RECORD OF ORDINANCES

Dayton Legal Blank, Inc. Form No. 30043

Ordinance No. 17-14 *Passed* _____, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE 0.054 ACRES, MORE OR LESS, TEMPORARY EASEMENT FROM PARCEL NUMBER 270-000401 AND 0.040 ACRES, MORE OR LESS, TEMPORARY EASEMENT FROM PARCEL NUMBER 270-000399 FROM THOMAS A. MCDOWELL AND ALLEN E. MCDOWELL, TRUSTEE, 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. 270-000401, being a part of Lot 5 LEPPERT SUBDIVISION, and Franklin County Parcel No. 270-000399, being a part of Lot 3 LEPPERT SUBDIVISION, owned by Thomas A. McDowell and Allen E. McDowell, Trustee (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 One Thousand One Hundred Twenty Six Dollars ($1,126); 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 0.054 acres, more or less, temporary easement and 0.040 acres, more or less, temporary easement for two (2) years, commencing on the date construction begins, from Thomas A. McDowell and Allen E. McDowell, Trustee, for the sum of One Thousand One Hundred Twenty Six Dollars ($1,126), said property interest located within Franklin County Parcel No. 270-000401 and Franklin County Parcel No. 270-000399, 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 17-14 - Authorizing the City Manager to Execute Necessary Conveyance Documents to Acquire 0.054 Acres, More or Less, Temporary Easement from Parcel Number 270-000401 and 0.040 Acres, More or Less, Temporary Easement from Parcel Number 270-000399 from Thomas A. McDowell and Allen E. McDowell, Trustee

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 Thomas A. McDowell and Allen E. McDowell (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	0.054 Acres	$647
Temporary Construction and Grading Easement	0.040 Acres	$479
Total		$ 1,126

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 17-14 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 17-14 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	23-T
PROJECT	DUBLIN MUP
Version Date	05/18/12

PARCEL 23-T
DUBLIN ROAD SOUTH MULTI-USE PATH
TEMPORARY EASEMENT
TO PERFORM MINOR GRADING

Situate in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey 2419, being a part of Lot 5 LEPPERT SUBDIVISION as recorded in Plat Book 27, Page 13, as conveyed to Thomas A. McDowell and Allen E. McDowell, Trustees, by deed of record in Deed Book 2711, Page 670, and Deed Book 2384, Page 1, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at the southeast corner of said Lot 5 in the existing westerly right-of-way line of Dublin Road, being 40.00 feet left of centerline station 146+12.39;

Thence North 87 deg. 35 min. 25 sec. West, a distance of 15.02 feet along the southerly line of said Lot 5 to a point being 55.00 feet left of centerline station 146+11.60;

Thence North 05 deg. 26 min. 35 sec. East, a distance of 157.00 feet across said Lot 5 to a point in the northerly line of said Lot 5, being 55.00 feet left of centerline station 147+68.60;

Thence South 87 deg. 35 min. 25 sec. East, a distance of 15.02 feet, along the northerly line of said Lot 5, to the northeast corner of said Lot 5 in the existing westerly right-of-way line of Dublin Road, being 40.00 feet left of centerline station 147+69.39;

Thence South 05 deg. 26 min. 35 sec. West, a distance of 157.00 feet, along the northerly line of said Lot 5, and along the existing westerly right-of-way line of Dublin Road to the **Point of Beginning**, containing 0.054 acres, more or less.

Of the above described area, 0.054 acres are contained within Franklin County Auditor's Parcel 270-000401.

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 Deed Book 2711, Page 670, and Deed Book 2384, Page 1, 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

