



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: Resolution 33-14 – A Resolution of Intent to Appropriate a 0.033 Acre, More or Less, Permanent Easement; and a 0.046 Acre, More or Less, Temporary Easement from Cynthia S. Tawney for the Property Located at 20 Longview Drive for the Construction of a Multi-Use Path as Part of the Dublin Road South Phase 3 Project.

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.

One of the landowners that the City must obtain property interests from for the construction of the Project is Cynthia Tawney (the "Grantor"). After multiple attempts to engage in negotiations with the Grantor, it appears that the City may need to appropriate the property necessary for the project from the Grantor.

The City is still hopeful that an amicable resolution can be reached with the Grantor; however, this Resolution begins the eminent domain process in the event that negotiations are unsuccessful.

PROPERTY TO BE APPROPRIATED:

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

Franklin County Parcel No. 273-000193

Parcel 31	
Permanent Easement	0.033 ± acres
Temporary Easement	0.046 ± acres

Recommendation

Staff recommends approval of Resolution 33-14, as obtaining the property interests is necessary for the furtherance of this project.

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30045

33-14

Resolution No. _____

Passed _____, 20____

A RESOLUTION OF INTENT TO APPROPRIATE A 0.033 ACRE, MORE OR LESS, PERMANENT EASEMENT; AND A 0.046 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM CYNTHIA S. TAWNEY, FOR THE PROPERTY LOCATED AT 20 LONGVIEW DRIVE FOR THE CONSTRUCTION OF A MULTI-USE PATH AS PART OF THE DUBLIN ROAD SOUTH PHASE 3 PROJECT.

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 a permanent easement and a temporary easement from Cynthia S. Tawney, as described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," all attached hereto, 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 installing a multi-use path, a permanent easement and a temporary easement as described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," all attached hereto.

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

Section 3. This Resolution shall take effect and be in force from and after the earliest date permitted by law.

Passed this _____ day of _____, 2014.

Mayor – Presiding Officer

ATTEST:

Clerk of Council

EXHIBIT A

CIP 1 of 1
PARCEL 08-009
PROJECT 31-P
Version Date DUBLIN MUP 11/01/13

**PARCEL 31-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 LONGVIEW ADDITION, as recorded in Plat Book 23, Page 1, and as conveyed to Cynthia Tawney, by deed of record in Official Record 10581 J20, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning at an iron pin found marking the northeast corner of said Lot 1 in the existing westerly right-of-way line of Dublin Road, being 30.00 feet left of centerline station 162+14.16;

Thence South 20 deg. 47 min. 05 sec. West, a distance of 180.31 feet along the easterly line of said Lot 1, and along the existing westerly right-of-way line of Dublin Road, to the southeast corner of said Lot 1, being 30.00 feet left of centerline station 160+33.82;

Thence North 85 deg. 15 min. 34 sec. West, a distance of 8.32 feet along the southerly line of said Lot 1, to a point being 38.00 feet left of centerline station 160+31.52;

Thence North 20 deg. 47 min. 05 sec. East, a distance of 180.33 feet across said Lot 1 to a point in the northerly line of said Lot 1, being 38.00 feet left of centerline station 162+11.85;

Thence South 85 deg. 07 min. 37 sec. East, a distance of 8.32 feet along the northerly line of said Lot 1, to the **Point of Beginning**, containing 0.033 acres, more or less.

Of the above described area, 0.033 acres are contained within Franklin County Auditor's Parcel 273-000193.

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 10581 J20, 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 2
PARCEL 08-009
PROJECT 31-T
Version Date DUBLIN MUP 05/18/12

**PARCEL 31-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 1 of the subdivision entitled LONGVIEW ADDITION, as recorded in Plat Book 23, Page 1, and as conveyed to Cynthia Tawney, by deed of record in Official Record 10581 J20, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning for Reference at an iron pin found marking the northeast corner of said Lot 1 in the existing westerly right-of-way line of Dublin Road, being 30.00 feet left of centerline station 162+14.16;

Thence North 85 deg. 07 min. 37 sec. West, a distance of 8.32 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 162+11.85;

Thence South 20 deg. 47 min. 05 sec. West, a distance of 180.33 feet across said Lot 1 to a point in the southerly line of said Lot 1, being 38.00 feet left of centerline station 160+31.52;

Thence North 85 deg. 15 min. 34 sec. West, a distance of 50.00 feet along the southerly line of said Lot 1, and along the existing northerly right-of-way line of Longview Drive, to a point being 86.05 feet left of centerline station 160+17.70;

Thence the following five (5) courses and distances across said Lot 1;

1. Thence North 04 deg. 44 min. 26 sec. East, a distance of 10.00 feet to a point being 88.82 feet left of centerline station 160+27.31;
2. Thence South 85 deg. 15 min. 34 sec. East, a distance of 45.59 feet to a point being 45.00 feet left of centerline station 160+39.91;
3. Thence North 20 deg. 47 min. 05 sec. East, a distance of 159.54 feet to a point being 45.00 feet left of centerline station 161+99.45;
4. Thence North 85 deg. 07 min. 37 sec. West, a distance of 30.43 feet to a point being 74.27 feet left of centerline station 161+91.11;
5. Thence North 06 deg. 19 min. 21 sec. East, a distance of 10.00 feet to a point in the northerly line of said Lot 1, being 76.77 feet left of centerline station 162+00.79;

Thence South 85 deg. 07 min. 37 sec. East, a distance of 40.31 feet to the **Point of True Beginning**, containing 0.046 acres, more or less.

EXHIBIT A

CIP 2 of 2
08-009
PARCEL 31-T
PROJECT DUBLIN MUP
Version Date 05/18/12

Of the above described area, 0.046 acres are contained within Franklin County Auditor's Parcel 273-000193.

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 10581 J20, 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 5/22/12
Registered Surveyor No. 7191 Date

