



**To:** Members of Dublin City Council  
**From:** Marsha I. Grigsby, City Manager *MA*  
**Date:** June 20, 2013

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

**Re: Ordinance 59-13 – Authorizing the Appropriation of a 0.201 Acres, More or Less, Fee Simple Interest of Which 0.178 Acres, More or Less, is Present Road Occupied and a 0.036 Acres, More or Less, Temporary Construction Easement from Jon L. Reynolds and Colleen M. Reynolds, 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 Mr. Jon L. and Coleen M. Reynolds (the "Grantors"). After multiple attempts to engage in negotiations with the Grantors, it appears that the City may be forced to appropriate the needed property from the Grantors.

The City is still hopeful that an amicable resolution can be reached with the Grantors; however, this Ordinance directs our Law Department to file an eminent domain action and use the City's quick take ability in the event that negotiations are unsuccessful and the Project needs to move forward.

### PROPERTY TO BE APPROPRIATED:

The appropriation consists of the following property interests, as depicted in the map attached hereto:

Franklin County Parcel No. 270-000292-00

Take	Acreage Taken	City's Appraised Value
Parcel 8-WD (Fee Simple) (Present Road Occupied) Temporary Easement	0.201 ± acres (0.178 acres) 0.036± acres	Total - \$3,325

### Recommendation

Staff recommends Council dispense with the public hearing and pass Ordinance 59-13 as an emergency at the June 13 Council meeting as the construction of the Project is immediately necessary for public safety.

# RECORD OF ORDINANCES

**59-13**

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

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

**AN ORDINANCE AUTHORIZING THE APPROPRIATION OF A 0.201 ACRES, MORE OR LESS, FEE SIMPLE INTEREST OF WHICH 0.178 ACRES, MORE OR LESS, IS PRESENT ROAD OCCUPIED AND A 0.036 ACRES, MORE OR LESS, TEMPORARY CONSTRUCTION EASEMENT FROM JON L. REYNOLDS AND COLLEEN M. REYNOLDS AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Dublin is preparing to construct a roundabout and accompanying facilities at the intersection of Brand and Coffman Road (the "Project"); and

**WHEREAS**, , the Project will require the City of Dublin to obtain a fee simple interest and a temporary easements from Jon L. and Coleen M. Reynolds, as described and depicted in the attached Exhibits "A" and "B," said property interest located in the City of Dublin, County of Franklin; and

**WHEREAS**, representatives of the City of Dublin have attempted to partake in good faith negotiations with the landowner, but these negotiations have been unsuccessful thus far.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Dublin, State of Ohio, \_\_\_\_\_ of the elected members concurring that:

**Section 1.** Council hereby authorizes the City to appropriate, for the purpose of constructing a roundabout and accompanying facilities at the intersection of Brand and Coffman Road, a 0.201 acres, more or less, Fee Simple Interest in Right of Way of which 0.0178 acres, more or less, is Present Road Occupied and a 0.036 acres, more or less, temporary construction easement from Jon L. and Coleen M. Reynolds, 5151 Brand Road, Dublin, Ohio 43017.

**Section 2.** Council hereby fixes the value of the interests to be appropriated at Three Thousand Three Hundred Twenty Five Dollars (\$3,325).

**Section 3.** Council finds that the appropriation is necessary for the stated purpose and that the City has been unable to agree with the owner of the property as to appropriate compensation.

**Section 4.** The City Law Director is hereby authorized to file a petition for appropriation in the Franklin County Court of Common Pleas should it become necessary.

