RECORD OF ORDINANCES

Dayton Legal Blank, Inc. Form No. 30043

Ordinance No. 12-14 *Passed* _____, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE 0.024 ACRES, MORE OR LESS, PERMANENT EASEMENT AND 0.049 ACRES, MORE OR LESS, TEMPORARY EASEMENT FROM ISAAC D. PENSON AND KAY W. PENSON, 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. 273-000233 owned by Isaac D. Penson and Kay W. Penson (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 Ten Thousand Five Hundred Fifty Dollars ($10,550.00); 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 0.024 acres, more or less, permanent easement and 0.049 acres, more or less, temporary easement for two (2) years, commencing on the date construction begins, from Isaac D. Penson and Kay W. Penson, for the sum of Ten Thousand Five Hundred Fifty Dollars ($10,550.00), said property interest located within Franklin County Parcel No. 273-000233, 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

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: March 20, 2014

Initiated By: Sara Ott, Sr. Project Manager

Re: Ordinance 12-14 – Authorizing the City Manager to Execute Necessary Conveyance Documents to Acquire 0.024 Acres, More or Less, Permanent Easement and 0.049 Acres, More or Less, Temporary Easement from Isaac D. Penson and Kay W. Penson

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 for the construction of the Project from Isaac D. Penson and Kay W. Penson (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	0.024	$3,900
Temporary Construction Easement	0.049	$1,650
Landscaping, Vegetation and Trees	_	$5,000
Total		$ 10,550

Recommendation

Ordinance 12-14 would authorize the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interests described above.

Staff recommends approval of Ordinance 12-14 at the second reading/public hearing on April 14, 2014 as obtaining the property interests is necessary for the furtherance of this project.

EXHIBIT A

CIP	08-009
PARCEL	29-P
PROJECT	DUBLIN MUP
Version Date	11/01/13

PARCEL 29-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 Lot 1 of the subdivision entitled GOULD ADDITION No. 2, as recorded in Plat Book 27, Page 73, and as conveyed to Isaac D. and Kay W. Penson, by deed of record in Official Record 25701 E08, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at the northeast corner of said Lot 1 at the intersection with the existing westerly right-of-way line of Dublin Road, being 30.00 feet left of centerline station 158+45.82;

Thence South 20 deg. 47 min. 05 sec. West, a distance of 128.97 feet across said Lot 1, and along the existing westerly right-of-way line of Dublin Road, to a point of non-tangent curvature, being 30.00 feet left of centerline station 157+16.85;

Thence along the arc of a curve to the right for 11.98 feet, along the southeasterly line of said Lot 1, and along the existing northerly right-of-way line of Grandview Drive, having a radius of 25.00 feet, a central angle of 27 deg. 27 min. 46 sec., a chord bearing of South 63 deg. 09 min. 55 sec. West, a chord distance of 11.87 feet to a point of non-tangency, being 38.00 feet left of centerline station 157+08.09;

Thence North 20 deg. 47 min. 05 sec. East, a distance of 135.20 feet across said Lot 1 to a point in the northerly line of said Lot 1, being 38.00 feet left of centerline station 158+43.29;

Thence South 86 deg. 46 min. 34 sec. East, a distance of 8.39 feet along the northerly line of said Lot 1, to the **Point of Beginning**, containing 0.024 acres, more or less.

Of the above described area, 0.024 acres are contained within Franklin County Auditor's Parcel 273-000233.

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 Official Record 25701 E08, of the Recorder's Office, Franklin County, Ohio.

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

STATE OF OHIO
STEVEN E. RADER 7191
REGISTERED PROFESSIONAL SURVEYOR

STANTEC CONSULTING SERVICES, INC.