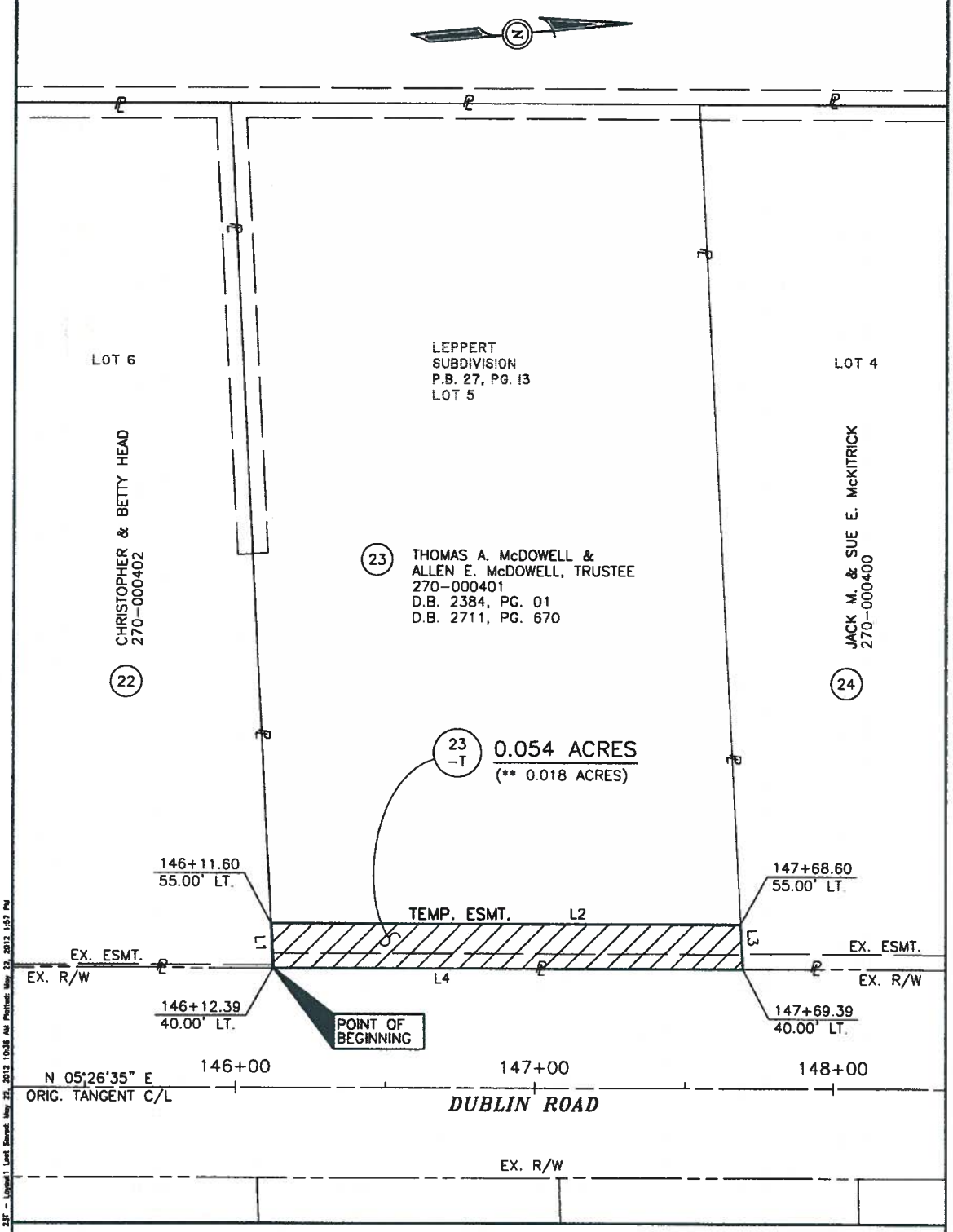
STANTEC CONSULTING SERVICES, INC.

Steven E. Rader 5/22/12

Registered Surveyor No. 7191 Date

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

EXHIBIT B



NUMBER	DIRECTION	DISTANCE
L1	N 87°35'25" W	15.02'
L2	N 05°26'35" E	157.00'
L3	S 87°35'25" E	15.02'
L4	S 05°26'35" W	157.00'

MONUMENT LEGEND

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

PARCEL 23-T
DUBLIN ROAD SOUTH
MULTI-USE PATH
WASHINGTON TWP., FRANKLIN COUNTY, OHIO

0 40 80
SCALE IN FEET

Prepared By

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

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

RADER, STEVE U:\173608738\design\plan_set\Right of Way\EXHIBITS\23T.dwg 23T - Layout1 Last Saved: May 22, 2012 10:36 AM Plotted: May 22, 2012 1:57 PM

EXHIBIT A

CIP	08-009
PARCEL	25-T
PROJECT	DUBLIN MUP
Version Date	05/18/12

PARCEL 25-T
DUBLIN ROAD SOUTH MULTI-USE PATH
TEMPORARY EASEMENT
TO PERFORM MINOR GRADING

Situate in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey 2419, being a part of Lot 3 LEPPERT SUBDIVISION as recorded in Plat Book 27, Page 13, as conveyed to Thomas A. McDowell and Allen E. McDowell, Trustees, by deed of record in Deed Book 2711, Page 670, and Deed Book 2243, Page 674, 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 3 in the existing westerly right-of-way line of Dublin Road, being 40.00 feet left of centerline station 149+26.39;

Thence North 87 deg. 35 min. 25 sec. West, a distance of 12.02 feet along the southerly line of said Lot 3 to a point being 52.00 feet left of centerline station 149+25.76;

Thence North 05 deg. 26 min. 35 sec. East, a distance of 152.63 feet across said Lot 3 to a point of non-tangent curvature in the northeasterly line of said Lot 3, and in the existing southerly right-of-way line of Marilea Drive, being 55.00 feet left of centerline station 150+78.39;

Thence along the arc of a curve to the right for 25.60 feet, along the northeasterly line of said Lot 3, and along the existing southerly right-of-way line of Marilea Drive, having a radius of 25.00 feet, a central angle of 58 deg. 40 min. 04 sec., a chord bearing of South 23 deg. 53 min. 27 sec. East, a chord distance of 24.49 feet , to the northeast corner of said Lot 3 in the existing westerly right-of-way line of Dublin Road, being 40.00 feet left of centerline station 150+57.03;

Thence South 05 deg. 26 min. 35 sec. West, a distance of 130.64 feet, along the northerly line of said Lot 3, and along the existing westerly right-of-way line of Dublin Road to the **Point of Beginning**, containing 0.040 acres, more or less.