**Section 5.** 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**

CIP 11-023-CIP  
PARCEL 8-WD  
PROJECT BRAND/COFFMAN  
Version Date 02/12/13

**PARCEL 8-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, located in Virginia Military Survey Number 2543, being a part of a 2.319 acre tract in the name of Jon L. & Colleen M. Reynolds as described in Instrument Number 200708290152547 and Instrument Number 200003010041001, 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);

Thence, South 75°28'48" East, a distance of 498.03 feet, along the centerline of said Brand Road, to a railroad spike (found) at the northeasterly corner of a 0.998 acre tract in the name of Dennis W. Richardson, as described in Instrument Number 200701290017158, and the **True Place of Beginning** for the parcel described herein:

Thence, South 75°40'39" East, a distance of 253.94 feet, along said centerline, to a magnail (set) at the northwesterly corner of a 2.044 acre tract in the name of Barbara S. & R. Bruce McLoughlin (T.O.D.), as described in Instrument Number 200709100159092 and Official Record Volume 8836, Page E19;

Thence, South 14°09'31" West, a distance of 30.00 feet, leaving said centerline, along the westerly line of said 2.044 acre tract, to an iron pipe (set);

Thence, leaving said property line, through said 2.319 acre tract, for the following three (3) calls:

1. North 75°40'39" West, a distance of 156.75 feet, to an iron pipe (set);
2. North 86°15'47" West, a distance of 92.94 feet, to an iron pipe (set);
3. North 60°45'10" West, a distance of 18.53 feet, to an iron pipe (set) on the easterly line of said 0.998 acre tract;

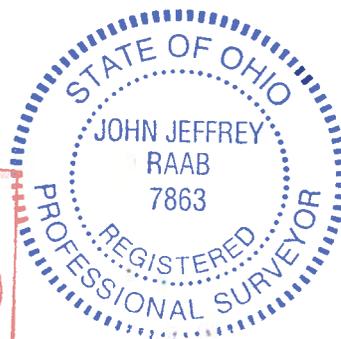
Thence, North 30°08'50" East, a distance of 43.97 feet, along said property line, to the **True Place of Beginning**, containing 0.201 acres, more or less, from Franklin County Auditor's Permanent Parcel Number 270-000292-00, with 0.178 acres, more or less, being the Present Road Occupied (P.R.O.).

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.

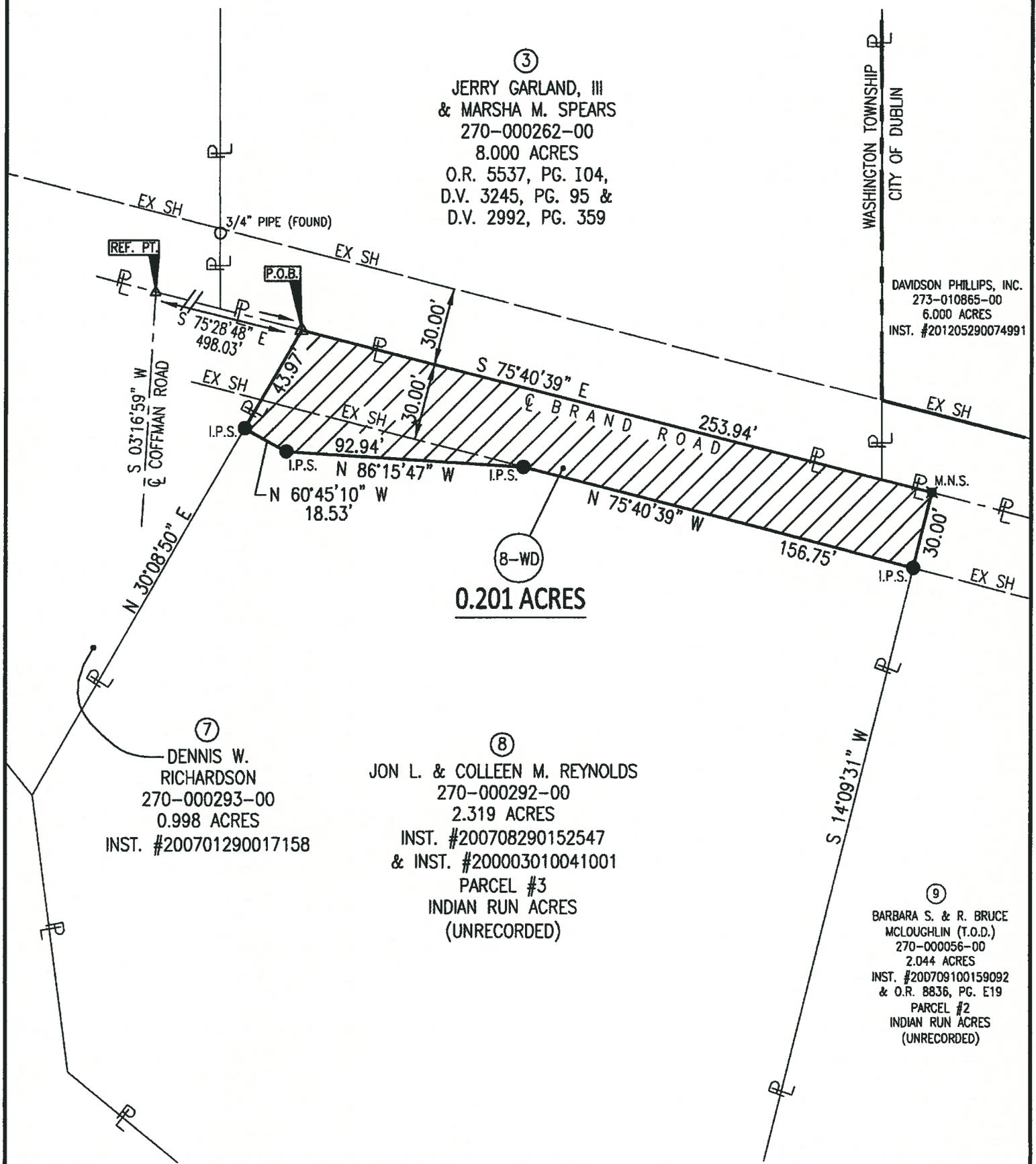
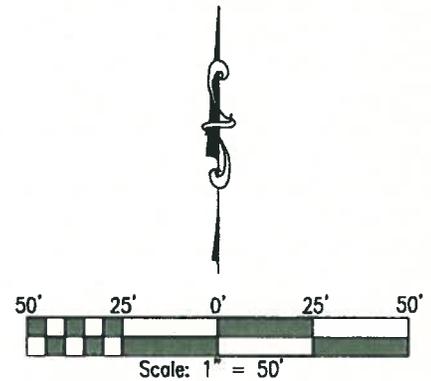
  
