



To: Members of Dublin City Council
From: Marsha I. Grigsby, City Manager *MLG*
Date: June 5, 2014
Initiated By: Paul A. Hammersmith, PE, Director of Engineering
Jean-Ellen M. Willis, PE, Engineering Manager – Transportation
Philip K. Hartmann, Assistant Law Director
Re: RESOLUTION 54-14 - A RESOLUTION OF INTENT TO APPROPRIATE A 0.023 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM DOGWOOD ENTERPRISES, LP, FOR THE PROPERTY LOCATED AT 7315 SAWMILL ROAD FOR THE CONSTRUCTION OF IMPROVEMENTS AT THE INTERSECTION OF SAWMILL ROAD AND HARD ROAD.

Background

The City of Dublin ("City") is preparing to construct intersection improvements at the intersection of Sawmill Road and Hard Road (the "Project"). The Project consists of the widening and resurfacing of 0.32 miles of Sawmill Road and 0.17 miles of Hard Road. The Project includes the addition of curb and gutter, sidewalk, and a shared-use path. In order to construct the Project, the City must obtain property interests from various landowners located within the City.

Dogwood Enterprises, LP owns one of the properties from which the City must obtain a temporary easement for the construction of the Project. The City will need a 0.023 acre, more or less, temporary easement from the property located at 7315 Sawmill Road, identified as Franklin County parcel number 273-008761.

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

Acquisition

The property acquisition consists of the following property interests from Dogwood Enterprises, LP, as depicted in the exhibits attached hereto:

Property Owner	Property Interests	Auditor Parcel ID Number
Dogwood Enterprises, LP	Temporary Easement (0.023 acre ±)	273-008761

Recommendation

The Law Department recommends approval of Resolution No. 54-14 as the approval of the Resolution will keep the Project moving forward.

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

54-14

Resolution No. _____

Passed _____, 20____

A RESOLUTION OF INTENT TO APPROPRIATE A 0.023 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM DOGWOOD ENTERPRISES, LP, FOR THE PROPERTY LOCATED AT 7315 SAWMILL ROAD FOR THE CONSTRUCTION OF IMPROVEMENTS AT THE INTERSECTION OF SAWMILL ROAD AND HARD ROAD.

WHEREAS, the City of Dublin (the "City") is preparing to construct improvements at the intersection of Sawmill Road and Hard Road (the "Project"); and

WHEREAS, the Project requires that the City obtain a temporary easement from Dogwood Enterprises, LP, as described in the attached Exhibit "A" and depicted in the attached Exhibit "B," 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 constructing improvements at the intersection of Sawmill Road and Hard Road, a temporary easement as described in Exhibit "A" and depicted in Exhibit "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 Exhibit "A" and depicted in Exhibit "B," and this notice shall be served according to law.

Section 3. This Resolution shall take effect upon passage in accordance with Section 4.04(a) of the Revised Charter.

Passed this _____ day of _____, 2014.

Mayor – Presiding Officer

ATTEST:

Clerk of Council

EXHIBIT A

Page 1 of 2

RX 286 T

Rev. 06/09

Ver. Date 02/02/13

PID 93892

**PARCEL 4-T
FRA-SAWMILL/HARD
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
RECONSTRUCT A DRIVE
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
STATE OF OHIO, DEPARTMENT OF TRANSPORTATION**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Quarter Township 2, Township-2-North, Range-19-West, United States Military Lands, being a part of that 2.488 acre tract as conveyed to Dogwood Enterprises Limited Partnership by deed of record in Instrument Number 200312240402968, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Being a parcel of land lying on the left side of the Centerline of Construction of Sawmill Road, as delineated upon the FRA-SAWMILL/HARD INTERSECTION IMPROVEMENT Right-of-Way Plan on file with the City of Dublin.

Beginning for Reference at Franklin County Monument #7772 at the intersection of the existing Right-of-Way Centerline of Hard Road (County Road 61) with the existing Construction Centerline of Sawmill Road (County Road 70), being 0.00 feet left of Sawmill Road Station 200+00.00;

Thence South 02 degrees 34 minutes 54 seconds West, a distance of 830.00 feet along the Construction Centerline of Sawmill Road to a point being 0.00 feet left of Sawmill Road Station 191+70.00;

Thence North 87 degrees 25 minutes 06 seconds West, a distance of 40.00 feet perpendicular to the Construction Centerline of Sawmill Road to a point in the easterly line of said Dogwood 2.488 acre tract and in the existing westerly Right-of-Way line of Sawmill Road, being 40.00 feet left of Sawmill Road Station 191+70.00, and being the **Point of True Beginning**;

Thence continuing North 87 degrees 25 minutes 06 seconds West, a distance of 25.00 feet, perpendicular to the Construction Centerline of Sawmill Road, and across said Dogwood 2.488 acre tract, to a point being 65.00 feet left of Sawmill Road Station 191+70.00;

EXHIBIT A

RX 286 T

Thence North 02 degrees 34 minutes 54 seconds East, a distance of 40.00 feet, parallel to the Construction Centerline of Sawmill Road, and across said Dogwood 2.488 acre tract, to a point being 65.00 feet left of Sawmill Road Station 192+10.00;

Thence South 87 degrees 25 minutes 06 seconds East, a distance of 25.00 feet, perpendicular to the Construction Centerline of Sawmill Road, and across said Dogwood 2.488 acre tract, to a point in the easterly line of said Dogwood 2.488 acre tract and in the existing westerly Right-of-Way line of Sawmill Road, being 40.00 feet left of Sawmill Road Station 192+10.00;

Thence South 02 degrees 34 minutes 54 seconds West, a distance of 40.00 feet, along the existing westerly Right-of-Way line of Sawmill Road, and along the easterly line of said Dogwood 2.488 acre tract, to the **Point of True Beginning**, containing 0.023 acres, more or less, of which the Present Road Occupies 0.000 acres, more or less.