Steven E Rader 11/3/13

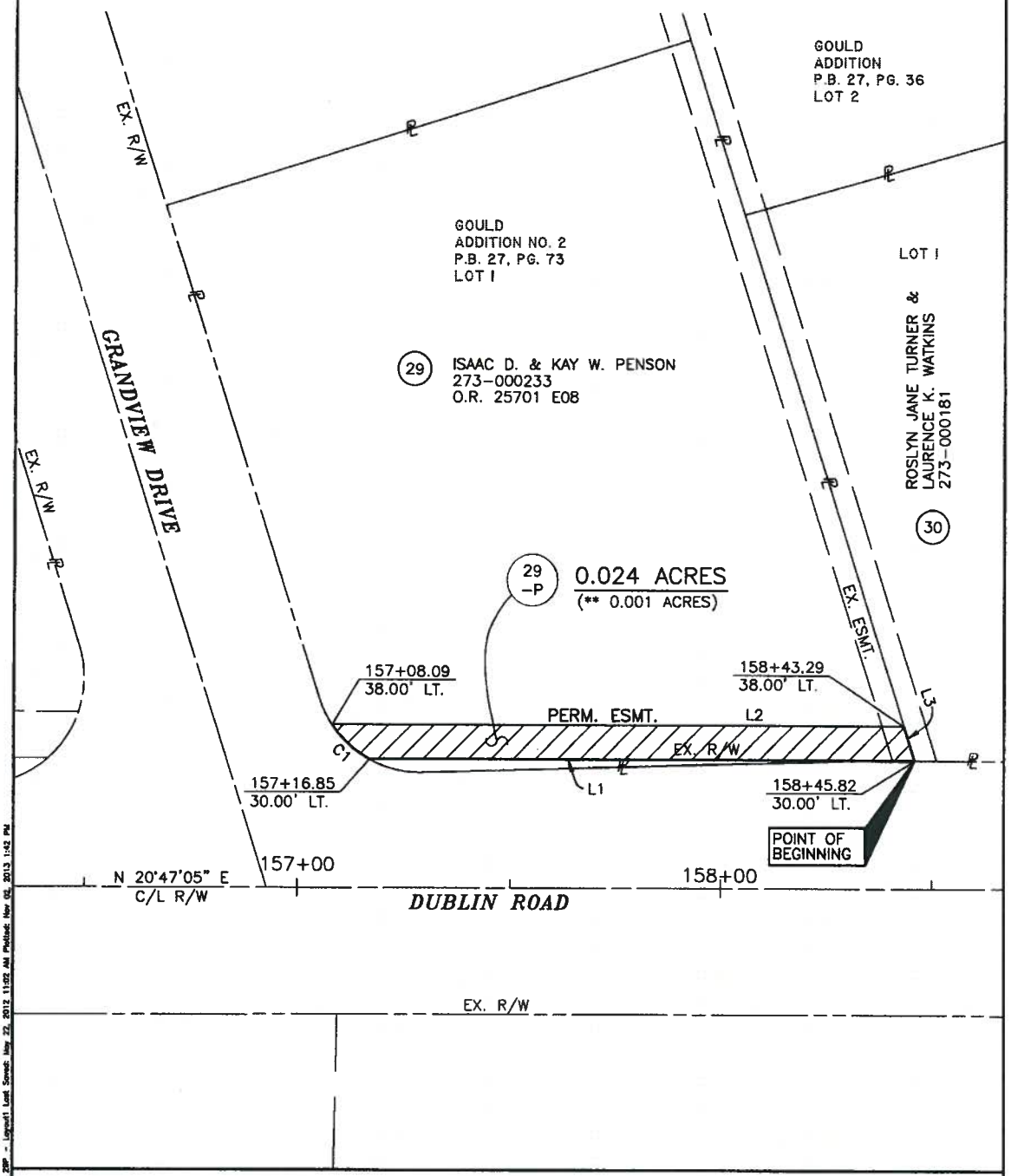
Registered Surveyor No. 7191 Date

** PORTION OF THE PROPOSED EASEMENT LYING WITHIN AN EXISTING EASEMENT

EXHIBIT B

MONUMENT LEGEND

- R.R.S. FOUND
- REBAR FOUND
- IRON PIN FOUND
- MONUMENT BOX
- 3/4" IRON PIN SET



NUMBER	DELTA ANG.	RADIUS	ARC LEN	CHORD DIRECTION	CHORD
C1	27°27'46"	25.00'	11.98'	S 63°09'55" W	11.87'

NUMBER	DIRECTION	DISTANCE
L1	S 20°47'05" W	128.97'
L2	N 20°47'05" E	135.20'
L3	S 86°46'34" E	8.39'

BASIS OF BEARINGS

THE PROJECT BEARING DATUM IS BASED UPON STATE PLANE GRID BEARINGS FROM THE OHIO COORDINATE SYSTEM, SOUTH ZONE, NAD 83 (86), USING THE BEARING OF S 20°27'34" W AS DERIVED FROM A GPS SURVEY OCCUPYING FRANKLIN COUNTY ENGINEER'S STATIONS "FRANK 73", AND "FCGS 6642 RESET".