John Jeffrey Raab, Ohio Registered Surveyor No 7863 Date 2/20/13  
Prepared by: W.E. Stilson Consulting Group, LLC.



0-107-J  
SPLIT  
0.201 AC  
OUT OF  
(270)  
000292

**EXHIBIT B  
PARCEL 8-WD  
BRAND ROAD / COFFMAN ROAD  
ROUNDAABOUT**

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



③  
JERRY GARLAND, III  
& MARSHA M. SPEARS  
270-000262-00  
8.000 ACRES  
O.R. 5537, PG. 104,  
D.V. 3245, PG. 95 &  
D.V. 2992, PG. 359

DAVIDSON PHILLIPS, INC.  
273-010865-00  
6.000 ACRES  
INST. #201205290074991

⑧-WD  
**0.201 ACRES**

⑦  
DENNIS W. RICHARDSON  
270-000293-00  
0.998 ACRES  
INST. #200701290017158

⑧  
JON L. & COLLEEN M. REYNOLDS  
270-000292-00  
2.319 ACRES  
INST. #200708290152547  
& INST. #200003010041001  
PARCEL #3  
INDIAN RUN ACRES  
(UNRECORDED)

⑨  
BARBARA S. & R. BRUCE  
MCMCLOUGHLIN (T.O.D.)  
270-000056-00  
2.044 ACRES  
INST. #200709100159092  
& O.R. 8836, PG. E19  
PARCEL #2  
INDIAN RUN ACRES  
(UNRECORDED)



