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 /MIG

Date: June 19, 2014

Initiated By: Paul A. Hammersmith, PE, Director of Engineering/City Engineer
Jean-Ellen M. Willis, PE, Engineering Manager – Transportation
Philip K. Hartmann, Assistant Law Director

Re: **ORDINANCE 52-14 - AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE 0.008 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM SCIOTO FAMILY PARTNERSHIP FOR THE CONSTRUCTION OF INTERSECTION IMPROVEMENTS AT THE INTERSECTION OF DUBLIN ROAD AND GLICK ROAD, AND DECLARING AN EMERGENCY.**

Background

The City of Dublin ("City"), the Village of Shawnee Hills, the Ohio Department of Transportation, and the Delaware County Engineer's Office (collectively, the "Project Partners") are working together to construct improvements at the intersection of Dublin Road and Glick Road (the "Project"). The Project includes construction of left turn lanes on each approach and will improve the sight distance on the north leg of the intersection by cutting down the hill by the El Vaquero restaurant. Pedestrian facilities will be added to the north side of Glick Road, west of Dublin Road, and the traffic signal will be upgraded to include such items as new mast arms, pedestrian push buttons in all four quadrants, and LED signal heads. The common goal among the Project Partners is to improve safety and efficiency for pedestrians, bicyclists, and motorists. On behalf of the Project Partners, the City will be the main point of contact as the Project progresses through the property acquisition process.

Scioto Family Partnership (the "Grantor") owns property from which the City desires a temporary easement. This property is identified as Delaware County Parcel No. 600-432-22-025-000.

After engaging in amicable negotiations, the City has come to an agreement with the Grantor to acquire the necessary property interest pursuant to the terms outlined in this memorandum. This Ordinance authorizes the settlement of the matter for Five Hundred Twenty Five Dollars ($525.00).

The City is requesting emergency action on July 1 so the affected utilities can receive access to the new right-of-way for relocation purposes. Time is of the essence with this Project in order for the contractor to meet the proposed completion date of November 14, 2014.

Acquisition

The City will be acquiring from the Grantor only the property interest necessary for the construction of the Project as depicted in the legal description and map attached to this memorandum. The City will be acquiring this property interest for its appraised value. The acquisition is detailed below:

Delaware County Parcel No. 600-432-22-025-000

Property Interest Acquiring	**Description**	**Appraised Value**
Temporary Easement	0.008 acre ±	$525.00
Total		**$525.00**

Recommendation

Ordinance No. 52-14 would authorize the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interest described above.
The Law Department recommends approval of Ordinance No. 52-14 by emergency at the second reading/public hearing on July 1, 2014 in order to finalize settlement with Scioto Family Partnership and continue moving forward with the Project.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc. Form No. 30043

Ordinance No. 52-14 *Passed* _____, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.008 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM SCIOTO FAMILY PARTNERSHIP FOR THE CONSTRUCTION OF INTERSECTION IMPROVEMENTS AT THE INTERSECTION OF DUBLIN ROAD AND GLICK ROAD, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Dublin (the "City"), the Village of Shawnee Hills, the Ohio Department of Transportation, and the Delaware County Engineer's Office are working together to construct improvements at the intersection of Dublin Road and Glick Road (the "Project"); and

WHEREAS, said Project requires that the City obtain certain property interest within Delaware County Parcel No. 600-432-22-025-000 owned by Scioto Family Partnership (the "Grantor"), said property interest more fully described in the Exhibit labeled "A," 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 Five Hundred Twenty Five Dollars ($525.00); 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 0.008 acre, more or less, temporary easement for eighteen (18) months, commencing on the date construction begins, from Scioto Family Partnership, for the sum of Five Hundred Twenty Five Dollars ($525.00), said property interest located within Delaware County Parcel No. 600-432-22-025-000, and as more fully described in the attached Exhibit "A."

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 interest 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

EXHIBIT A

Ver. Date: 01/21/2014

PARCEL 8-T
DESCRIPTION OF A TEMPORARY
CONSTRUCTION AND GRADING EASEMENT

Situated in the State of Ohio, County of Delaware, Village of Shawnee Hills, Township of Concord, Virginia Military Survey Number 2545, being part of a 0.139 acre tract, in the name of Scioto Family Partnership, an Ohio General Partnership (the grantor), as recorded in Official Record 41, Page 2515, all references being to those of record in the Recorder's Office, Delaware County, Ohio, and being more particular described as follows:

Commencing, for reference, at the intersection of the existing centerline of right of way of Glick Road (width varies) and the existing centerline of right of way of Dublin Road (width varies), said intersection point being Glick Road station 50+00.00 and Dublin Road station 20+00.00;

Thence, along the existing centerline of said Dublin Road, North 15 degrees 33 minutes 44 seconds West, a distance of 373.69 feet to the grantor's southwest corner and the northwest corner of a 0.087 acre tract in the name of Larry F. & Catherine A. Burchfield, as recorded in Official Record 222, Page 1736, said corner also being Dublin Road station 23+73.69;

Thence, along the grantor's southerly property line and the northerly property line of said Burchfield tract, North 76 degrees 00 minutes 48 seconds East, a distance of 29.01 feet, to a point 30.00 feet right of Dublin Road station 23+72.87, and **The Point of Beginning** of the parcel herein described:

Thence, leaving said property line along the easterly existing right of way line of said Dublin Road, North 15 degrees 33 minutes 44 seconds West, a distance of 35.02 feet to a point on the southerly existing right of way line of East Waterview Drive (40' right of way), said point being 30.00 feet right of Dublin Road station 24+07.88;

Thence, along said existing right of way line, North 75 degrees 58 minutes 04 seconds East, a distance of 10.00 feet to a point, 40.00 feet right of Dublin Road station 24+07.62;

Thence, leaving said existing right of way line, through the grantor's tract, South 15 degrees 33 minutes 44 seconds East, a distance of 35.02 feet to a point on the grantor's southerly property line and the northerly property line of said Burchfield tract, 40.00 feet right of Dublin Road station 23+72.59;

Thence, along said property line, South 76 degrees 00 minutes 48 seconds West, a distance of 10.00 feet to **The Point of Beginning** and containing 0.008 acres, more or less.

The bearings in the above description are based on the bearing between Delaware County Engineer's Monuments "97-006" & "97-142" being North 72 degrees 52 minutes 25 seconds East, as measured on the Ohio State Plane Coordinate System, South Zone, 2007 adjustment.

All references being to those of record in the Recorder's Office, Delaware County, Ohio.

Subject to any and all easements, rights of way, conditions and restrictions of record, all legal highways, zoning ordinances, rules and regulations.

This description was prepared based on an actual field survey by GPD Group dba Glaus, Pyle, Schomer, Burns, & DeHaven, Inc. performed under the direct supervision of Steven L. Mullaney, Registered Surveyor #7900, in December, 2013.

Glaus, Pyle, Schomer, Burns, & DeHaven, Inc.
dba GPD Group

STATE OF OHIO
STEVEN L. MULLANEY 7900 REGISTERED SURVEYOR

1/31/2014

Steven L. Mullaney, P.S.
Professional Surveyor No. 7900

January 21, 2014
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GPD Group
Glaus, Pyle, Schomer, Burns, & DeHaven, Inc.

1801 Watermark Drive, Suite 150
Columbus, Ohio 43215
Phone: 614-210-0751 / Fax: 614-210-0752

10-006-CIP

DUBLIN ROAD AND GLICK ROAD

INTERSECTION IMPROVEMENTS
SCIOTO FAMILY PARTNERSHIP

City of Dublin

SHEET 1 OF 1