



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 

Date: June 19, 2014

Initiated By: Stephen J. Smith, Law Director

Re: ORDINANCE 60-14 - AUTHORIZING THE EXECUTION OF CONVEYANCE DOCUMENTS TO ACCEPT THE DONATION OF A 0.014 ACRE, MORE OR LESS, PERMANENT ACCESS EASEMENT FROM CHRISTOFF LAND AND DEVELOPMENT, LLC, FOR THE PROPERTY LOCATED AT 6465 SAWMILL ROAD TO PROVIDE PEDESTRIAN ACCESS TO BICYCLE PARKING RACKS, BENCHES AND OTHER SIMILAR FACILITIES OPEN TO THE GENERAL PUBLIC.

Background

The area designated was approved by the Administrative Review Team (ART) on December 5, 2013, as part of Minor Project Review for a new 3,064-square-foot Commercial Center Building within the Bridge Street District located on a vacant site at 6465 Sawmill Road, on the west side of Sawmill Road approximately 450 feet north of West Dublin-Granville Road. Proposed uses are General Retail and Eating and Drinking, as permitted uses. The structure allows the potential for a single tenant or multiple tenant configuration. The amount of restaurant space will be limited by parking requirements, which will be reviewed when tenants are proposed. The approved site plan provides a 630-square-foot pocket plaza at the southeast corner of the site along the public sidewalk. The plaza will be hardscaped and include benches, trash receptacles and bicycle racks.

Christoff Land and Development, LLC (the "Grantor") owns property from which the City desires a permanent access easement in order to provide pedestrian access to bicycle parking racks, benches, and other similar facilities. This property is identified as Franklin County Parcel No. 273-008330.

After engaging in amicable discussions, the Grantor has agreed to donate this permanent access easement to the City. This Ordinance authorizes the execution of conveyance documents to accept this grant of easement as a donation from the Grantor.

Acquisition

The City will be accepting from the Grantor only the property interest necessary for purposes of the Project, as depicted in the legal description and depiction attached to this memorandum. The property interest is detailed below.

Franklin County Parcel No. 273-008330

Property Interest Acquiring	Description
Permanent Access Easement	0.014 acre ±

Recommendation

Ordinance No. 60-14 would authorize the City Manager to execute all necessary conveyance documentation to formally accept the necessary property interest described above.

The Law Department recommends approval of Ordinance No. 60-14 at the second reading/public hearing on July 1, 2014 in order to finalize the donation of the permanent access easement from Christoff Land and Development, LLC to the City, and continue moving forward with the Project.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 60-14

Passed _____, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE CONVEYANCE DOCUMENTS TO ACCEPT THE DONATION OF A 0.014 ACRE, MORE OR LESS, PERMANENT ACCESS EASEMENT FROM CHRISTOFF LAND AND DEVELOPMENT, LLC, FOR THE PROPERTY LOCATED AT 6465 SAWMILL ROAD TO PROVIDE PEDESTRIAN ACCESS TO BICYCLE PARKING RACKS, BENCHES AND OTHER SIMILAR FACILITIES OPEN TO THE GENERAL PUBLIC.

WHEREAS, the City of Dublin (the "City") desires to provide pedestrian access to bicycle parking racks, benches, and other similar facilities open to the general public (the "Project"); and

WHEREAS, said Project requires that the City obtain a permanent access easement within from Christoff Land and Development, LLC (the "Grantor"), located at 6465 Sawmill Road and identified as Franklin County Parcel No. 273-008330, said property interest more fully described in the Exhibit "A" and depicted in Exhibit "B," all attached hereto; and

WHEREAS, the City desires to receive this permanent access easement as a donation from the Grantor, said easement described in the attached Exhibit "A" and depicted in the attached Exhibit "B" located in the City of Dublin, County of Franklin, State of Ohio; and

WHEREAS, this donation will require the Grantor to execute a grant of easement to the City without consideration or compensation.

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 conveyance documents for a permanent access easement donated by Christoff Land and Development, LLC.

Section 2. This Ordinance shall take effect and be in force from and after the earliest date permitted by law.

Passed this _____ day of _____, 2014.

Mayor – Presiding Officer

ATTEST:

Clerk of Council



6465 Sawmill Road

DESCRIPTION OF AN OPEN SPACE EASEMENT

Situated in the State of Ohio, County of Franklin, City of Dublin, being located in Lot 1, Section 3, Township 2, Range 19, United States Military District, and being a part of Lot 5 of Meadowland Heights No. 1, of record in Plat Book 27, Page 60, said Lot 5 is described in a deed to **Christoff Land & Development, LLC**, of record in Instrument Number 201204130051695, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, being further bounded and described as follows:

Commencing for reference at the original southeast corner of said Lot 5, being the original northeast corner of Lot 4 of said Meadowland Heights No. 1, as said Lot 4 is described in a deed to Maria M. Ciotola, Trustee of the Maria M. Ciotola Trust dated May 20, 2010, of record in Instrument Number 201005210063158, being the southeast corner of a 22.5 foot wide right-of-way parcel described as Parcel 59-WD in a deed to the State of Ohio, of record in 20008220168621;