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      DATE 2/20/13

**LEGEND:**

- △ 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**

CIP 11-023-CIP  
PARCEL 8-T  
PROJECT BRAND/COFFMAN  
Version Date 02/18/13

Page 1 of 1  
11-023-CIP  
8-T  
BRAND/COFFMAN  
02/18/13

**PARCEL 8-T  
DESCRIPTION OF A TEMPORARY EASEMENT  
FOR GRADING AND DRIVEWAY CONSTRUCTION**

Situated in the State of Ohio, County of Franklin, Washington Township, located in Virginia Military Survey Number 2543, being a part of a 2.319 acre tract in the name of Jon L. & Colleen M. Reynolds as described in Instrument Number 200708290152547 and Instrument Number 200003010041001, 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);

Thence, South 75°28'48" East, a distance of 498.03 feet, along the centerline of said Brand Road, to the northeasterly corner of a 0.998 acre tract in the name of Dennis W. Richardson, as described in Instrument Number 200701290017158;

Thence, South 30°08'50" West, a distance of 43.96 feet, along the easterly line of said 0.998 acre tract, to the **True Place of Beginning** for the easement described herein:

Thence, South 60°45'10" East, a distance of 18.53 feet, leaving said property line, through said 2.319 acre tract;

Thence, South 86°15'47" East, a distance of 92.94 feet, continuing through said 2.319 acre tract, to the southerly existing right of way for said Brand Road;

Thence, South 75°40'39" East, a distance of 42.27 feet, continuing through said 2.319 acre tract, along said existing right of way;

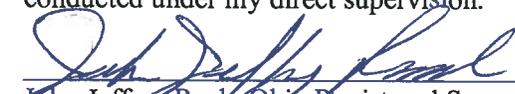
Thence, leaving said existing right of way, through said 2.319 acre tract, for the following four (4) calls:

1. South 14°19'21" West, a distance of 10.00 feet;
2. North 75°40'39" West, a distance of 41.66 feet;
3. North 86°15'47" West, a distance of 94.30 feet;
4. North 60°29'31" West, a distance of 20.62 feet, to the easterly line of said 0.998 acre tract;

Thence, North 30°08'50" East, a distance of 10.00 feet, along the easterly line of said 0.998 acre tract, to the **True Place of Beginning**, containing 0.036 acres, more or less, from Franklin County Auditor's Permanent Parcel Number 270-000292-00.

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.

