



**To:** Members of Dublin City Council

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

**Date:** May 1, 2014

**Initiated By:** Paul A. Hammersmith, P.E., Director of Engineering/City Engineer

**Re:** Ordinance 33-14 – Authorizing the City Manager to Execute Necessary Conveyance Documents to Acquire 0.086 Acre, More or Less, Permanent Easement and 0.097 Acre, More or Less, Temporary Easement from Paul Null, Jr., for the Property Located at 15 Grandview 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.

The City must obtain property interests for the construction of the Project from Paul Null, Jr. (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 the ordinance. The City will be acquiring these property interests above appraised value. The acquisition is detailed below:

Property Interest Acquiring	Acres	Appraised Value	Agreed Value
Permanent Utility, Grading and Drainage Easement	0.086	\$6,900	\$7,590
Temporary Construction Easement	0.097	\$2,200	\$2,420
Landscaping, Vegetation and Trees	-	\$5,000	\$9,763
Seal Coat Payment	-	-	\$200
<b>Total</b>		<b>\$ 14,100</b>	<b>\$19,973</b>

**Recommendation**

Ordinance 33-14 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 33-14 at the second reading/public hearing on May 19, 2014 as obtaining the property interests is necessary for the furtherance of this project.

# RECORD OF ORDINANCES

**33-14**

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

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

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE 0.086 ACRE, MORE OR LESS, PERMANENT EASEMENT AND 0.097 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM PAUL E. NULL, JR., FOR THE PROPERTY LOCATED AT 15 GRANDVIEW 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 certain property interest within Franklin County Parcel No. 273-000254 owned by Paul E. Null, Jr. (the "Grantor"), 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 Grantor participated in good faith discussions and have come to mutually agreeable terms for the acquisition of the necessary property interest for the sum of Nineteen Thousand Nine Hundred Seventy Three Dollars (\$19,973.00); and

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

**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 0.086 acre, more or less, permanent easement, as well as a 0.097 acre, more or less, temporary easement for two (2) years, commencing on the date construction begins, from Paul E. Null, Jr., for the sum of Nineteen Thousand Nine Hundred Seventy Three Dollars (\$19,973.00), said property interest located within Franklin County Parcel No. 273-000254, and more fully described and depicted in the attached Exhibits "A" and "B."

**Section 2.** This Ordinance 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**

	1 of 2
CIP	08-009
PARCEL	28-P
PROJECT	DUBLIN MUP
Version Date	11/01/13

**PARCEL 28-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 22 of the subdivision entitled GOULD ADDITION No. 2, as recorded in Plat Book 27, Page 73, and as conveyed to Paul E. Null, Jr., by deed of record in Instrument Number 201007130087782, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

**Begin for Reference** at an iron pin found at the southeasterly corner of said Lot 22;

Thence North 87 deg. 32 min. 50 sec. West, a distance of 11.66 feet along the southerly line of said Lot 22 to a point in the existing westerly right-of-way line of Dublin Road, being 31.56 feet left of centerline station 154+57.70, and being the **Point of True Beginning**;

Thence continuing North 87 deg. 32 min. 50 sec. West, a distance of 8.45 feet along the southerly line of said Lot 22 to a point being 40.00 feet left of centerline station 154+57.26;

Thence North 05 deg. 26 min. 35 sec. East, a distance of 45.27 feet across said Lot 22 to a point being 50.00 feet left of centerline station 154+90.41;

Thence North 20 deg. 47 min. 05 sec. East, a distance of 159.47 feet across said Lot 22 to a point of non-tangent curvature in the northeasterly line of said Lot 22, being 50.00 feet left of centerline station 156+49.88;

Thence along the arc of a curve to the right for 22.54 feet, along the northeasterly line of said Lot 22, and along the existing southerly right-of-way line of Grandview Drive, having a radius of 25.00 feet, a central angle of 51 deg. 39 min. 56 sec., a chord bearing of South 45 deg. 50 min. 45 sec. East, a chord distance of 21.79 feet to a point of tangency, being 30.00 feet left of centerline station 156+41.24;

Thence South 20 deg. 47 min. 05 sec. West, a distance of 191.83 feet along the existing westerly right-of-way line of Dublin Road to the **Point of Beginning**, containing 0.086 acres, more or less.

**EXHIBIT A**

	2 of 2
CIP	08-009
PARCEL	28-P
PROJECT	DUBLIN MUP
Version Date	11/01/13

Of the above described area, 0.086 acres are contained within Franklin County Auditor's Parcel 273-000254.

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 201007130087782, of the Recorder's Office, Franklin County, Ohio.

