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 53-14 - AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.006 ACRE, MORE OR LESS, FEE SIMPLE INTEREST; AND A 0.074 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 acquisition process.

Scioto Family Partnership (the "Grantor") owns property from which the City desires a fee simple interest and a temporary easement. This property is identified as Delaware County Parcel No. 600-432-25-010-000.

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 Seven Thousand Four Hundred Dollars ($7,400.00).

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. 600-432-25-010-000

Property Interest Acquiring	Description	Appraised Value
Fee Simple Interest	0.006 acre ±	$2,550.00
Temporary Easement	0.074 acre ±	$4,850.00
Total		**$7,400.00**

Recommendation

Ordinance No. 53-14 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. 53-14 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. 53-14 *Passed* _____, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.006 ACRE, MORE OR LESS, FEE SIMPLE INTEREST; AND A 0.074 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. 600-432-25-010-000 owned by Scioto Family Partnership (the "Grantor"), said property interest more fully described in the Exhibit labeled "A", and depicted in the Exhibited labeled "B" 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 Seven Thousand Four Hundred Dollars ($7,400.00); 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 0.006 acre, more or less, fee simple interest, and a 0.074 acre, more or less, temporary easement for eighteen (18) months, commencing on the date construction begins, from Scioto Family Partnership, for the sum of Seven Thousand Four Hundred Dollars ($7,400.00), said property interest located within Delaware County Parcel No. 600-432-25-010-000, and as more fully described in the attached Exhibit "A" and depicted in the attached Exhibit "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 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

PARCEL 5-WDV
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE IN THE FOLLOWING DESCRIBED PROPERTY WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

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 0.739 acre tract, in the name of Scioto Family Partnership, an Ohio General Partnership (the grantor), as recorded in Deed Volume 555, Page 572, 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 a 5/8 inch rebar (set) inside of a monument box at the northerly 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 northerly intersection point being Glick Road station 50+00.00 and Dublin Road station 20+00.00, said rebar (set) being North 15 degrees 33 minutes 44 seconds West, a distance of 2.73 feet from a 5/8 inch rebar (set) inside of a monument box at the southerly intersection of the existing centerline of right of way of Glick Road and the existing centerline of right of way of Dublin Road, said southerly intersection point being Glick Road station 19+97.27 and Dublin Road station 49+99.91;

Thence, along the existing centerline of Glick Road, North 72 degrees 24 minutes 06 seconds East, a distance of 30.36 feet, to a point of curvature at Glick Road station 50+30.36;

Thence, continuing along said existing centerline, in a southeasterly direction, an arc distance of 215.71 feet, along the arc of a curve deflecting to the right, having a central angle of 20 degrees 15 minutes 41 seconds, a radius of 610.00 feet, and a chord that bears South 82 degrees 31 minutes 57 seconds East, a distance of 214.59 feet, to a point at Glick Road station 52+46.07;

Thence, leaving said centerline, North 02 degrees 39 minutes 48 seconds East, a distance of 25.00 feet, to an iron pin (set) on the northerly existing right of way line of said Glick Road, 25.00 feet left of Glick Road station 52+46.07, also being **The Point of Beginning** of the parcel herein described:

Thence, along said existing right of way line, North 15 degrees 47 minutes 41 seconds West, a distance of 15.79 feet to an iron pin (set), 40.00 feet left of Glick Road station 52+41.38;

Thence, leaving said existing right of way line, in a southeasterly direction, an arc distance of 19.84 feet along the arc of a curve deflecting to the right, having a central angle of 01 degrees 44 minutes 55 seconds , a radius of 650.00 feet, and a chord that bears South 86 degrees 54 minutes 11 seconds East, a

distance of 19.84 feet, to an iron pin (set), 40.00 feet left of Glick Road station 52+60.00;

Thence, South 03 degrees 58 minutes 17 seconds West, a distance of 15.00 feet to an iron pin (set) on the northerly existing right of way line of said Glick Road, 25.00 feet left of Glick Road station 52+60.00;

Thence, along said existing right of way line, in a northwesterly direction, an arc distance of 14.50 feet, along the arc of a curve deflecting to the left, having a central angle of 01 degrees 18 minutes 29 seconds , a radius of 635.00 feet, and a chord that bears North 86 degrees 40 minutes 58 seconds West, a distance of 14.50 feet, to **The Point of Beginning** and containing 0.006 acres, more or less, with 0.000 acres, more or less, being within the Present Roadway Occupied (P.R.O.).

