

MEMORANDUM

TO: Dublin City Council
Marsha I. Grigsby, City Manager
Dana McDaniel, Director of Economic Development

FROM: Terry D. Foegler, Director of Strategic Initiatives/Special Projects
Philip K. Hartmann, Assistant Law Director

DATE: October 10, 2013

RE: Resolution No. 61-13
Realignment of Riverside Drive
Peace Hanson LLC

PROJECT BACKGROUND:

The City of Dublin ("City") is preparing to construct and realign Riverside Drive north of Dublin-Granville Road and south of Tuller Road (the "Project"). The City must obtain property interests from various landowners located within the City in order to construct this Project. The Project was included within the City's Five-Year Capital Improvements Program approved by City Council in September of this year via Ordinance 66-13.

One of the landowners that the City must obtain property from for the construction of the Project is Peace Hanson LLC (the "Grantor"). This property is commonly known as the Spa at River Ridge with an address of 6570 Riverside Drive, Dublin, OH 43017. The Project requires the purchase of the entire parcel. This acquisition is in addition to the City's purchase of 13.28 acres from Invictus and Tuller Henderson in December of 2012 (AKA Bash Driving Range and Digger and Finch Restaurant) and 5.12 acres of needed right-of-way from Crawford Hoying earlier this year (AKA Bridge Pointe Shopping Center). The City is hopeful that an amicable resolution can be reached with the Grantor. The Resolution begins the eminent domain acquisition process.

PROPERTY TO BE APPROPRIATED:

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

Franklin County Parcel No. 273-0008802

Parcel - WD (Fee Simple)	1.437 acres
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RECOMMENDATION:

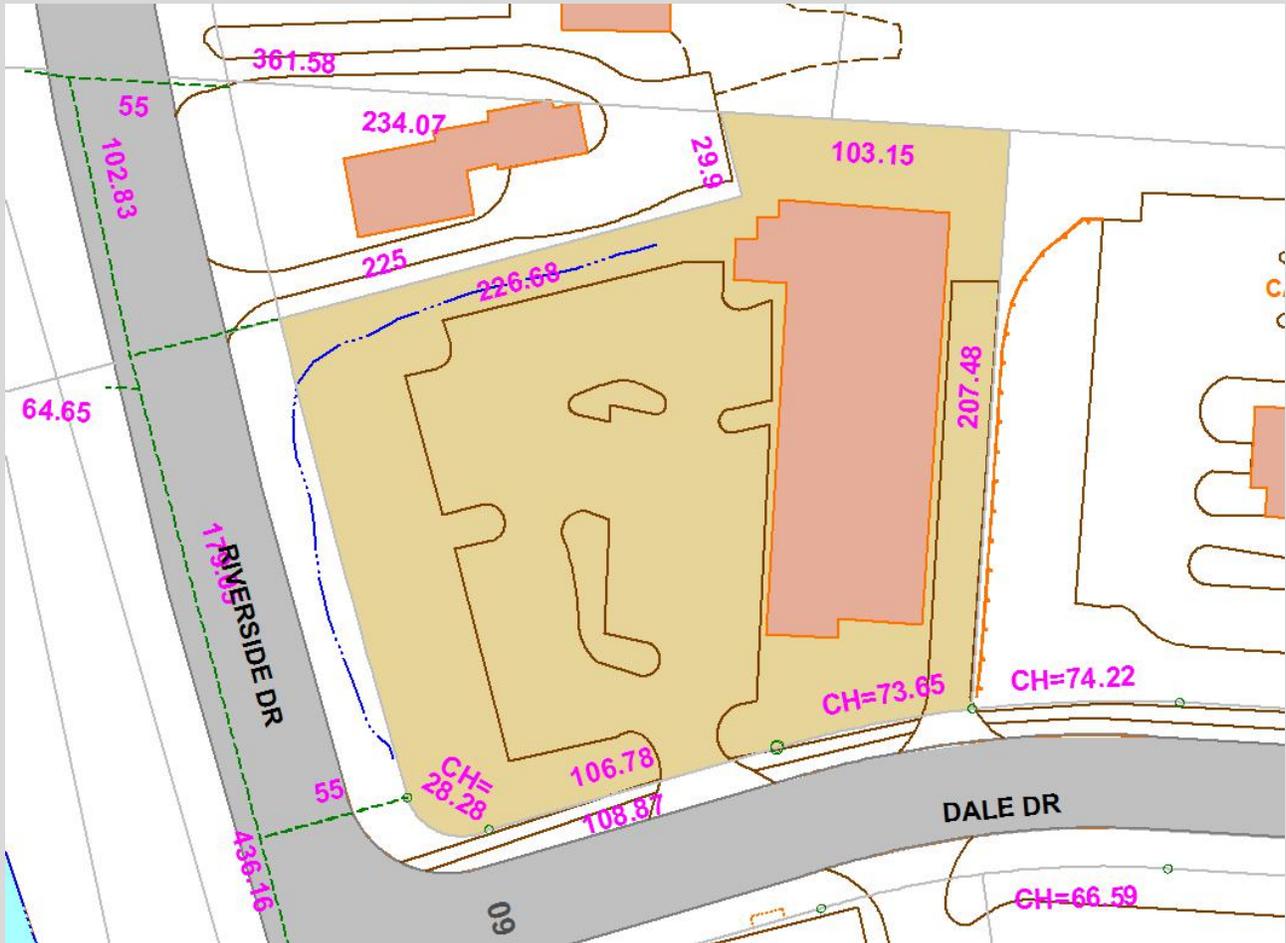
Staff and the Law Department recommend approval of Resolution No. 61-13 as the construction and realignment of Riverside Drive is necessary for public safety, and approval of the Resolution will keep the Project moving forward.

