 acre tract, to a railroad spike (found) at the southwesterly corner of a 14.118 acre tract in the name of the City of Dublin, as described in Instrument Number 201203160036653, and the **True Place of Beginning** for the parcel described herein:

Thence, along the centerline of said Brand Road, for the following four (4) calls:

1. North 70°15'42" West, a distance of 69.56 feet, to a railroad spike (found);
2. North 62°31'05" West, a distance of 66.00 feet, to a railroad spike (found);
3. North 52°57'42" West, a distance of 90.76 feet, to a railroad spike (found), passing a railroad spike (found) at a distance of 72.79 feet;
4. North 36°30'41" West, a distance of 373.34 feet, to a magnail (set);

Thence, North 36°31'05" West, a distance of 251.45 feet, leaving said centerline, along the northerly line of a 59.396 acre tract in the name of Brandway, Limited, an Ohio Limited Liability Company, as described in Official Record Volume 30785, Page B15, to a magnail (set) at the most southerly corner of a 0.4196 acre tract in the name of the County of Franklin, as described in Official Record Volume 161, Page B02;

Thence, North 53°28'55" East, a distance of 30.00 feet, along the southeasterly line of said 0.4196 acre tract, to an iron pipe (set) at the most easterly corner of said 0.4196 acre tract;

Thence, along the northeasterly line of said 0.4196 acre tract, for the following three (3) calls:

1. North 24°29'33" West, a distance of 129.62 feet, to an iron pipe (set);
2. North 41°26'59" West, a distance of 156.00 feet, to an iron pipe (set);
3. North 44°36'48" West, a distance of 94.16 feet, to an iron pipe (set) at the most northerly corner of said 0.4196 acre tract, being the most easterly corner of a 0.1287 acre tract in the name of Franklin County, as described in Official Record Volume 202, Page D02, and also being the southeasterly corner of a 6.021 acre tract, known as "Reserve A" of Brandon Section 1, Phase 1, recorded in Plat Book 64, Page 64, in the name of the Village of Dublin, as described in Official Record Volume 9587, Page D15;

Thence, North 35°46'56" East, a distance of 15.18 feet, leaving said existing right of way line, along the easterly line of said 6.021 acre tract, to an iron pipe (set);

Thence, leaving said property line, through said 12.5804 acre tract, for the following thirteen (13) calls:

**EXHIBIT A**

CIP  
PARCEL  
PROJECT  
Version Date

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11-023-CIP  
1-WD  
BRAND/COFFMAN  
02/19/13

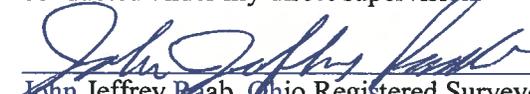
1. South 44°39'41" East, a distance of 96.40 feet, to an iron pipe (set);
2. South 41°32'07" East, a distance of 154.79 feet, to an iron pipe (set);
3. South 24°31'23" East, a distance of 130.37 feet, to an iron pipe (set);
4. South 36°31'12" East, a distance of 217.57 feet, to an iron pipe (set);
5. North 53°28'48" East, a distance of 12.00 feet, to an iron pipe (set);
6. South 36°31'12" East, a distance of 83.23 feet, to an iron pipe (set);
7. North 53°28'48" East, a distance of 5.00 feet, to an iron pipe (set);
8. South 36°31'12" East, a distance of 32.00 feet, to an iron pipe (set);
9. South 53°28'48" West, a distance of 5.00 feet, to an iron pipe (set);
10. South 36°31'12" East, a distance of 154.37 feet, to an iron pipe (set);
11. Southeasterly, an arc distance of 64.29 feet, along the arc of a curve deflecting to the left, having a central angle of 15°52'38", a radius of 232.00 feet, and a chord that bears South 44°27'32" East, a distance of 64.08 feet, to an iron pipe (set);
12. Southeasterly, an arc distance of 132.51 feet, along the arc of a curve deflecting to the left, having a central angle of 17°02'32", a radius of 445.50 feet, and a chord that bears South 60°55'07" East, a distance of 132.02 feet, to an iron pipe (set);
13. Southeasterly, an arc distance of 78.14 feet, along the arc of a curve deflecting to the left, having a central angle of 13°02'03", a radius of 343.50 feet, and a chord that bears South 75°57'24" East, a distance of 77.97 feet, to an iron pipe (set) on the westerly line of said 14.118 acre tract;

Thence, South 00°43'05" West, a distance of 126.61 feet, along the westerly line of said 14.118 acre tract, to the **True Place of Beginning**, passing a 3/4" I.D. pipe (found) at a distance of 94.87 feet, containing 1.364 acres, more or less, from Franklin County Auditor's Permanent Parcel Number 270-000257-00, with 0.576 acres, more or less, being 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, Ohio Registered Surveyor No 7863  
Prepared by: W.E. Stilson Consulting Group, LLC.

