City of Dublin

Office of the City Manager
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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 56-14 - AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.008 ACRE, MORE OR LESS, TEMPORARY EASEMENT; AND A 0.024 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM LARRY F. BURCHFIELD AND CATHERINE A. BURCHFIELD 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.

Larry F. Burchfield and Catherine A. Burchfield (the "Grantors") own property from which the City desires a temporary easement. This property is identified as Delaware County Parcel Nos. 600-432-22-026-000 and 600-432-22-027-000 and is located at 22 East Osage Drive, Powell, Ohio.

After engaging in amicable negotiations, the City has come to an agreement with the Grantors 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 One Hundred Fifty Dollars ($2,150.00).

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 Grantors 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 Nos. 600-432-22-026-000 and 600-432-22-027-000

Property Interest Acquiring	**Description**	**Appraised Value**
Temporary Easement	0.032 acre ±	$2,100.00
Site Improvements	Small Landscape Shrub	$50.00
Total		**$2,150.00**

Recommendation

Ordinance No. 56-14 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. 56-14 by emergency at the second reading/public hearing on July 1, 20145 in order to finalize settlement with Larry F. Burchfield and Catherine A. Burchfield and continue moving forward with the Project.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc. Form No. 30043

Ordinance No. 56-14 *Passed* _____, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.008 ACRE, MORE OR LESS, TEMPORARY EASEMENT; AND A 0.024 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM LARRY F. BURCHFIELD AND CATHERINE A. BURCHFIELD 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 Nos. 600-432-22-026-000 and 600-432-22-027-000 owned by Larry F. Burchfield and Catherine A. Burchfield (the "Grantors"), said property interest more fully described in the Exhibit labeled "A", attached hereto; and

WHEREAS, the City and the Grantors 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 One Hundred Fifty Dollars ($2,150.00); and

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

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 and a 0.024 acre, more or less, temporary easement, for eighteen (18) months, commencing on the date construction begins, from Larry F. Burchfield and Catherine A. Burchfield, for the sum of Two Thousand One Hundred Fifty Dollars ($2,150.00), said property interest located within Delaware County Parcel Nos. 600-432-22-026-000 and 600-432-22-027-000, 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

PARCEL 7-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 0.087 acre tract, in the name of Larry F. & Catherine A. Burchfield (the grantor), as recorded in Official Record 222, Page 1736, and also part of a 0.373 acre tract in the name of the grantor, as recorded in Deed Volume 624, Page 692, 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 northwesterly corner and the southwesterly corner of an 0.139 acre tract in the name of Scioto Family Partnership, an Ohio General Partnership, as recorded in Official Record 41, Page 2515, said corner being at Dublin Road station 23+73.69;

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

Thence, continuing along said property line, North 76 degrees 00 minutes 48 seconds East, a distance of 10.00 feet to a point, 40.00 feet right of Dublin Road station 23+72.59;

Thence, leaving said property line, crossing the grantor's tracts, South 15 degrees 33 minutes 44 seconds East, a distance of 34.97 feet to a point, 40.00 feet right of Dublin Road station 23+37.62;.

Thence, continuing across grantor's tracts, North 75 degrees 58 minutes 04 seconds East, a distance of 5.00 feet to a point, 45.00 feet right of Dublin Road station 23+37.49;

Thence, continuing across grantor's tracts, South 15 degrees 33 minutes 44 seconds East, a distance of 70.00 feet to a point on the grantor's southerly line and the northerly existing right of way line of East Osage Drive (40' right of way), 45.00 feet right of Dublin Road station 22+67.49;

Thence, along said property line and said existing right of way line, South 75 degrees 58 minutes 04 seconds West, a distance of 15.00 feet to the grantor's southwesterly corner and a point on the easterly existing right of way line of said Dublin Road, 30.00 feet right of Dublin Road station 22+67.89;

Thence, along said existing right of way line and the grantor's westerly property line, North 15 degrees 33 minutes 44 seconds West, a distance of 104.98 feet to **The Point of Beginning** and containing 0.032 acres, more or less, of which, 0.008 acres is within Auditor's Parcel Number 60043222026000 and 0.024 acres is within Auditor's Parcel Number 60043222027000.

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 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

BURCHFIELD PROPERTY

City of Dublin

SHEET 1 OF 1