Property Report

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Parcel ID 273-008802-00	Map Routing No 273-0069A -002-00	Card No 1	Location 6570 RIVERSIDE DR
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GIS



Disclaimer

This drawing is prepared for the real property inventory within this county. It is compiled from recorded deeds, survey plats, and other public records and data. Users of this drawing are notified that the public primary information source should be consulted for verification of the information contained on this drawing. The county and the mapping companies assume no legal responsibilities for the information contained on this drawing. Please notify the Franklin County GIS Division of any discrepancies.

The information on this web site is prepared for the real property inventory within this county. Users of this data are notified that the public primary information source should be consulted for verification of the information contained on this site. The county and vendors assume no legal responsibilities for the information contained on this site. Please notify the Franklin County Auditor's Real Estate Division of any discrepancies.

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 61-13 Passed _____, 20____

A RESOLUTION OF INTENT TO APPROPRIATE A 1.437 ACRES, MORE OR LESS, FEE SIMPLE INTEREST FROM PEACE HANSON LLC FOR THE PURPOSE OF THE REALIGNMENT OF RIVERSIDE DRIVE

WHEREAS, the City of Dublin ("Dublin") will be realigning Riverside Drive to the east of its current location, between Dublin-Granville Road and Tuller Road (The "Project"); and

WHEREAS, Peace Hanson LLC owns property with the commonly known address of 6750 Riverside Drive, parcel number 273-008802, and carries on a business on the property called "The Spa at River Ridge"; and

WHEREAS, the City needs to acquire the entire 1.437 acre parcel for the Project; and

WHEREAS, this Project will require the City of Dublin to obtain a fee simple interest from Peace Hanson LLC, as described in the legal descriptions attached as Exhibit "A", said property interest located in the City of Dublin, County of Franklin, State of Ohio.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. Council considers it necessary and declares its intention to appropriate, for the purpose of realigning Riverside Drive to the east of its current location, between Dublin-Granville Road and Tuller Road, a 1.437 acre fee simple interest described in the attached Exhibit "A," from Peace Hanson LLC.

Section 2. The City Manager is hereby authorized to cause written notice of the passage of this Resolution to be served upon the owners and persons in possession or having an interest of record in the property described in Exhibit A, and this notice shall be served according to law.

Section 3. This Resolution shall take effect upon passage in accordance with Section 4.04(a) of the Revised Charter.

Passed this _____ day of _____ 2013.

Mayor - Presiding Officer

ATTEST:

Clerk of Council

Exhibit "A" – Legal Description
For File: 1445832

Situated in the State of Ohio, County of Franklin, City of Dublin, Quarter Township 2, Range 19, United States Military Lands, being 1.318 acres (and all that remains) out of that original 3.004 acre tract of land (2.996 acres by survey) as described in a deed to Thomas Touch, Inc. of record in Official Records Volume 7293, Page J-18 (all references herein being to the records located in the Recorder's Office, Franklin County, Ohio), said 1.318 acres being more particularly described as follows:

Beginning at a point at a northwesterly corner of said original 3.004 acre tract and at the southwesterly corner of that 0.34 acre tract of land as described in a deed to David A. Thomas, of record in Deed Book 3492, Page 869;

Thence North 77° 33' 49" East, along the southerly line of said 0.34 acre tract, a distance of 226.68 feet to an iron pin found at the southeasterly corner of same;

Thence North 13° 07' 08" West, along the easterly line of said 0.34 acre tract, a distance of 29.61 feet to an iron pin at the northeasterly corner of same and in the southerly line of that 51.77 acre tract of land as described in a deed to City National Bank and Trust Company, Trustee, of record in Deed Book 3774, Page 888;

Thence South 83° 54' 37" East, along said southerly line, a distance of 103.15 feet to an iron pin at the northwesterly corner of that 1.678 acre tract of land as described in a deed to Dale Properties Co., of record in Official Records Volume 7737, Page E-08;

Thence South 6° 05' 23" West, along the westerly line of said 1.678 acre tract, a distance of 207.48 feet to an iron pin at the southwesterly corner of same and in the northerly right-of-way line of Dale Drive, 60.00 feet in width, as shown and delineated upon the plat "DALE CENTER", of record in Plat Book 58, Pages 81 and 82;

Thence along said northerly right-of-way line the following three courses:

1. With the arc of a curve to the left, having a radius of 430.00 feet, a central angle of 9° 49' 34", the chord of which bears South 81° 04' 22" West, a chord distance of 73.65 feet to an iron pin at the point of tangency;
2. South 76° 09' 35" West, a distance of 106.78 feet to an iron pin at a point of curvature;
3. With the arc of a curve to the right, having a radius of 20.00 feet, a central angle of 90° 37' 00", the chord of which bears North 58° 31' 55" West, a chord distance of 28.44 feet to a point in the easterly right-of-way line of State Route 257;

Thence South 76°46' 35" West, a distance of 55.00 feet to a point in the centerline of said State Route 257;

Thence North 13°13' 25" West, along said centerline and the tangent thereof, a distance of 179.05 feet to the place of beginning and containing 1.318 acres of land of which 0.228 acre lies within the right-of-way of State Route 257, leaving a net useable acreage of 1.090 acres.

Bearings herein are based on a bearing of North 13° 13' 25" West for the centerline of State Route 257.