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 iron pins set are 5/8"x30" rebar, capped with a yellow id stamped "Mullaney P.S. 7900".

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.

STATE OF OHIO
STEVEN L MULLANEY 7900 REGISTERED
SURVEYOR

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

2/19/2014

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

February 14, 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

EXHIBIT A

PARCEL 5-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 0.739 acre tract, in the name of Scioto Family Partnership, an Ohio General Partnership (the grantor), as recorded in Deed Volume 555, Page 572, 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 Glick Road, North 72 degrees 24 minutes 06 seconds East, a distance of 30.36 feet, to a point of curvature at Glick Road station 50+30.36;

Thence, continuing along said existing centerline, in a southeasterly direction, an arc distance of 215.71 feet, along the arc of a curve deflecting to the right, having a central angle of 20 degrees 15 minutes 41 seconds, a radius of 610.00 feet, and a chord that bears South 82 degrees 31 minutes 57 seconds East, a distance of 214.59 feet, to a point at Glick Road station 52+46.07;

Thence, leaving said centerline, North 02 degrees 39 minutes 48 seconds East, a distance of 25.00 feet, to a point on the northerly existing right of way line of said Glick Road, 25.00 feet left of Glick Road station 52+46.07;

Thence, along said existing right of way line, North 15 degrees 47 minutes 41 seconds West, a distance of 15.79 feet to an iron pin (set), 40.00 feet left of Glick Road station 52+41.38;

Thence, leaving said existing right of way line, through the grantor's tract, in a southeasterly direction, an arc distance of 19.84 feet along the arc of a curve deflecting to the right, having a central angle of 01 degrees 44 minutes 55 seconds, a radius of 650.00 feet, and a chord that bears South 86 degrees 54 minutes 11 seconds East, a distance of 19.84 feet, to an iron pin (set), 40.00 feet left of Glick Road station 52+60.00, also being **The Point of Beginning** of the parcel herein described:

Thence, continuing through the grantor's tract, in a southeasterly direction, an arc distance of 180.92 feet along the arc of a curve deflecting to the right, having a central angle of 15 degrees 56 minutes 50 seconds, a radius of 650.00 feet, and a chord that bears South 78 degrees 03 minutes 19 seconds East, a distance of 180.33 feet, to a point, 40.00 feet left of Glick Road station 54+29.78;

Thence, continuing through the grantor's tract, South 58 degrees 01 minutes 24 seconds East, a distance of 71.80 feet to a point on the northerly existing right of way line of Glick Road, 25.00 feet left of Glick Road station 55+00.00;

Thence, along said existing right of way line, North 70 degrees 04 minutes 54 seconds West, a distance of 70.22 feet to a point, 25.00 feet left of Glick Road station 54+29.78;

Thence, continuing along said existing right of way line, in a northwesterly direction, an arc distance of 176.74 feet along the arc of a curve deflecting to the left, having a central angle of 15 degrees 56 minutes 50 seconds , a radius

of 635.00 feet, and a chord that bears North 78 degrees 03 minutes 19 seconds West, a distance of 176.17 feet, to an iron pin (set), 25.00 feet left of Glick Road station 52+60.00;

Thence, leaving said existing right of way line, through the grantor's tract, North 03 degrees 58 minutes 17 seconds East, a distance of 15.00 feet to a point to **The Point of Beginning** and containing 0.074 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.

STATE OF OHIO
STEVEN L. MULLANEY 7900 REGISTERED SURVEYOR

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

1/31/2014

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

January 30, 2014
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GPD Group
Glaus, Pyle, Schomer, Burns, & DeHaven, Inc.

