



**To:** Members of Dublin City Council

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

**Date:** April 24, 2014

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

**Re:** Ordinance 30-14 – Authorizing the City Manager to Execute Necessary Conveyance Documents to Acquire 0.023 Acre, More or Less, Permanent Easement and 0.023 Acre, More or Less, Temporary Easement from Frederick M. Coggin and Judith W. Harvey, for the Property Located at 6165 Dublin Road for the Construction of a Multi-Use Path as Part of the Dublin Road South Phase 3 Project, and Declaring an Emergency.

### Background

The City of Dublin ("City") is preparing to construct a shared use path on the western side of Dublin Road between Rings Road and Waterford Drive (the "Project"). The City must obtain property interests from various landowners located within the City in order to construct this project. The City presented offers based upon appraisals to each of these landowners.

The City must obtain property interests from for the construction of the Project from Frederick Coggin and Judith Harvey (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 be acquiring from the Grantor only those property interests necessary for the construction of the Project as depicted in the legal description and map attached to this memorandum. The City will be acquiring these property interests for their appraised value. The acquisition is detailed below:

Property Interest Acquiring	Acres	Appraised Value
Permanent Utility, Grading and Drainage Easement	0.023	\$3,750
Temporary Construction Easement	0.023	\$750
Landscaping, Vegetation and Trees	-	\$1,500
Total		\$ 6,000

**Recommendation**

Ordinance 30-14 would authorize the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interests described above.

Staff recommends Council dispense with the second reading/public hearing and approve Ordinance 30-14 as emergency legislation as obtaining the property interests is necessary for the furtherance of this project.

# RECORD OF ORDINANCES

**30-14**

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

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

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE 0.023 ACRE, MORE OR LESS, PERMANENT EASEMENT AND 0.023 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM FREDERICK M. COGGIN AND JUDITH W. HARVEY, FOR THE PROPERTY LOCATED AT 6165 DUBLIN ROAD FOR THE CONSTRUCTION OF A MULTI-USE PATH AS PART OF THE DUBLIN ROAD SOUTH PHASE 3 PROJECT, AND DECLARING AN EMERGENCY.**

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

**WHEREAS**, said Project requires that the City obtain certain property interest within Franklin County Parcel No. 273-001409 owned by Frederick M. Coggin and Judith W. Harvey (the "Grantors"), said property interest more fully described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," all attached hereto; and

**WHEREAS**, the City and the Grantors participated in good faith discussions and have come to mutually agreeable terms for the acquisition of the necessary property interest for the sum of Six Thousand Dollars (\$6,000.00); and

**WHEREAS**, the City desires to execute necessary conveyance documentation to complete the transaction between the City and the Grantors.

**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 0.023 acre, more or less, permanent easement, as well as a 0.023 acre, more or less, temporary easement for two (2) years, commencing on the date construction begins, from Frederick M. Coggin and Judith W. Harvey, for the sum of Six Thousand Dollars (\$6,000.00), said property interest located within Franklin County Parcel No. 273-001409, 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 obtaining the property interests is necessary for the advancement of this project. The ordinance shall therefore take effect immediately upon passage.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Mayor – Presiding Officer

ATTEST:

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

**EXHIBIT A**

CIP 1 of 2  
PARCEL 08-009  
PROJECT 37-P  
Version Date DUBLIN MUP 11/02/13

**PARCEL 37-P  
DUBLIN ROAD SOUTH MULTI-USE PATH  
PERPETUAL EASEMENT  
FOR UTILITIES, GRADING, and a MULTI-USE PATH**

Situate in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey 2419, being a part of that 0.524 acre tract as conveyed to Frederick M. Coggin and Judith W. Harvey, by deed of record in Instrument Number 199904300109030, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

**Beginning for Reference** at the intersection of the centerline of right-of-way of Karrer Place and Dublin Road; said point being at centerline station 168+50.05;

Thence North 19 deg. 40 min. 16 sec. East, a distance of 48.07 feet along the centerline of right-of-way of Dublin Road to the intersection of the easterly extension of the common line of said Coggin and Harvey 0.524 acre tract and the 0.605 acre tract conveyed to Bruce C. and Sharon C. Miller by deed of record in Official Record 11529 J07; said point being at centerline station 168+98.12;

Thence North 82 deg. 15 min. 21 sec. West, a distance of 30.66 feet along the common line (and it's easterly extension) of said Coggin and Harvey 0.524 acre tract and said Miller 0.605 acre tract, to a point in the existing westerly right-of-way line of Dublin Road, being 30.00 feet left of centerline station 168+91.78, and being the **Point of True Beginning** of the herein described easement;