2/20/13  
Date

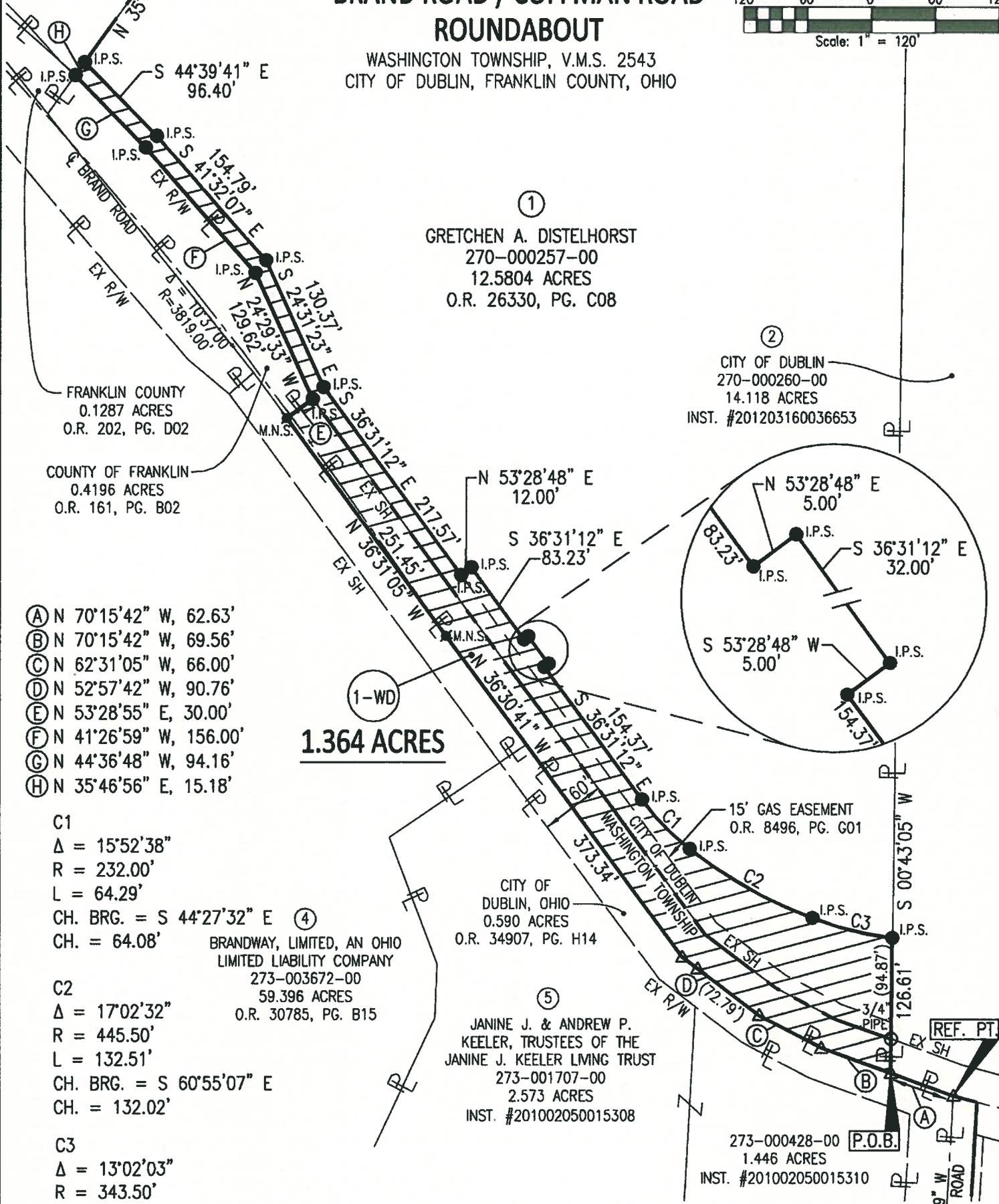
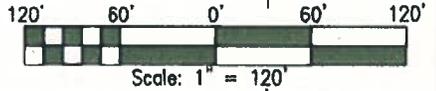