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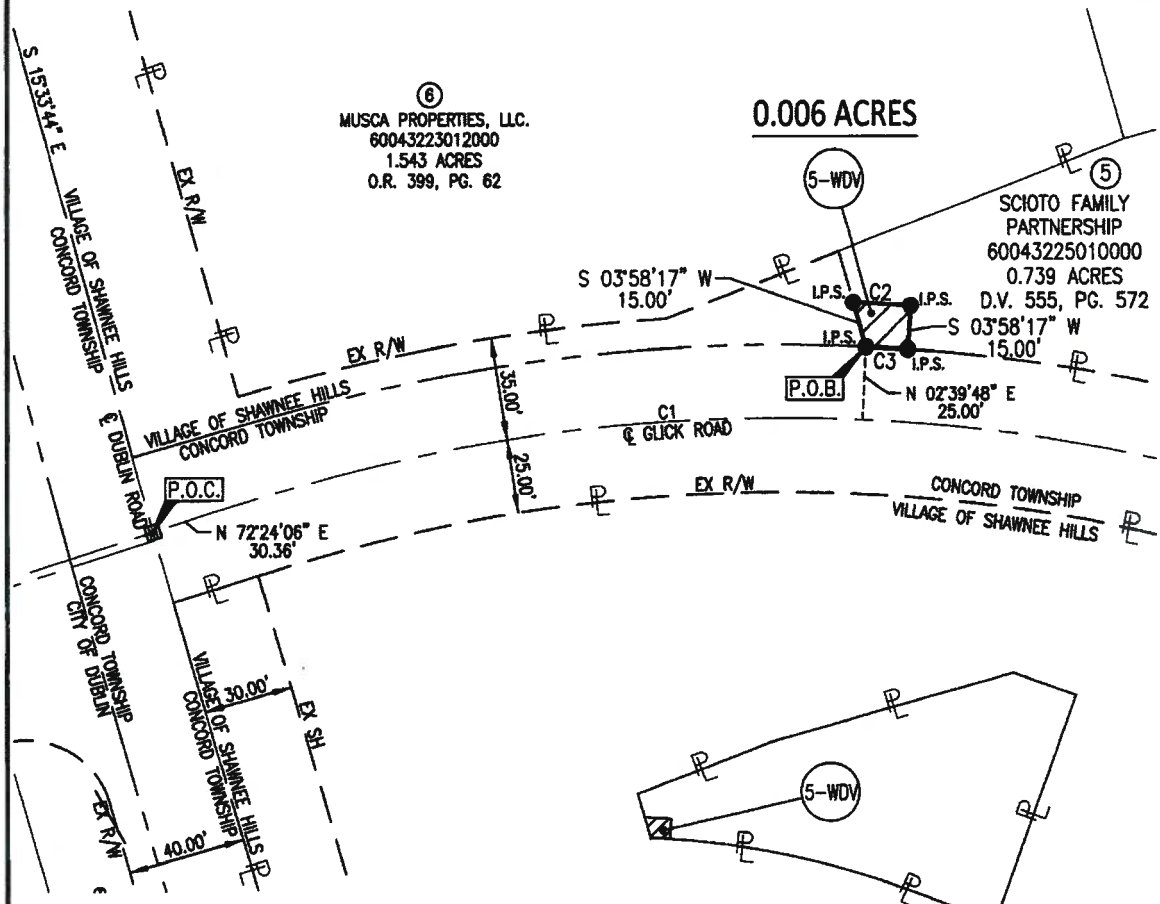
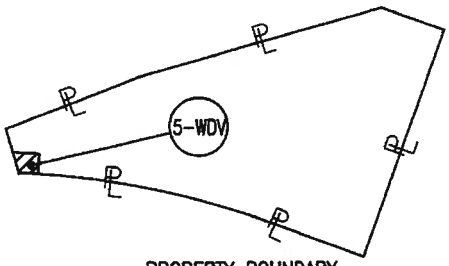
EXHIBIT B
PARCEL 5-WDV
DUBLIN ROAD & GLICK ROAD INTERSECTION IMPROVEMENTS

CONCORD TOWNSHIP, V.M.S. 2545,
VILLAGE OF SHAWNEE HILLS,
DELAWARE COUNTY, OHIO

50' 25' 0' 25' 50'
Scale: 1" = 50'

C1	C2	C3
Δ = 20°15'41" RT.	Δ = 01°44'55" RT.	Δ = 01°18'29" LT.
R = 610.00'	R = 650.00'	R = 635.00'
L = 215.71'	L = 19.84'	L = 14.50'
Ch Brg = N82°31'57"E	Ch Brg = S86°54'11"E	Ch Brg = N86°40'58"W
Ch = 214.59'	Ch = 19.84'	Ch = 14.50'