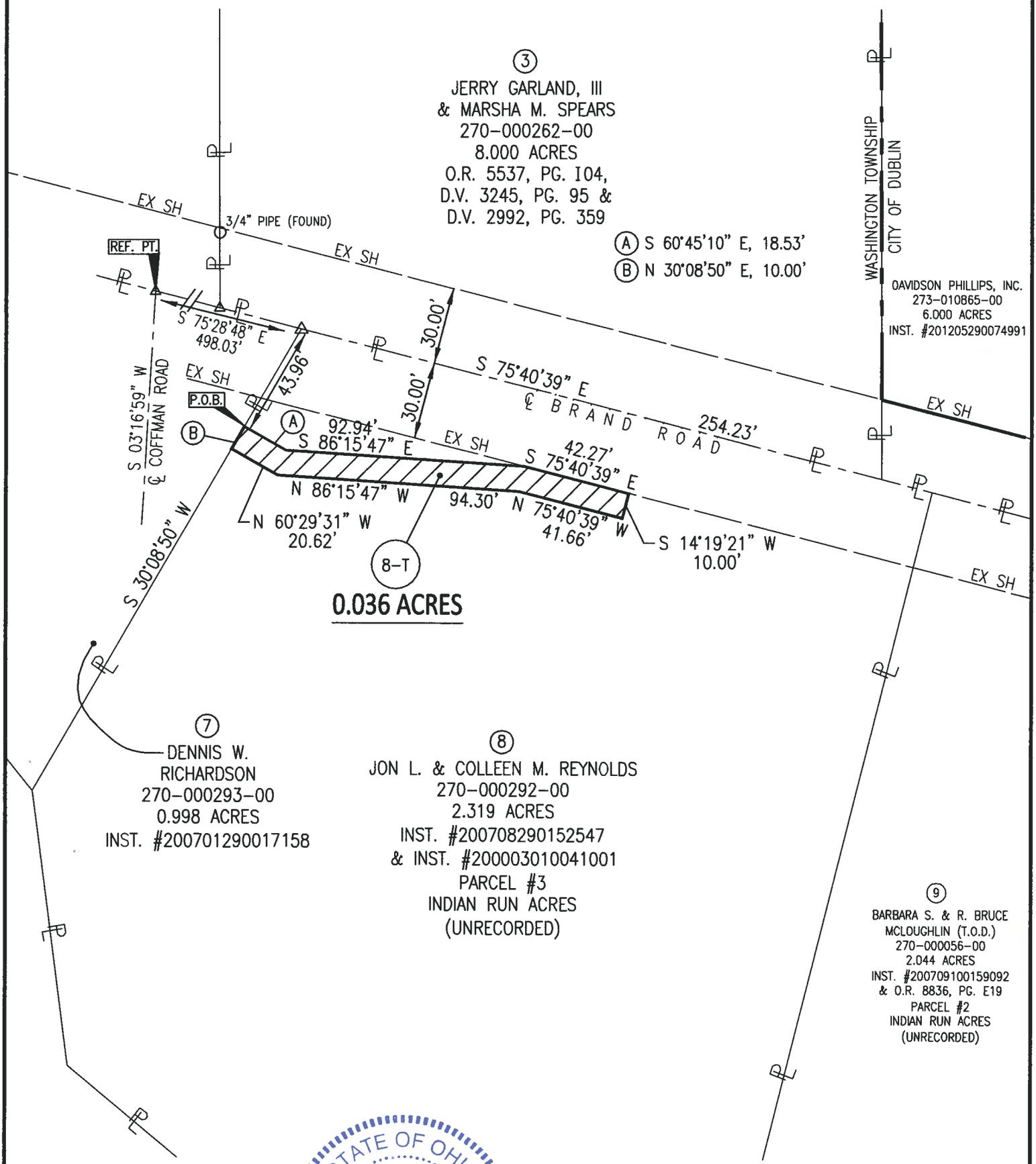
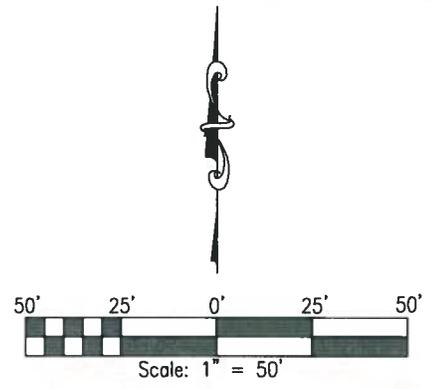
  
John Jeffrey Raab, Ohio Registered Surveyor No 7863  
Prepared by: W.E. Stilson Consulting Group, LLC.

  
Date



# EXHIBIT B PARCEL 8-T BRAND ROAD / COFFMAN ROAD ROUNDBABOUT

WASHINGTON TOWNSHIP, FRANKLIN COUNTY, OHIO  
V.M.S. 2543



③  
JERRY GARLAND, III  
& MARSHA M. SPEARS  
270-000262-00  
8.000 ACRES  
O.R. 5537, PG. 104,  
D.V. 3245, PG. 95 &  
D.V. 2992, PG. 359

Ⓐ S 60°45'10" E, 18.53'  
Ⓑ N 30°08'50" E, 10.00'

DAVIDSON PHILLIPS, INC.  
273-010865-00  
6.000 ACRES  
INST. #201205290074991

⑦  
DENNIS W.  
RICHARDSON  
270-000293-00  
0.998 ACRES  
INST. #200701290017158

⑧  
JON L. & COLLEEN M. REYNOLDS  
270-000292-00  
2.319 ACRES  
INST. #200708290152547  
& INST. #200003010041001  
PARCEL #3  
INDIAN RUN ACRES  
(UNRECORDED)

⑨  
BARBARA S. & R. BRUCE  
MCLOUGHLIN (T.O.D.)  
270-000056-00  
2.044 ACRES  
INST. #200709100159092  
& O.R. 8836, PG. E19  
PARCEL #2  
INDIAN RUN ACRES  
(UNRECORDED)



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**LEGEND:**  
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○ IRON MONUMENT FOUND

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