



**To:** Members of Dublin City Council

**From:** Marsha I. Grigsby, City Manager */mjg*

**Date:** June 27, 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 55-14 - AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE 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, AND DECLARING AN EMERGENCY.**

## 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 share-use path. In order to construct the Project, the City must obtain property interests from various landowners located within the City in order to construct this Project.

Dogwood Enterprises Limited Partnership ("Grantor") owns one of the properties from which the City must obtain a temporary easement for the construction of the Project. The property located at 7315 Sawmill Road, identified as Franklin County Parcel No. 273-008761.

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 Two Thousand Five Hundred Dollars (\$2,500.00)

## Acquisition

The City will be acquiring from the Grantor only the property interest necessary for the construction of the Project, as presented in the legal description and depiction attached to this memorandum. The City will be acquiring this property interest for slightly above its appraised value, based on the Grantor's counter offer. The property acquisition consists of the following property interests from the Grantor, as depicted in the exhibits attached hereto:

Franklin County Parcel No. 273-008761

<b>Property Interest Acquiring</b>	<b>Description</b>	<b>Appraised Value</b>	<b>Settlement Value</b>
Temporary Easement	0.023 acre ±	\$920.00	
Site Improvements	Deciduous Tree	\$800.00	
<b>Total</b>		<b>\$1,720.00</b>	<b>\$2,500</b>

In the interest of keeping the Project moving forward, the City believes it is prudent to accept the Grantor's counter offer and continue moving forward with the Project.

**Recommendation**

Ordinance No. 55-14 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. 55-14 by emergency at the second reading/public hearing on July 1, 2014 as the approval of the Ordinance will keep the Project moving forward.

# RECORD OF ORDINANCES

Ordinance No. 55-14

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

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE 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, AND DECLARING AN EMERGENCY.**

**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; 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 Two Thousand Five Hundred Dollars (\$2,500.00); 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 0.023 acre, more or less, temporary easement for two (2) years from Dogwood Enterprises, LP, for the sum of Two Thousand Five Hundred Dollars (\$2,500.00), said property interest located within Franklin County Parcel No. 273-008761, and as more fully described in the attached Exhibit "A" and depicted in 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. This ordinance shall therefore take effect immediately upon passage.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Mayor – Presiding Officer

ATTEST:

\_\_\_\_\_  
Clerk of Council

**EXHIBIT A**

RX 286 T

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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**

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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.

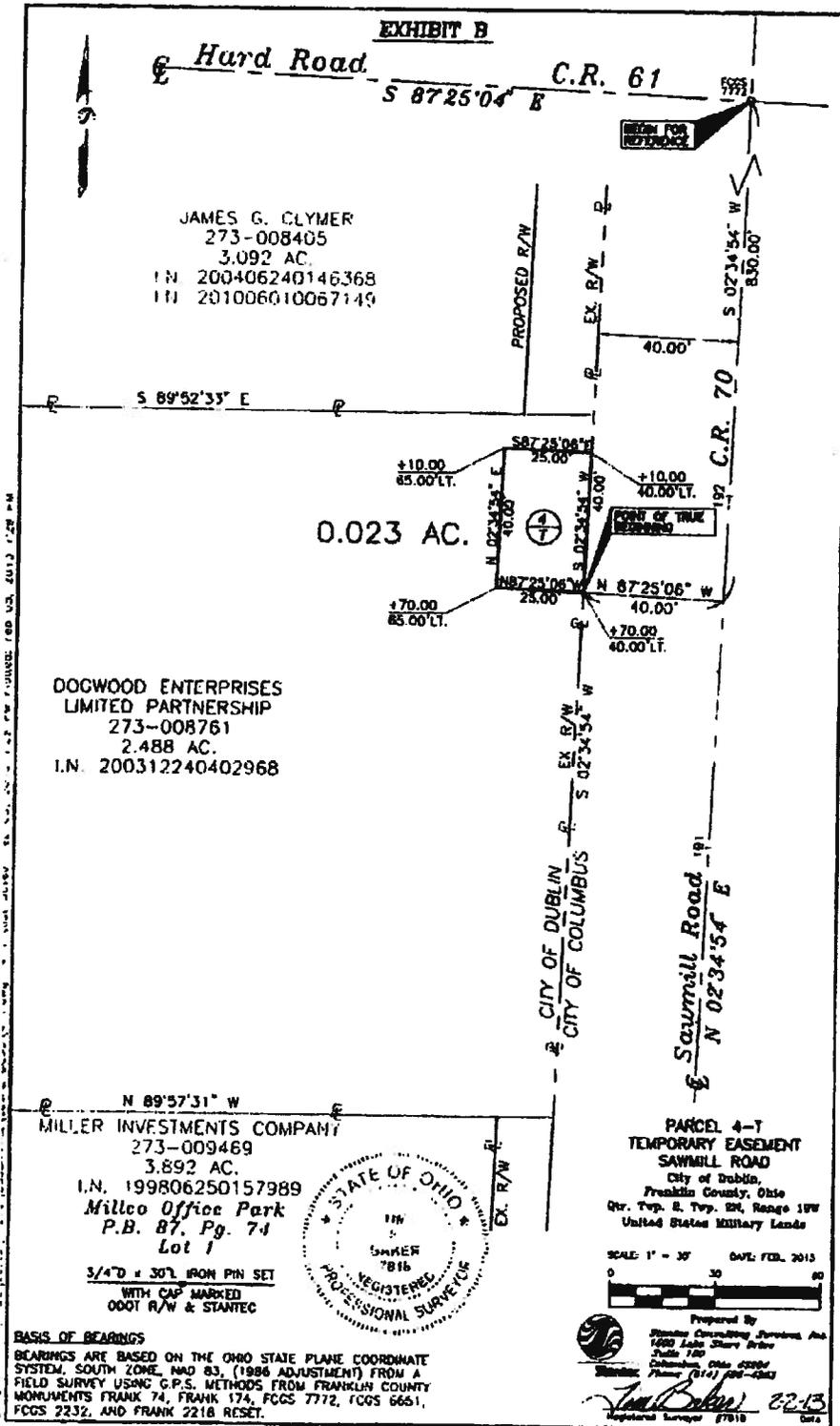
A drawing of this description is attached hereto and made part thereof.



STANTEC CONSULTING SERVICES, INC.

*Tim Baker*  
Registered Surveyor No. 7818

*2-2-13*  
Date





City of Dublin

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