PROPERTY BOUNDARY
NOT TO SCALE

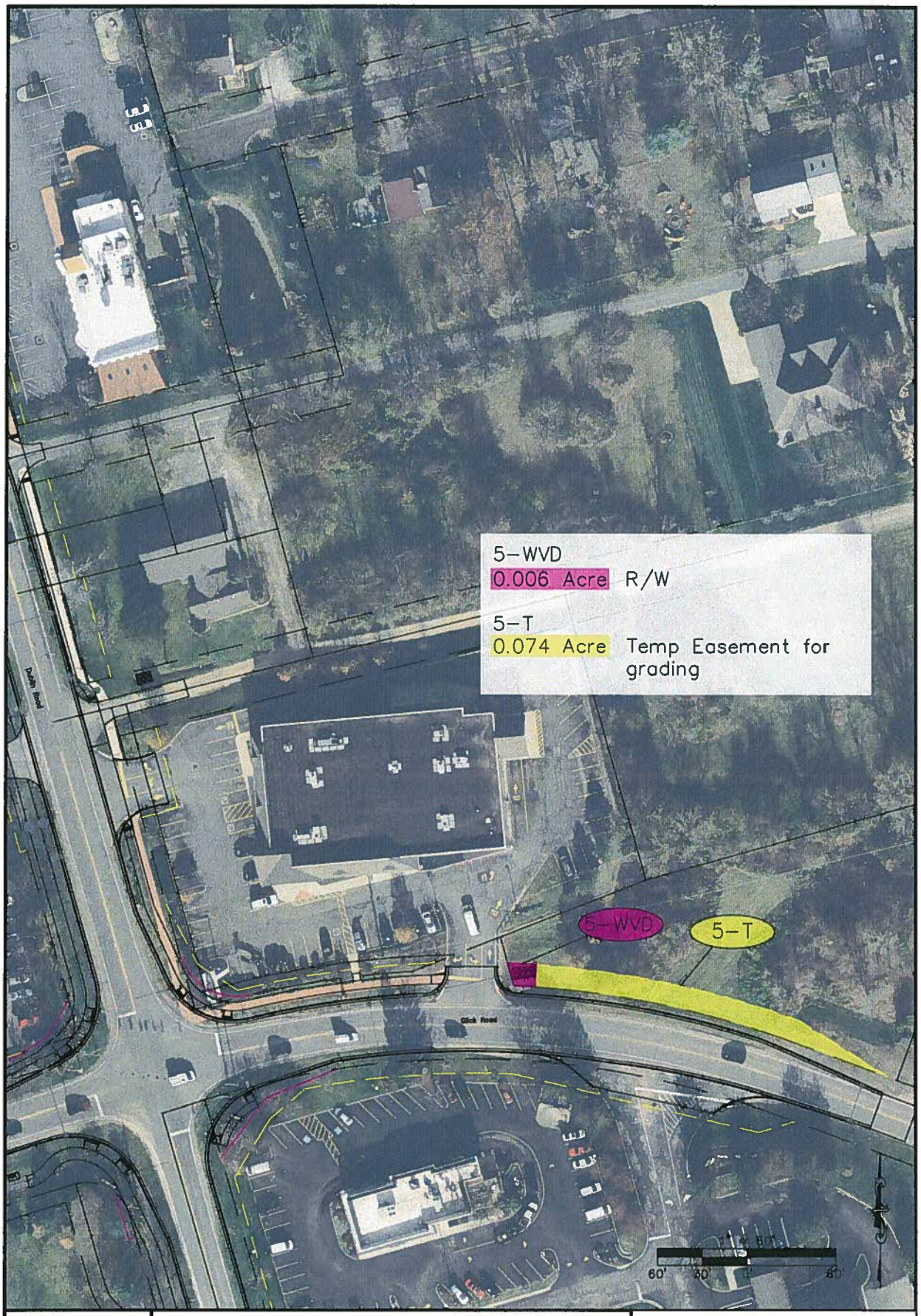
STATE OF OHIO
STEVEN L MULLANEY 7900 REGISTERED SURVEYOR

2/3/2014

STEVEN L. MULLANEY, P.S. 7900 DATE

LEGEND:
●I.P.S. 5/8" REBAR WITH CAP STAMPED "MULLANEY P.S. 7900"
▣ 5/8" X 30" REBAR INSIDE OF MONUMENT BOX

BASIS OF BEARINGS:
THE BEARINGS FOR THIS SURVEY ARE BASED THE BEARINGS BETWEEN DELAWARE COUNTY ENGINEER'S MONUMENTS "97-006" & "97-142" BEING N 72°52'25" E, AS MEASURED ON THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, 2007 ADJUSTMENT.



10-006-CIP

DUBLIN ROAD AND GLICK ROAD

INTERSECTION IMPROVEMENTS

SCIOTO FAMILY PARTNERSHIP

SHEET 1 OF 1

City of Dublin