STATE OF OHIO
STEVEN E. RADER 7191
REGISTERED
PROFESSIONAL SURVEYOR

PARCEL 29-P
DUBLIN ROAD SOUTH
MULTI-USE PATH
CITY OF DUBLIN, FRANKLIN COUNTY, OHIO

0 30 60
SCALE IN FEET

Prepared By

Stantec Consulting Services, Inc.
1500 Lake Shore Drive, Suite 100
Columbus, Ohio 43204
Phone: (614) 486-4383

Stantec

Steven E. Rader
Registered Surveyor #7191

11/3/13
Date

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EXHIBIT A

CIP	08-009
PARCEL	29-T
PROJECT	DUBLIN MUP
Version Date	05/18/12

PARCEL 29-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 Lot 1 of the subdivision entitled GOULD ADDITION No. 2, as recorded in Plat Book 27, Page 73, and as conveyed to Isaac D. and Kay W. Penson, by deed of record in Official Record 25701 E08, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning for Reference at the northeast corner of said Lot 1 at the intersection with the existing westerly right-of-way line of Dublin Road, being 30.00 feet left of centerline station 158+45.82;

Thence North 86 deg. 46 min. 34 sec. West, a distance of 8.39 feet along the northerly line of said Lot 1 to the **Point of True Beginning** of the herein described parcel, being 38.00 feet left of centerline station 158+43.29;

Thence South 20 deg. 47 min. 05 sec. West, a distance of 135.20 feet across said Lot 1 to a point of non-tangent curvature, being 38.00 feet left of centerline station 157+08.09;

Thence along the arc of a curve to the right for 7.12 feet, along the southeasterly line of said Lot 1, and along the existing northerly right-of-way line of Grandview Drive, having a radius of 25.00 feet, a central angle of 16 deg. 19 min. 37 sec., a chord bearing of South 85 deg. 03 min. 37 sec. West, a chord distance of 7.10 feet to a point of tangency, being 44.40 feet left of centerline station 157+05.00;

Thence North 86 deg. 46 min. 34 sec. West, a distance of 80.00 feet along the southerly line of said Lot 1, and along the existing northerly right-of-way line of Grandview Drive, to a point being 120.67 feet left of centerline station 156+80.87;

Thence the following three (3) courses and distances across said Lot 1;

1. Thence North 03 deg. 13 min. 26 sec. East, a distance of 10.00 feet to a point being 123.69 feet left of centerline station 156+90.40;

2. Thence South 86 deg. 46 min. 34 sec. East, a distance of 79.38 feet to a point being 48.00 feet left of centerline station 157+14.35;

3. Thence North 20 deg. 47 min. 05 sec. East, a distance of 125.77 feet to a point in the northerly line of said Lot 1, being 48.00 feet left of centerline station 158+40.12;

Thence South 86 deg. 46 min. 34 sec. East, a distance of 10.49 feet to the **Point of True Beginning**, containing 0.049 acres, more or less.

EXHIBIT A

CIP	08-009
PARCEL	29-T
PROJECT	DUBLIN MUP
Version Date	05/18/12

Of the above described area, 0.049 acres are contained within Franklin County Auditor's Parcel 273-000233.

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".

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 Official Record 25701 E08, of the Recorder's Office, Franklin County, Ohio.

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

STATE OF OHIO
STEVEN E. RADER 7191
REGISTERED PROFESSIONAL SURVEYOR

STANTEC CONSULTING SERVICES, INC.