Of the above described area, 0.023 acres are contained within Franklin County Auditor's Parcel 273-008761.

All Iron Pins Set are 3/4 inches in diameter by 30 inches long with a 2 inch aluminum cap bearing the name "ODOT R/W" and "STANTEC".

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83, (1986 Adjustment) from a field survey using G.P.S. methods from Franklin County Monuments FRANK 74, FRANK 174, FCGS 7772, FCGS 6651, FCGS 2232, and FRANK 2218 Reset performed in September 2004 by R.D. Zande and Associates and January 2013 by Stantec Consulting Services, Inc.

Grantor claims title by the instrument of record in Instrument Number 200312240402968, records of the Recorder's Office, Franklin County, Ohio.

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



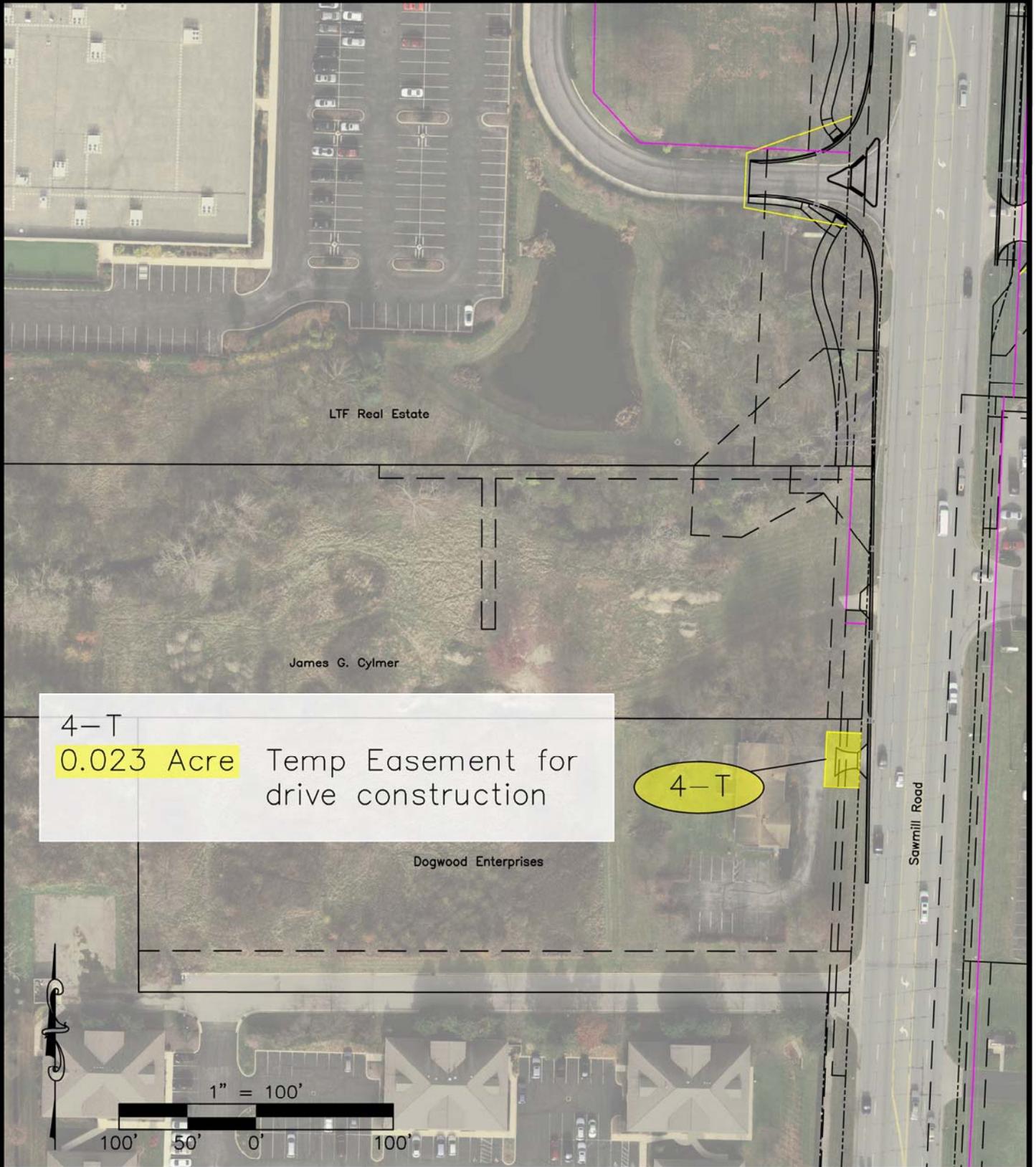
STANTEC CONSULTING SERVICES, INC.

Tim Baker 2-2-13
Registered Surveyor No. 7818 Date



City of Dublin

06-003-CIP
Sawmill Road and Hard Road
Intersection Improvements
Dogwood Enterprises



LTF Real Estate

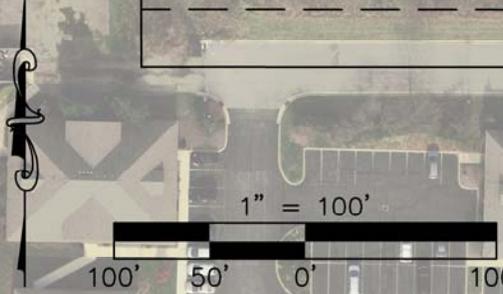
James G. Cylmer

Dogwood Enterprises

Sawmill Road

4-T
0.023 Acre Temp Easement for
drive construction

4-T



1" = 100'

100' 50' 0' 100'