0-107-E  
SPLIT  
1.364 AC  
OUT OF  
(270)  
000257

VILLAGE OF DUBLIN  
273-003197-00  
6.021 ACRES  
O.R. 9587, PG. D15  
RESERVE "A"  
BRANDON  
SEC. 1, PH. 1  
P.B. 64, PG. 64

# EXHIBIT B PARCEL 1-WD BRAND ROAD / COFFMAN ROAD ROUNDBABOUT

WASHINGTON TOWNSHIP, V.M.S. 2543  
CITY OF DUBLIN, FRANKLIN COUNTY, OHIO



①  
GRETCHEN A. DISTELHORST  
270-000257-00  
12.5804 ACRES  
O.R. 26330, PG. C08

②  
CITY OF DUBLIN  
270-000260-00  
14.118 ACRES  
INST. #201203160036653

④  
CITY OF DUBLIN, OHIO  
0.590 ACRES  
O.R. 34907, PG. H14

⑤  
JANINE J. & ANDREW P.  
KEELER, TRUSTEES OF THE  
JANINE J. KEELER LIVING TRUST  
273-001707-00  
2.573 ACRES  
INST. #201002050015308

273-000428-00  
1.446 ACRES  
INST. #201002050015310

- Ⓐ N 70°15'42" W, 62.63'
- Ⓑ N 70°15'42" W, 69.56'
- Ⓒ N 62°31'05" W, 66.00'
- Ⓓ N 52°57'42" W, 90.76'
- Ⓔ N 53°28'55" E, 30.00'
- Ⓕ N 41°26'59" W, 156.00'
- Ⓖ N 44°36'48" W, 94.16'
- Ⓗ N 35°46'56" E, 15.18'

C1  
Δ = 15°52'38"  
R = 232.00'  
L = 64.29'  
CH. BRG. = S 44°27'32" E  
CH. = 64.08'

④  
BRANDWAY, LIMITED, AN OHIO  
LIMITED LIABILITY COMPANY  
273-003672-00  
59.396 ACRES  
O.R. 30785, PG. B15

C2  
Δ = 17°02'32"  
R = 445.50'  
L = 132.51'  
CH. BRG. = S 60°55'07" E  
CH. = 132.02'

C3  
Δ = 13°02'03"  
R = 343.50'  
L = 78.14'  
CH. BRG. = S 75°57'24" E  
CH. = 77.97'

1.364 ACRES



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355 E. CAMPUS VIEW BLVD  
COLUMBUS, OH 43235  
(614) 847-4670



*John Jeffrey Raab*  
JOHN JEFFREY RAAB, P.S. 7863      DATE 2/20/13

**LEGEND:**

- Δ RAILROAD SPIKE FOUND
- IRON MONUMENT FOUND
- I.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**

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PARCEL	1-T
PROJECT	BRAND/COFFMAN
Version Date	02/19/13

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

Situated in the State of Ohio, County of Franklin, Washington Township, City of Dublin, located in Virginia Military Survey Number 2543, being a part of a 12.5804 acre tract in the name of Gretchen A. Distelhorst, as described in Official Record Volume 26330, Page C08, 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 Brand Road (60' right of way) and Coffman Road (70' right of way), said intersection being at the northeasterly corner of a 0.590 acre tract in the name of the City of Dublin, Ohio, as recorded in Official Record Volume 34907, Page H14;

Thence, North 70°15'42" West, a distance of 62.63 feet, along the centerline of said Brand Road, also being the northerly line of said 0.590 acre tract, to the southwesterly corner of a 14.118 acre tract in the name of the City of Dublin, as described in Instrument Number 201203160036653;

Thence, North 00°43'05" East, a distance of 126.61 feet, leaving said centerline, along the westerly line of said 14.118 acre tract, passing a 3/4" I.D. pipe (found) at a distance of 31.83 feet, to the **True Place of Beginning** for the easement described herein:

Thence, leaving said property line, through said 12.5804 acre tract, the following thirteen (13) calls:

1. Northwesterly, a distance of 78.14 feet, along the arc of a curve deflecting to the right, having a central angle of 13°02'03", a radius of 343.50 feet, and a chord that bears North 75°57'24" West, a distance of 77.97 feet;
2. Northwesterly, a distance of 132.51 feet, along the arc of a curve deflecting to the right, having a central angle of 17°02'32", a radius of 445.50 feet, and a chord that bears North 60°55'07" West, a distance of 132.02 feet;
3. Northwesterly, a distance of 64.29 feet, along the arc of a curve deflecting to the right, having a central angle of 15°52'38", a radius of 232.00 feet, and a chord that bears North 44°27'32" West, a distance of 64.08 feet;
4. North 36°31'12" West, a distance of 154.37 feet;
5. North 53°28'48" East, a distance of 5.00 feet;
6. North 36°31'12" West, a distance of 32.00 feet;
7. South 53°28'48" West, a distance of 5.00 feet;
8. North 36°31'12" West, a distance of 83.23 feet;
9. South 53°28'48" West, a distance of 12.00 feet;
10. North 36°31'12" West, a distance of 217.57 feet;
11. North 24°31'23" West, a distance of 130.37 feet;
12. North 41°32'07" West, a distance of 154.79 feet;
13. North 44°39'41" West, a distance of 96.40 feet to the easterly line of a 6.021 acre tract, known as "Reserve A" of Brandon, Section 1, Phase 1, as recorded in Plat Book 64, Page 64, in the name of the Village of Dublin, as described in Official Record 9587, Page D15;

Thence, North 35°46'56" East, a distance of 10.14 feet; along the easterly line of said 6.021 acre tract;

Thence, leaving said property line, through said 12.5804 acre tract, the following twelve (12) calls:

1. South 44°39'41" East, a distance of 98.35 feet;

**EXHIBIT A**

CIP  
PARCEL  
PROJECT  
Version Date

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BRAND/COFFMAN  
02/19/13

2. South 41°32'07" East, a distance of 156.56 feet;
3. South 24°31'23" East, a distance of 130.81 feet;
4. South 36°31'12" East, a distance of 206.52 feet;
5. North 53°28'48" East, a distance of 12.00 feet;
6. South 36°31'12" East, a distance of 279.61 feet;
7. North 53°28'48" East, a distance of 5.00 feet;
8. Southeasterly, a distance of 60.10 feet, along the arc of a curve deflecting to the left, having a central angle of 15°52'38", a radius of 217.00 feet, and a chord that bears South 44°27'32" East, a distance of 59.94 feet;
9. Southeasterly, a distance of 102.60 feet, along the arc of a curve deflecting to the left, having a central angle of 13°39'33", a radius of 430.50 feet, and a chord that bears South 59°13'37" East, a distance of 102.39 feet;
10. South 23°56'36" West, a distance of 5.00 feet;
11. Southeasterly, a distance of 25.71 feet, along the arc of a curve deflecting to the left, having a central angle of 03°22'58", a radius of 435.50 feet, and a chord that bears South 67°44'53" East, a distance of 25.71 feet;
12. Southeasterly, a distance of 74.67 feet, along the arc of a curve deflecting to the left, having a central angle of 12°49'44", a radius of 333.50 feet, and a chord that bears South 75°51'14" East, a distance of 74.52 feet to the westerly line of said 14.118 acre tract;

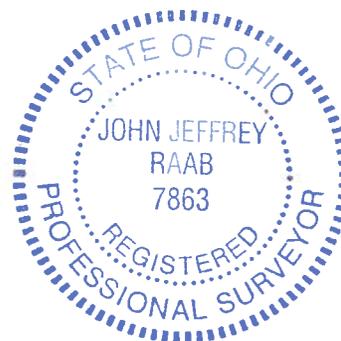
Thence, South 00°43'05" West, a distance of 10.07 feet, along said property line, to the **True Place of Beginning**, containing 0.280 acres, more or less, from Franklin County Auditor's Permanent Parcel Number 270-000257-00.

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.

