RECORD OF ORDINANCES

Dayton Legal Blank, Inc. Form No. 30043

Ordinance No. 13-14 *Passed* _____, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE 0.058 ACRES, MORE OR LESS, TEMPORARY EASEMENT FROM KEVIN M. KLOSTERMAN AND KAREN L. KLOSTERMAN, 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. 270-000403 owned by Kevin M. Klosterman and Karen L. Klosterman (the "Grantors"), said property interest more fully described in the Exhibit labeled "A" and depicted in the Exhibit 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 Hundred Dollars ($600.00); 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 0.058 acres, more or less, temporary easement for two (2) years, commencing on the date construction begins, from Kevin M. Klosterman and Karen L. Klosterman, for the sum of Six Hundred Dollars ($600.00), said property interest located within Franklin County Parcel No. 270-000403, 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 13-14 - Authorizing the City Manager to Execute Necessary Conveyance Documents to Acquire 0.058 Acres, More or Less, Temporary Easement from Kevin M. Klosterman and Karen L. Klosterman

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 a calculated value to each of these landowners.

The City must obtain property interests for the construction of the Project from Kevin M. Klosterman and Karen L. Klosterman (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 descriptions and maps attached to this memorandum. The City will be acquiring these property interests for their estimated value. The acquisition is detailed below:

Property Interest Acquiring	Description	Estimated Value
Temporary Construction and Grading Easement	0.058 Acres	$600.00
Total		$ 600.00

Estimation Calculations

The process used to estimate the value of the temporary easement area is very similar to that used in the appraisals commissioned by the City for permanent easements.

A square foot land value is established for the lot, based upon comparable properties identified in appraisals commissioned for permanent easements in the same project.
The square footage land value is then multiplied by the square footage of area disturbed by the project. This value is multiplied by 10%, in recognition of the temporary nature of the easement's

purpose. Finally, if any planting beds or trees are removed, a value is calculated for these elements and added to the land value.

Recommendation

Ordinance 13-14 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 13-14 at the second reading/public hearing on April 14 as obtaining the property interests is necessary for the furtherance of this project.

EXHIBIT A

CIP	08-009
PARCEL	21-T
PROJECT	DUBLIN MUP
Version Date	05/18/12

PARCEL 21-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 7 LEPPERT SUBDIVISION as recorded in Plat Book 27, Page 13, as conveyed to Kevin M. and Karen L. Klosterman, by deed of record in Instrument Number 199709090089921, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an iron pin found marking the southeast corner of said Lot 7 in the existing westerly right-of-way line of Dublin Road, being 40.00 feet left of centerline station 142+87.16;

Thence North 83 deg. 44 min. 25 sec. West, a distance of 15.00 feet along the southerly line of said Lot 7 to a point being 55.00 feet left of centerline station 142+87.38;

Thence North 05 deg. 26 min. 35 sec. East, a distance of 167.22 feet across said Lot 7 to a point in the northerly line of said Lot 7, being 55.00 feet left of centerline station 144+54.60;

Thence South 87 deg. 35 min. 25 sec. East, a distance of 15.02 feet, along the northerly line of said Lot 7, to the northeast corner of said Lot 7 in the existing westerly right-of-way line of Dublin Road, being 40.00 feet left of centerline station 144+55.39;

Thence South 05 deg. 26 min. 35 sec. West, a distance of 168.23 feet, along the northerly line of said Lot 7, and along the existing westerly right-of-way line of Dublin Road to the **Point of Beginning**, containing 0.058 acres, more or less.

Of the above described area, 0.058 acres are contained within Franklin County Auditor's Parcel 270-000403.

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 Instrument Number 199709090089921, of the Recorder's Office, Franklin County, Ohio.

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

STANTEC CONSULTING SERVICES, INC.