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



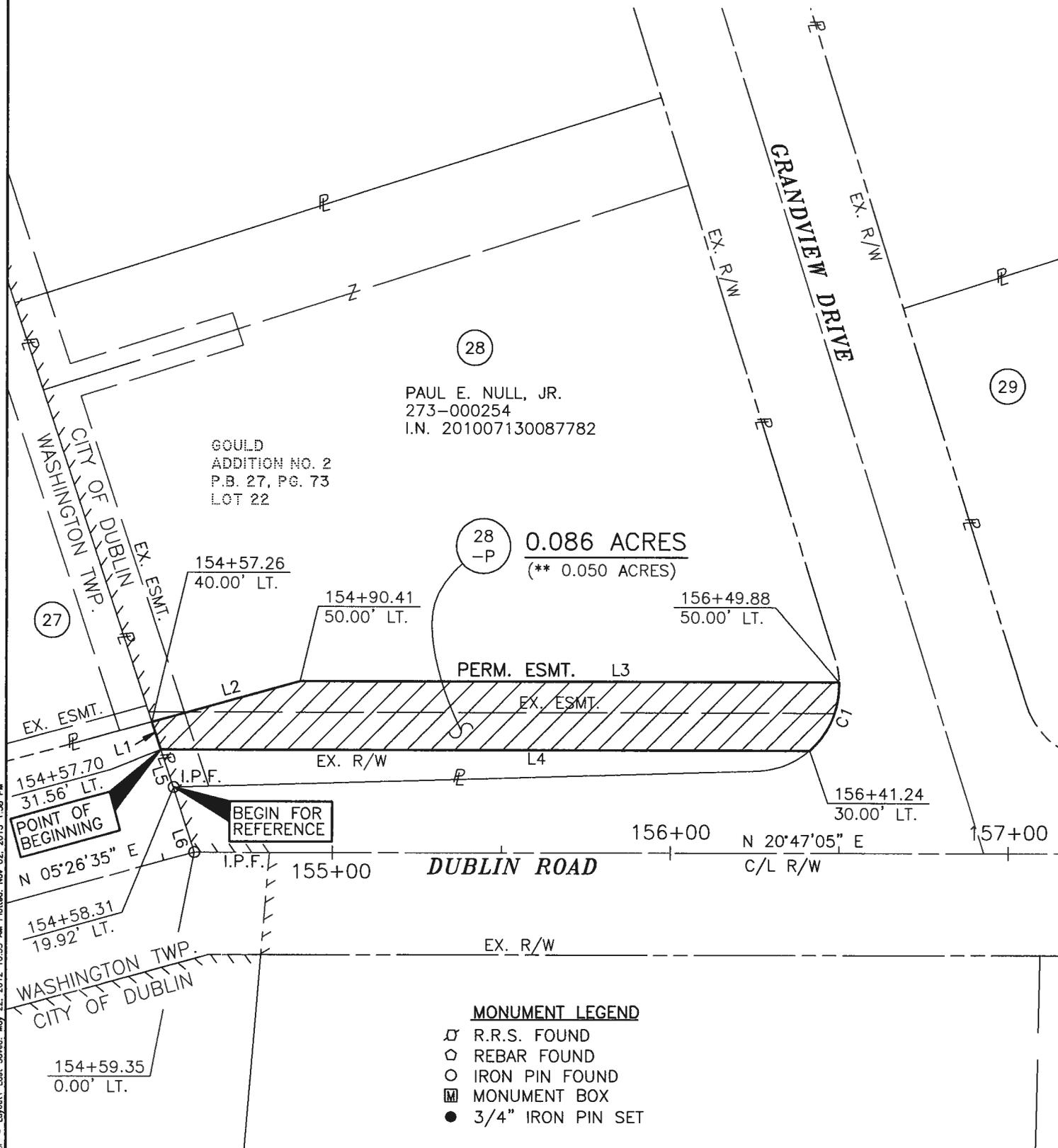
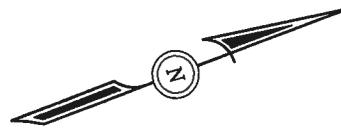
STANTEC CONSULTING SERVICES, INC.

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

EXHIBIT B

NUMBER	DELTA ANG.	RADIUS	ARC LEN	CHORD DIRECTION	CHORD
C1	51°39'56"	25.00'	22.54'	S 45°50'45" E	21.79'

NUMBER	DIRECTION	DISTANCE
L1	N 87°32'50" W	8.45'
L2	N 05°26'35" E	45.27'
L3	N 20°47'05" E	159.47'
L4	S 20°47'05" W	191.83'
L5	N 87°32'50" W	11.66'
L6	N 87°32'50" W	19.94'

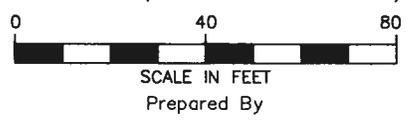


RADER, STEVE U:\173608736\design\plan\_aec\Right of Way\EXHIBITS\28P.dwg 28P - Layout1 Last Saved: May 22, 2012 10:55 AM Plotted: Nov 02, 2013 1:38 PM

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

- 27 KENT L. & LINDA D. STEPHENS  
270-000397  
LOT 1, LEPPERT SUBDIVISION  
P.B. 27, PG. 13
- 29 ISAAC D. KAY W. PENSON  
273-000233

PARCEL 28-P  
DUBLIN ROAD SOUTH  
MULTI-USE PATH  
CITY OF DUBLIN, FRANKLIN COUNTY, OHIO



\*\* 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), 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".



