City of Dublin

Office of the City Manager
5200 Emerald Parkway • Dublin, OH 43017-1090
Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager

Date: August 22, 2013

Initiated By: Sara Ott, Sr. Project Manager

Re: Ordinance 76-13 – Authorizing the City Manager to Execute Necessary Conveyance Documentation to Acquire a 0.015 Acres, More or Less, Permanent Multi-Use, Utility, Grading and Drainage Easement and a 0.008 Acres, More or Less, Temporary Easement from The Villas of Earlington, Inc., and Declaring an Emergency

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"). It is anticpated that construction will begin in Fall 2013. The City must obtain property interests from various landowners located within the City in order to construct this project.

One of the landowners that the City must obtain property interests from for the construction of the Project is The Villas of Earlington, Inc. (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 above the appraised value of $1,100. The acquisition is detailed below:

Property Interest Acquiring	*PROPOSED ACRES*	*NEGOTIATED PURCHASE PRICE*
Permanent Multi-Use, Utility, Grading and Drainage Easement	0.015	$3,000
Temporary Construction and Grading Easements	0.008	
Total		$ 3,000

Recommendation

Ordinance 76-13 authorizes the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interests described above. Staff recommends that Council dispense with the public hearing and approve Ordinance 76-13 as an emergency as obtaining the property interests is necessary for the furtherance of this project.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc. Form No. 30043

Ordinance No. 76-13 Passed _____, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTATION TO ACQUIRE A 0.015 ACRES, MORE OR LESS, PERMANENT MULTI-USE, UTILITY, GRADING AND DRAINAGE EASEMENT, A 0.008 ACRES, MORE OR LESS, TEMPORARY EASEMENT, FROM THE VILLAS OF EARLINGTON, INC., AND DECLARING AN EMERGENCY.

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 the Villas of Earlington, Inc. (the "Grantor"), the 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 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 Three Thousand Dollars ($3,000); 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 a 0.015 acres, more or less, permanent multi-use, utility, grading and drainage easement and a 0.008 acres, more or less, temporary easement from the Villas of Earlington for the sum of Three Thousand Dollars ($3,000), said property interests located within Franklin County and identified as 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 construction of the Project will begin in Fall 2013. This ordinance shall therefore be effective upon passage.

Passed this _____day of _____, 2013.

_____

Mayor - Presiding Officer

ATTEST:

_____

Clerk of Council

EXHIBIT A

CIP	11-022-CIP
PARCEL	10-P
PROJECT	BRAND SUP
Version Date	01/17/13

PARCEL 10-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 1.269 acre tract, known as the 4th Amendment to The Villas of Earlington Condominium, as recorded in Condominium Plat Book 72, Page 21, all records are referenced to the Franklin County Recorder's Office, and being more particularly described as follows:

Beginning, at the northeasterly corner of said 1.269 acre tract, said corner being on the westerly line of a 1.000 acre tract in the name of Neal M. & Nancy S. Hahn, as recorded in Official Record Volume 7606, Page I19, 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, and also being the **True Place of Beginning** for the easement herein described:

Thence, South 35°04'10" West, a distance of 15.00 feet, with the westerly line of said 1.000 acre tract, to a point;

Thence, North 54°55'50" West, a distance of 25.52 feet, leaving said line, running across said 1.269 acre tract, to a point;

Thence, North 31°43'55" West, a distance of 38.08 feet, running across said 1.269 acre tract, to the southerly existing right of way for Brand Road, as recorded in Plat Book 83, Page 3;

Thence, South 54°55'50" East, a distance of 60.52 feet, being parallel and 40.00 feet southwesterly from said the centerline of Brand Road, with said existing right of way, 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).