Thence South 19 deg. 40 min. 16 sec. West, a distance of 102.20 feet along the existing westerly right-of-way line of Dublin Road and across said Coggin and Harvey 0.524 acre tract to a point in the common line of said Coggin and Harvey 0.524 acre tract and the 0.521 acre tract conveyed to Mohammed Ghiath Ammar and Ester Lea Ammar, by deed of record in Instrument Number 199912200311432; said point being 30.00 feet left of centerline station 167+89.58;

Thence North 82 deg. 15 min. 21 sec. West, a distance of 10.22 feet along the common line of said Coggin and Harvey 0.524 acre tract and said Ammar 0.521 acre tract, to a point being 40.00 feet left of centerline station 167+87.47;

Thence North 19 deg. 40 min. 16 sec. East, a distance of 102.20 feet across said Coggin and Harvey 0.524 acre tract to a point in the common line of said Coggin and Harvey 0.524 acre tract and said Miller 0.605 acre tract; said point being 40.00 feet left of centerline station 168+89.67;

Thence South 82 deg. 15 min. 21 sec. East, a distance of 10.22 feet along the common line of said Coggin and Harvey 0.524 acre tract and said Miller 0.605 acre tract, to the **Point of True Beginning**, containing 0.023 acres, more or less.

Of the above described area, 0.023 acres are contained within Franklin County Auditor's Parcel 273-001409.

**EXHIBIT A**

	2 of 2
CIP	08-009
PARCEL	37-P
PROJECT	DUBLIN MUP
Version Date	11/02/13

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (86), using the bearing of South 20 deg. 27 min. 34 sec. West, as derived from a GPS survey in 2008 occupying Franklin County Geodetic Control Monuments "FRANK 73" and "FCGS 6642 RESET".

This description was prepared by Steven E. Rader, registered surveyor 7191, and is based upon a field survey for the City of Dublin, Ohio, in 2008 by Stantec Consulting Services, Inc., under the direction of said surveyor.

Grantor claims title by the instrument of record in Instrument Number 199904300109030, of the Recorder's Office, Franklin County, Ohio.

A drawing of this description is attached hereto and made part thereof.



STANTEC CONSULTING SERVICES, INC.

Steven E Rader 11/3/13  
Registered Surveyor No. 7191 Date



**EXHIBIT A**

CIP 1 of 1  
PARCEL 08-009  
PROJECT 37-T  
DUBLIN MUP  
Version Date 05/18/12

**PARCEL 37-T  
DUBLIN ROAD SOUTH MULTI-USE PATH  
TEMPORARY EASEMENT  
TO PERFORM MINOR GRADING and RECONSTRUCT A DRIVE**

Situate in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey 2419, being a part of that 0.524 acre tract as conveyed to Frederick M. Coggin and Judith W. Harvey, by deed of record in Instrument Number 199904300109030, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

**Beginning for Reference** at the intersection of the northerly line of said Coggin and Harvey 0.524 acre tract with the existing westerly right-of-way line of Dublin Road, being 30.00 feet left of centerline station 168+91.78;

Thence North 82 deg. 15 min. 21 sec. West, a distance of 10.22 feet along the northerly line of said Coggin and Harvey 0.524 acre tract to the **Point of True Beginning** of the herein described parcel, being 40.00 feet left of centerline station 168+89.67;

Thence South 19 deg. 40 min. 16 sec. West, a distance of 102.20 feet across said Coggin and Harvey 0.524 acre tract to a point in the southerly line of said Coggin and Harvey 0.524 acre tract, being 40.00 feet left of centerline station 167+87.47;

Thence North 82 deg. 15 min. 21 sec. West, a distance of 10.22 feet along the southerly line of said Coggin and Harvey 0.524 acre tract to a point being 50.00 feet left of centerline station 167+85.36;

Thence North 19 deg. 40 min. 16 sec. East, a distance of 102.20 feet across said Coggin and Harvey 0.524 acre tract to a point in the northerly line of said Coggin and Harvey 0.524 acre tract being 50.00 feet left of centerline station 168+87.56;

Thence South 82 deg. 15 min. 21 sec. East, a distance of 10.22 feet along the northerly line of said Coggin and Harvey 0.524 acre tract to the **Point of Beginning**, containing 0.023 acres, more or less.

Of the above described area, 0.023 acres are contained within Franklin County Auditor's Parcel 273-001409.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (86), as established from a GPS survey in 2008, occupying Franklin County Geodetic Control Monuments "FRANK 73" and "FCGS 6642 RESET".

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A drawing of this description is attached hereto and made part thereof.



STANTEC CONSULTING SERVICES, INC.

*Steven E. Rader* 5/22/12  
Registered Surveyor No. 7191 Date