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

**Stantec**  
*Steven E. Rader* 11/3/13  
Registered Surveyor #7191 Date

**EXHIBIT A**

	1 of 2
CIP	08-009
PARCEL	28-T
PROJECT	DUBLIN MUP
Version Date	05/18/12

**PARCEL 28-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 22 of the subdivision entitled GOULD ADDITION No. 2, as recorded in Plat Book 27, Page 73, and as conveyed to Paul E. Null, Jr., by deed of record in Instrument Number 201007130087782, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

**Begin for Reference** at an iron pin found at the southeasterly corner of said Lot 22;

Thence North 87 deg. 32 min. 50 sec. West, a distance of 20.11 feet along the southerly line of said Lot 22 to the **Point of True Beginning** of the herein described parcel, being 40.00 feet left of centerline station 154+57.26;

Thence continuing North 87 deg. 32 min. 50 sec. West, a distance of 15.02 feet along the southerly line of said Lot 22 to a point being 55.00 feet left of centerline station 154+56.47;

Thence the following four (4) courses and distances across said Lot 22;

1. Thence North 05 deg. 26 min. 35 sec. East, a distance of 29.18 feet to a point being 60.00 feet left of centerline station 154+70.16;
2. Thence North 20 deg. 47 min. 05 sec. East, a distance of 135.50 feet to a point being 60.00 feet left of centerline station 156+05.67;
3. Thence North 86 deg. 46 min. 34 sec. West, a distance of 43.64 feet to a point being 101.60 feet left of centerline station 155+92.50;
4. Thence North 03 deg. 13 min. 26 sec. East, a distance of 40.00 feet to the intersection with the northerly line of said Lot 22 in the existing southerly right-of-way line of Grandview Drive, being 113.67 feet left of centerline station 156+30.64;

Thence South 86 deg. 46 min. 34 sec. East, a distance of 60.00 feet along the northerly line of said Lot 22, and along the existing southerly right-of-way line of Grandview Drive, to a point of tangent curvature, being 56.47 feet left of centerline station 156+48.74;

Thence along the arc of a curve to the right for 6.59 feet, along the northeasterly line of said Lot 22, and along the existing southerly right-of-way line of Grandview Drive, having a radius of 25.00 feet, a central angle of 15 deg. 05 min. 52 sec., a chord bearing of South 79 deg. 13 min. 39 sec. East, a chord distance of 6.57 feet to a point of non-tangency, being 50.00 feet left of centerline station 156+49.88;

Thence South 20 deg. 47 min. 05 sec. West, a distance of 159.47 feet across said Lot 22, to a point being 50.00 feet left of centerline station 154+90.41;

Thence South 05 deg. 26 min. 35 sec. West, a distance of 45.27 feet across said Lot 22, to the **Point of Beginning**, containing 0.097 acres, more or less.

**EXHIBIT A**

	2 of 2
CIP	08-009
PARCEL	28-T
PROJECT	DUBLIN MUP
Version Date	05/18/12

Of the above described area, 0.097 acres are contained within Franklin County Auditor's Parcel 273-000254.

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 201007130087782, of the Recorder's Office, Franklin County, Ohio.