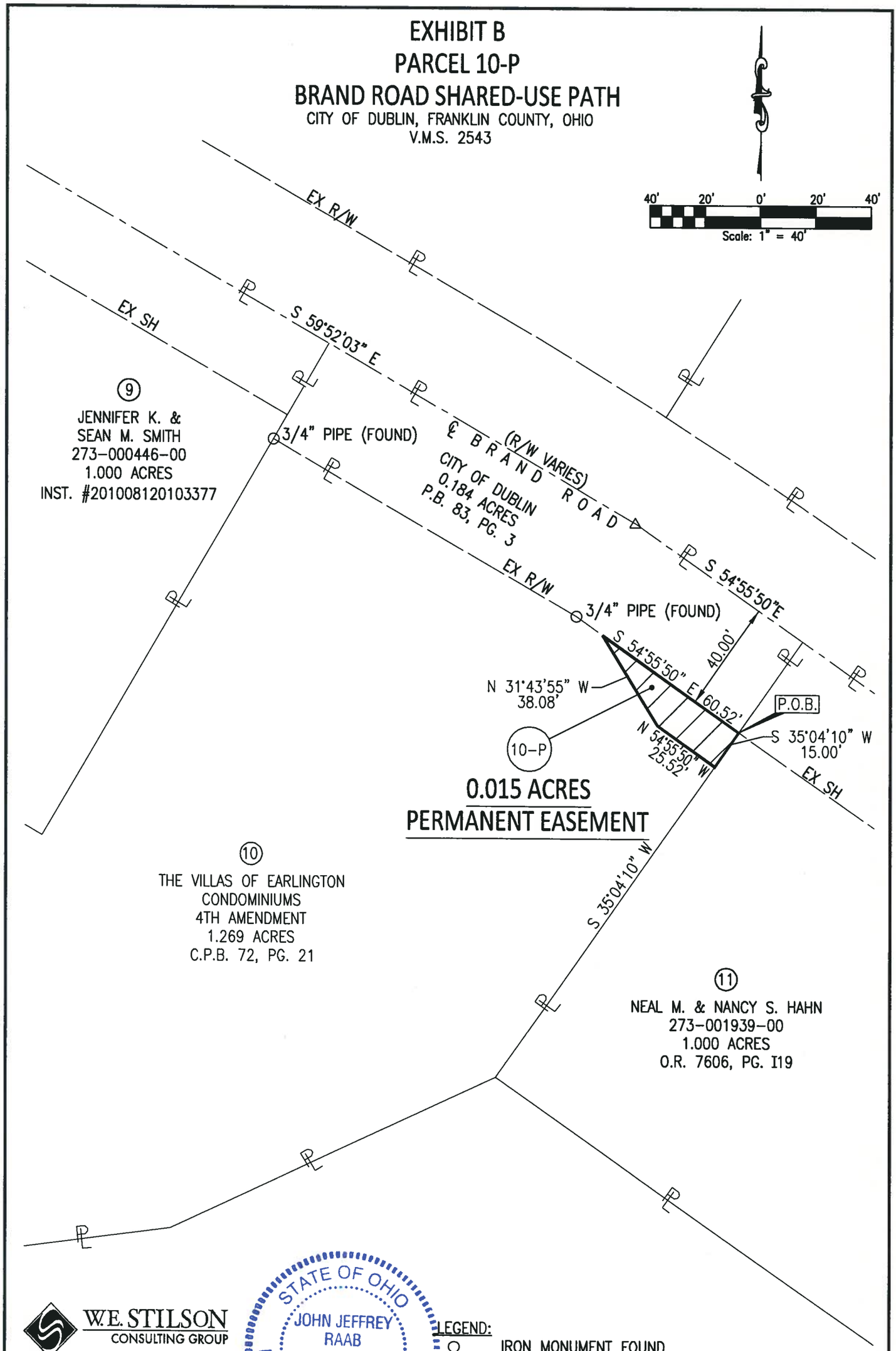
I hereby certify this description was written by using measurements obtained by an actual field survey conducted under my direct supervision.

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

Prepared by: W.E. Stilson Consulting Group, LLC.
Job No.: 111013.00
(The Villas of Earlington – 4th Amendment, C.P.B 72, Pg. 23)

STATE OF OHIO
JOHN JEFFREY RAAB 7863
REGISTERED PROFESSIONAL SURVEYOR

EXHIBIT B
PARCEL 10-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

STATE OF OHIO
JOHN JEFFREY RAAB
7863
REGISTERED PROFESSIONAL SURVEYOR

11/20/12
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

CIP	11-022-CIP
PARCEL	10-T
PROJECT	BRAND SUP
Version Date	11/20/12

PARCEL 10-T
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 1.269 acre tract, known as the 4th Amendment to The Villas of Earlington Condominium, as recorded in Condominium Plat Book 72, Page 21, 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 1.269 acre tract, 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 a 1.000 acre tract in the name of Neal M. & Nancy S. Hahn, as recorded in Official Record Volume 7606, Page I19;

Thence, South 35°04'10" West, a distance of 15.00 feet, with the westerly line of said 1.000 acre tract, to the **True Place of Beginning** for the easement herein described:

Thence, South 35°04'10" West, a distance of 5.00 feet, with said line, to a point;

Thence, North 54°55'50" West, a distance of 26.55 feet, leaving said line, running across said 1.269 acre tract, to a point;

Thence, North 31°13'57" West, a distance of 49.76 feet, running across said 1.269 acre tract, to a 3/4" pipe (found) on the southerly existing right of way for Brand Road, as recorded in Plat Book 83, Page 3;