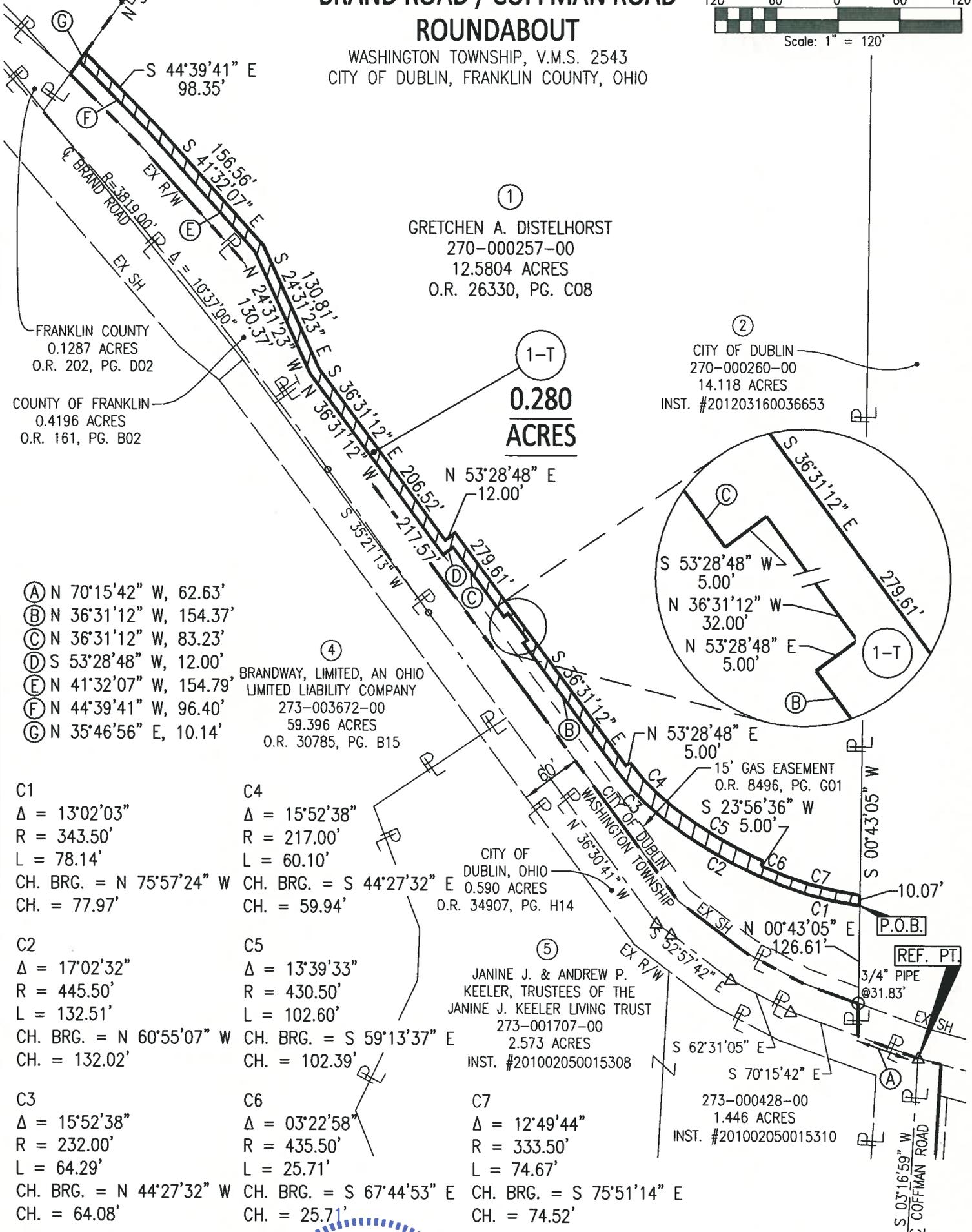
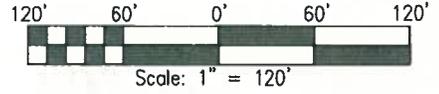
2/20/13 Date



VILLAGE OF DUBLIN  
 273-003197-00  
 6.021 ACRES  
 O.R. 9587, PG. D15  
 RESERVE "A"  
 BRANDON  
 SEC. 1, PH. 1  
 P.B. 64, PG. 64