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



**STANTEC CONSULTING SERVICES, INC.**

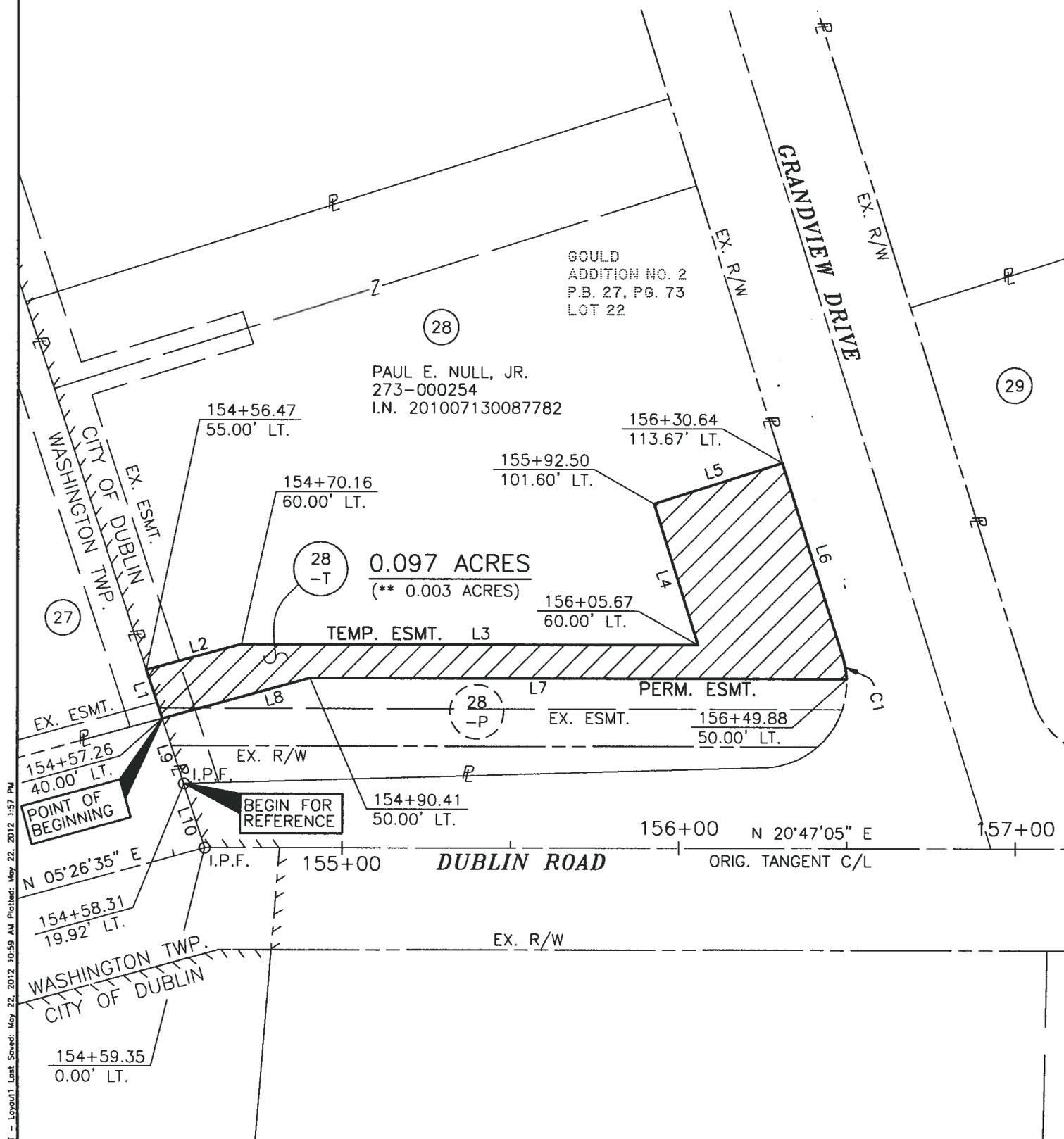
*Steven E Rader* 5/22/12  
Registered Surveyor No. 7191                      Date

EXHIBIT B

NUMBER	DIRECTION	DISTANCE
L1	N 87°32'50" W	15.02'
L2	N 05°26'35" E	29.18'
L3	N 20°47'05" E	135.50'
L4	N 86°46'34" W	43.64'
L5	N 03°13'26" E	40.00'
L6	S 86°46'34" E	60.00'
L7	S 20°47'05" W	159.47'
L8	S 05°26'35" W	45.27'
L9	N 87°32'50" W	20.11'
L10	N 87°32'50" W	19.94'



NUMBER	DELTA ANG.	RADIUS	ARC LEN	CHORD DIRECTION	CHORD
C1	15°05'52"	25.00'	6.59'	S 79°13'39" E	6.57'



RADER, STEVE EA\173500728\design\plan\_sst\Exhibits\28T.dwg 28T - Layout1 Last Saved: May 22, 2012 10:59 AM Plotted: May 22, 2012 1:57 PM

- 27 KENT L. & LINDA D. STEPHENS  
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- MONUMENT LEGEND**
- R.R.S. FOUND
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**PARCEL 28-T**  
**DUBLIN ROAD SOUTH**  
**MULTI-USE PATH**  
 CITY OF DUBLIN, FRANKLIN COUNTY, OHIO

0                      40                      80  

 SCALE IN FEET  
 Prepared By

**\*\* 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".



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 1500 Lake Shore Drive, Suite 100  
 Columbus, Ohio 43204  
 Phone: (614) 486-4383

*Steven E. Rader* 5/22/12  
 Registered Surveyor #7191                      Date