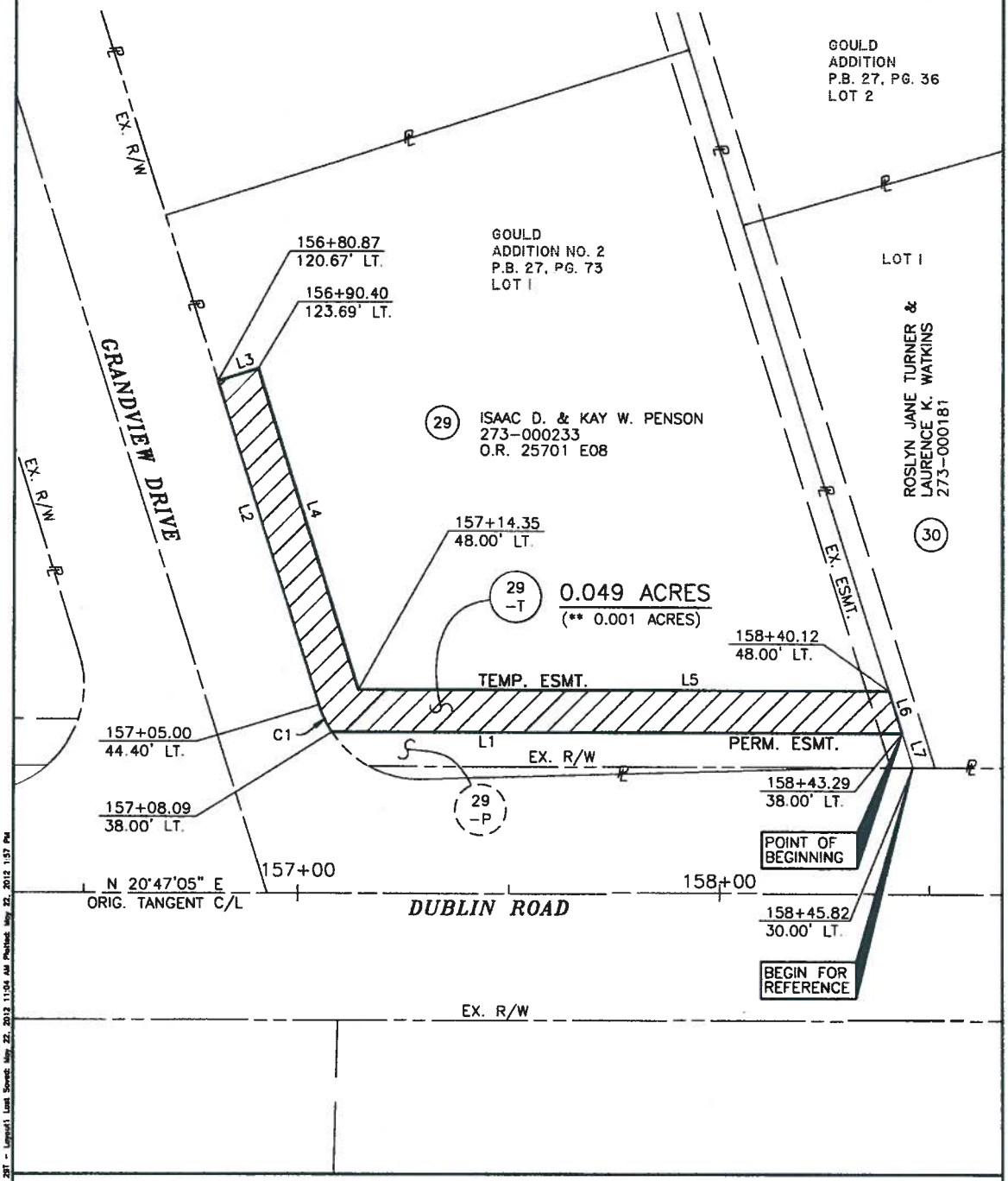
Steven E Rader 5/22/12

Registered Surveyor No. 7191 Date

NUMBER	DIRECTION	DISTANCE
L1	S 20°47'05" W	135.20'
L2	N 86°46'34" W	80.00'
L3	N 03°13'26" E	10.00'
L4	S 86°46'34" E	79.38'
L5	N 20°47'05" E	125.77'
L6	S 86°46'34" E	10.49'
L7	N 86°46'34" W	8.39'

EXHIBIT B

MONUMENT LEGEND
- R.R.S. FOUND
- REBAR FOUND
- IRON PIN FOUND
- MONUMENT BOX
- 3/4" IRON PIN SET



NUMBER	DELTA ANG.	RADIUS	ARC LEN	CHORD DIRECTION	CHORD
C1	16°19'37"	25.00'	7.12'	S 85°03'37" W	7.10'

PARCEL 29-T
DUBLIN ROAD SOUTH
MULTI-USE PATH
CITY OF DUBLIN, FRANKLIN COUNTY, OHIO

0 30 60
SCALE IN FEET

** PORTION OF THE PROPOSED EASEMENT LYING WITHIN AN EXISTING EASEMENT

BASIS OF BEARINGS
THE PROJECT BEARING DATUM IS BASED UPON STATE PLANE GRID BEARINGS FROM THE OHIO COORDINATE SYSTEM, SOUTH ZONE, NAD 83 (86), AS MEASURED USING G.P.S. METHODS THROUGH THE FRANKLIN COUNTY ENGINEER'S STATIONS "FRANK 73", AND "FCGS 6642 RESET".

STATE OF OHIO
STEVEN E. RADER 7191
REGISTERED PROFESSIONAL SURVEYOR

Prepared By
Stantec Consulting Services, Inc.
1500 Lake Shore Drive, Suite 100
Columbus, Ohio 43204
Phone: (614) 486-4383

Stantec

Steven E. Rader
Registered Surveyor #7191

5/22/12
Date