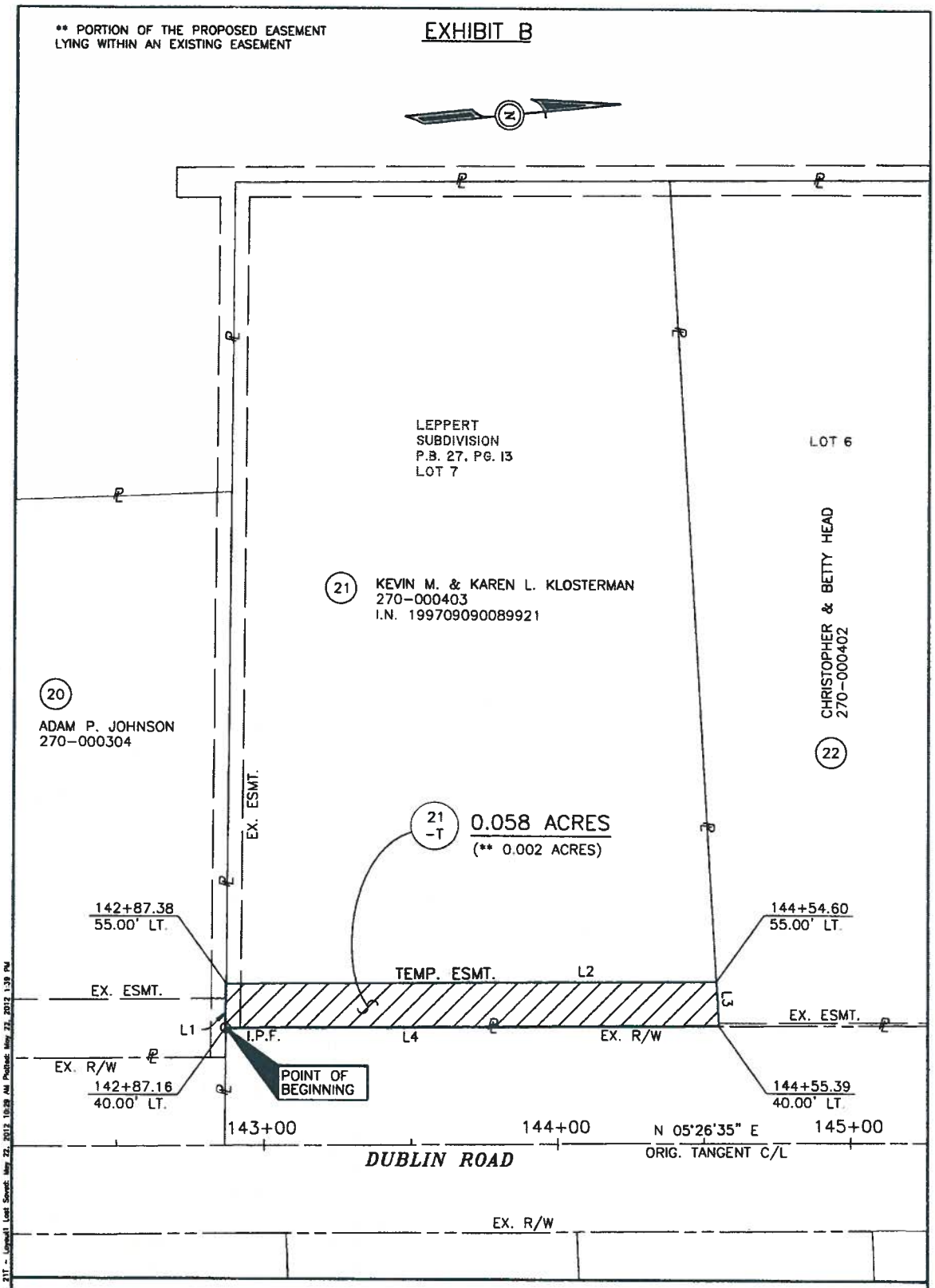
STATE OF OHIO
STEVEN E. RADER 7191
REGISTERED PROFESSIONAL SURVEYOR

Steven E Rader 5/22/12

Registered Surveyor No. 7191 Date

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

EXHIBIT B



NUMBER	DIRECTION	DISTANCE
L1	N 83°44'25" W	15.00'
L2	N 05°26'35" E	167.22'
L3	S 87°35'25" E	15.02'
L4	S 05°26'35" W	168.23'

MONUMENT LEGEND

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

PARCEL 21-T
DUBLIN ROAD SOUTH
MULTI-USE PATH
WASHINGTON TWP., FRANKLIN COUNTY, OHIO

0 40 80
SCALE IN FEET

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 5/22/12
Registered Surveyor #7191 Date

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