Thence, South 54°55'50" East, a distance of 11.59 feet, being parallel and 40.00 feet southwesterly from the centerline of Brand Road, with said existing right of way, to a point;

Thence, South 31°43'55" East, a distance of 38.08 feet, leaving said existing right of way, running across said 1.269 acre tract, to a point;

Thence, South 54°55'50" East, a distance of 25.52 feet, running across said 1.269 acre tract, to the **True Place of Beginning**, containing 0.008 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

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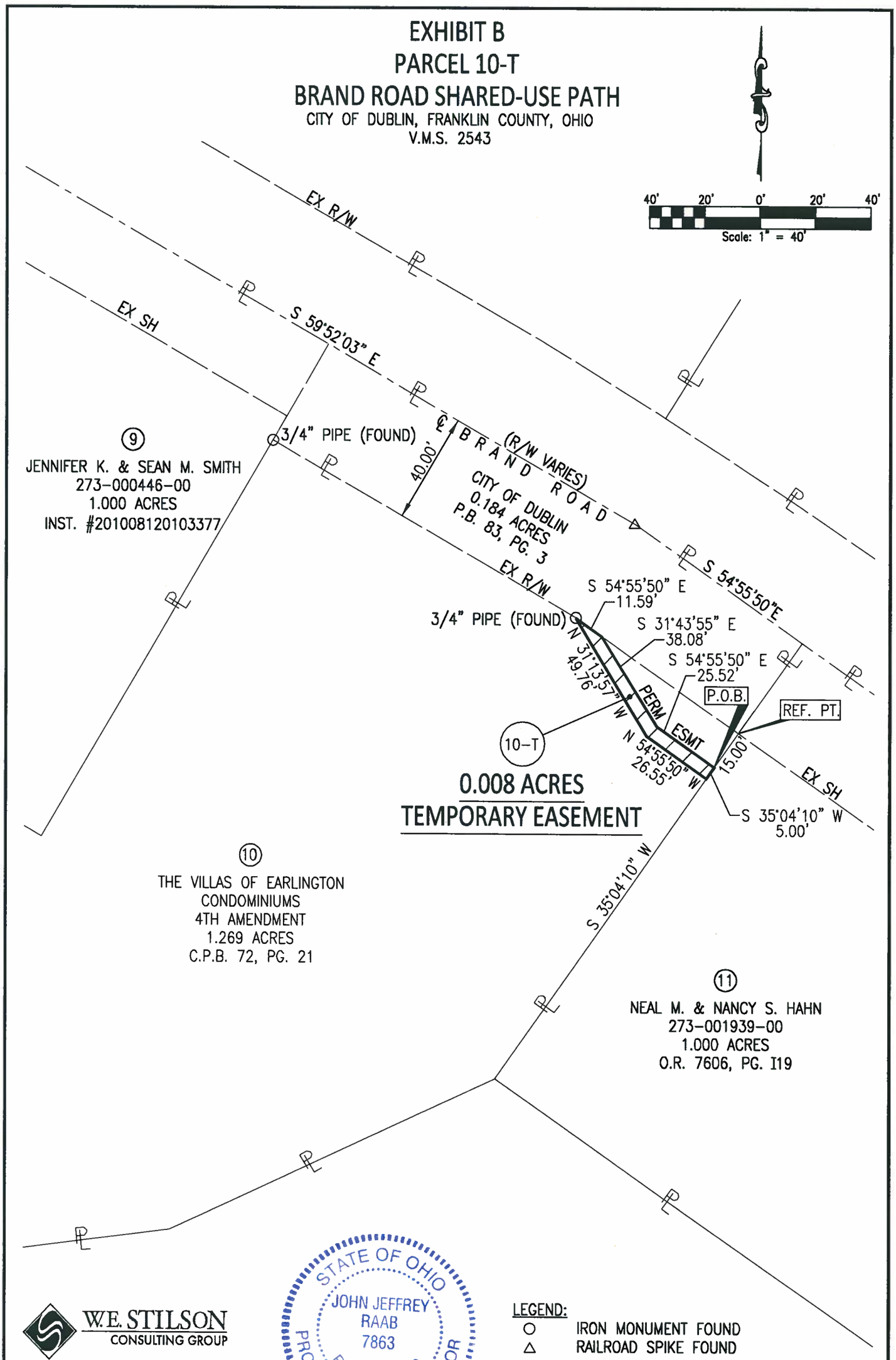
STATE OF OHIO
JOHN JEFFREY RAAB
7863
REGISTERED
PROFESSIONAL SURVEYOR

EXHIBIT B
PARCEL 10-T
BRAND ROAD SHARED-USE PATH
CITY OF DUBLIN, FRANKLIN COUNTY, OHIO
V.M.S. 2543



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