# EXHIBIT B PARCEL 1-T BRAND ROAD / COFFMAN ROAD ROUNDABOUT

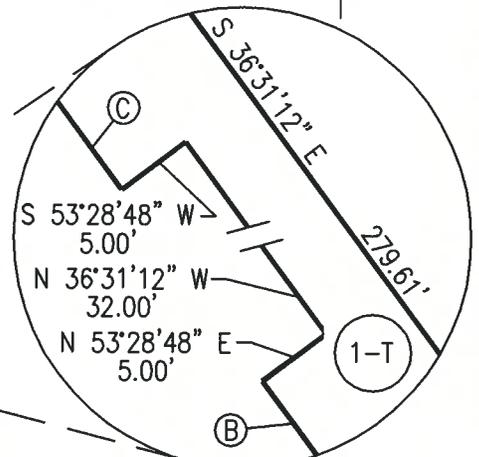
WASHINGTON TOWNSHIP, V.M.S. 2543  
 CITY OF DUBLIN, FRANKLIN COUNTY, OHIO



①  
 GRETCHEN A. DISTELHORST  
 270-000257-00  
 12.5804 ACRES  
 O.R. 26330, PG. C08

1-T  
**0.280**  
**ACRES**

②  
 CITY OF DUBLIN  
 270-000260-00  
 14.118 ACRES  
 INST. #201203160036653



- ④ A N 70°15'42" W, 62.63'
- ④ B N 36°31'12" W, 154.37'
- ④ C N 36°31'12" W, 83.23'
- ④ D S 53°28'48" W, 12.00'
- ④ E N 41°32'07" W, 154.79'
- ④ F N 44°39'41" W, 96.40'
- ④ G N 35°46'56" E, 10.14'

④ BRANDWAY, LIMITED, AN OHIO  
 LIMITED LIABILITY COMPANY  
 273-003672-00  
 59.396 ACRES  
 O.R. 30785, PG. B15

C1  
 $\Delta = 13^{\circ}02'03''$   
 $R = 343.50'$   
 $L = 78.14'$   
 CH. BRG. = N 75°57'24" W  
 CH. = 77.97'

C4  
 $\Delta = 15^{\circ}52'38''$   
 $R = 217.00'$   
 $L = 60.10'$   
 CH. BRG. = S 44°27'32" E  
 CH. = 59.94'

C2  
 $\Delta = 17^{\circ}02'32''$   
 $R = 445.50'$   
 $L = 132.51'$   
 CH. BRG. = N 60°55'07" W  
 CH. = 132.02'

C5  
 $\Delta = 13^{\circ}39'33''$   
 $R = 430.50'$   
 $L = 102.60'$   
 CH. BRG. = S 59°13'37" E  
 CH. = 102.39'

C3  
 $\Delta = 15^{\circ}52'38''$   
 $R = 232.00'$   
 $L = 64.29'$   
 CH. BRG. = N 44°27'32" W  
 CH. = 64.08'

C6  
 $\Delta = 03^{\circ}22'58''$   
 $R = 435.50'$   
 $L = 25.71'$   
 CH. BRG. = S 67°44'53" E  
 CH. = 25.71'

CITY OF  
 DUBLIN, OHIO  
 0.590 ACRES  
 O.R. 34907, PG. H14

JANINE J. & ANDREW P.  
 KEELER, TRUSTEES OF THE  
 JANINE J. KEELER LIVING TRUST  
 273-001707-00  
 2.573 ACRES  
 INST. #201002050015308

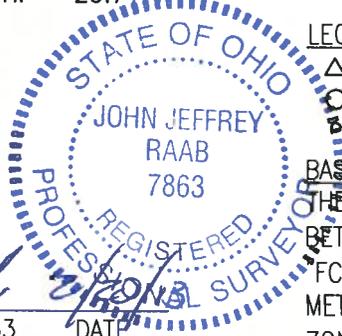
C7  
 $\Delta = 12^{\circ}49'44''$   
 $R = 333.50'$   
 $L = 74.67'$   
 CH. BRG. = S 75°51'14" E  
 CH. = 74.52'

273-000428-00  
 1.446 ACRES  
 INST. #201002050015310



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

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



**LEGEND:**

- $\Delta$  RAILROAD SPIKE FOUND
- IRON MONUMENT FOUND
- ANGLE POINT

**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).