Of the above described area, 0.040 acres are contained within Franklin County Auditor's Parcel 270-000399.

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.

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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.

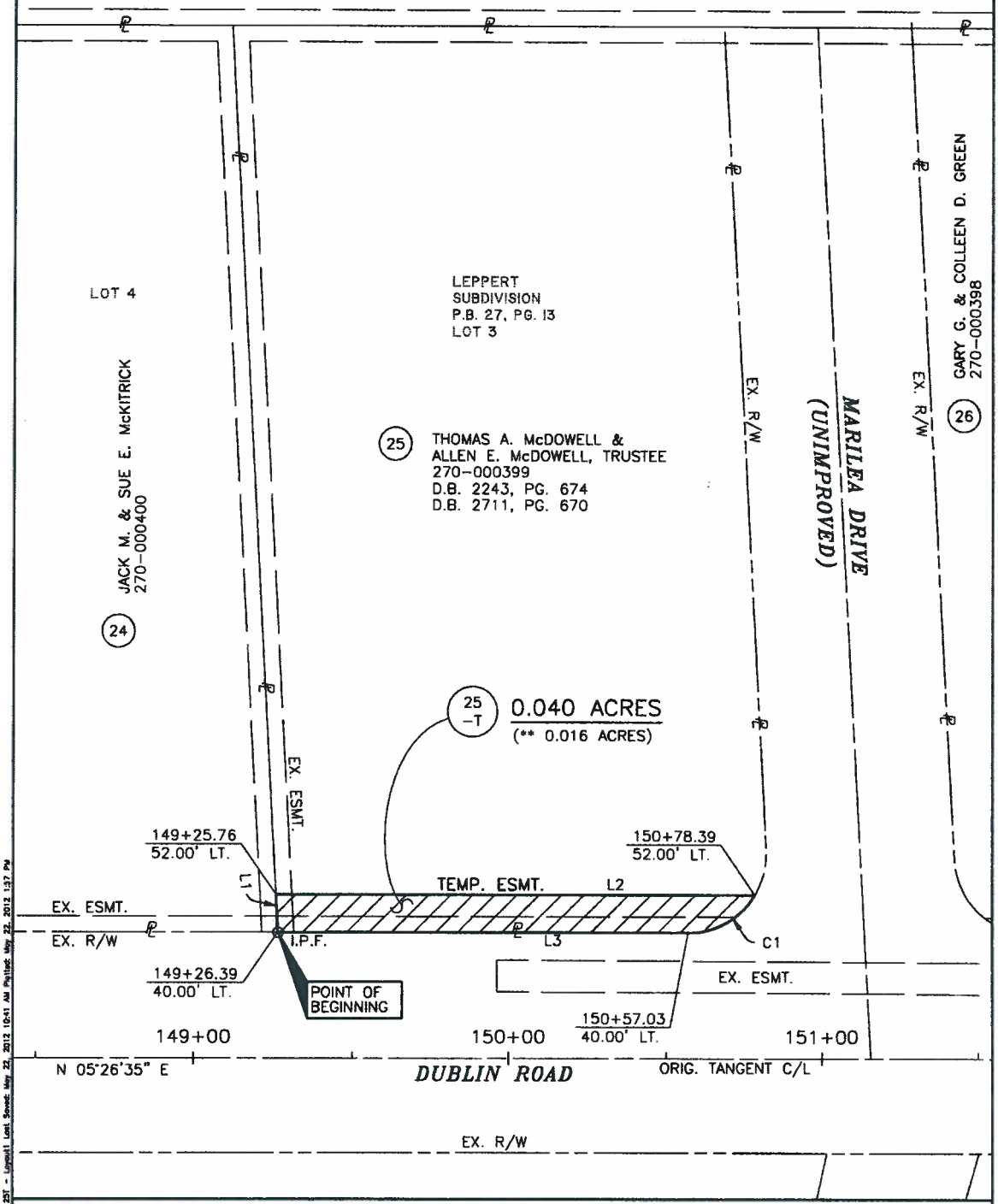
Steven E Rader 5/22/12

Registered Surveyor No. 7191 Date

** 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	58°40'04"	25.00'	25.60'	S 23°53'27" E	24.49'

NUMBER	DIRECTION	DISTANCE
L1	N 87°35'25" W	12.02'
L2	N 05°26'35" E	152.63'
L3	S 05°26'35" W	130.64'

PARCEL 25-T
DUBLIN ROAD SOUTH
MULTI-USE PATH
WASHINGTON TWP., FRANKLIN COUNTY, OHIO

0 40 80
SCALE IN FEET

Prepared By

Stantec Consulting Services, Inc.
1500 Lake Shore Drive, Suite 100
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Stantec

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

Steven E. Rader
Registered Surveyor #7191

5/22/12
Date