Thence **North 86 degrees 30 minutes 25 seconds West**, along the original south line of said Lot 5, along the original north line of said Lot 4, and along the south line of said Parcel 59-WD, a distance of **22.50 feet** to the existing west right-of-way line for Sawmill Road, being the southwest corner of said Parcel 59-WD;

Thence across said Lot 5 along the following five (5) described courses:

1. **North 02 degrees 31 minutes 35 seconds East**, along the existing west right-of-way line for said Sawmill Road, along the west line of said Parcel 59-WD, a distance of **11.80 feet** to the **TRUE POINT OF BEGINNING**;
2. **North 87 degrees 02 minutes 24 seconds West**, a distance of **21.00 feet** to a point;
3. **North 02 degrees 31 minutes 35 seconds East**, a distance of **30.00 feet** to a point;
4. **South 87 degrees 02 minutes 24 seconds East**, a distance of **21.00 feet** to a point on the existing west right-of-way line for said Sawmill Road, being on the west line of said Parcel 59-WD;

5. **South 02 degrees 31 minutes 35 seconds West**, along the existing west right-of-way line for said Sawmill Road, along the west line of said Parcel 59-WD, a distance of **30.00 feet** to the **TRUE POINT OF BEGINNING**.

The above described easement contains a total area of **630 square feet** located within Franklin County Auditor's parcel number 273-008330.

The bearings described herein are based on the bearing of North 02 degrees 31 minutes 35 seconds West for the west right-of-way line of Sawmill Road, said bearing is measured from Grid North, as referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 adjustment), as established utilizing a GPS survey and NGS OPUS solution.

This description was prepared by Brian P. Bingham, Registered Professional Surveyor Number 8438, on May 22, 2014, is based on an actual field survey performed by American Structurepoint, Inc. and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.



Brian P. Bingham
Registered Professional Surveyor No. 8438

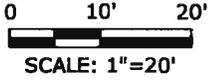


5/22/2014
Date

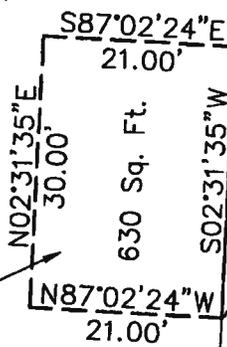
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Situated in the State of Ohio, County of Franklin and City of Dublin, being located in Lot 1, Section 3, Township 2, Range 19, United States Military District, and being part of Lot 5 of Meadowland Heights No. 1, of record in Plat Book 27, page 60, said Lot 5 is described in a deed to Christoff Land & Development, LLC, of record in Instrument Number 201204130051695, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio.

PID: 273-008330
 CHRISTOFF LAND & DEVELOPMENT, LLC
 INST. NO. 201204130051695
 LOT 5
 MEADOWLAND HEIGHTS NO. 1
 P.B. 27 PG 60
 6465 SAWMILL ROAD

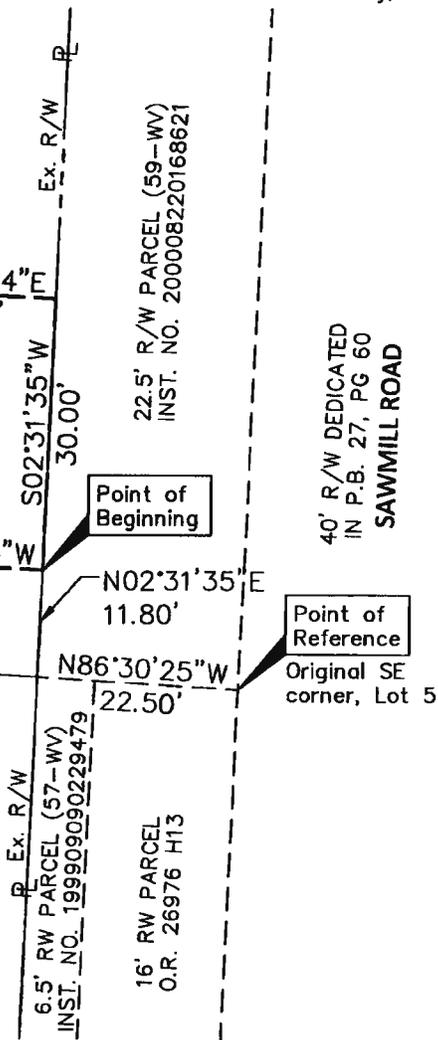


Proposed Open Space Easement



630 Sq. Ft.

PID: 273-008329
 MARIA M. CIOTOLA, TRUSTEE OF THE MARIA M. CIOTOLA TRUST DATED MAY 20, 2010
 INST. NO. 201005210063158
 LOT 4
 MEADOWLAND HEIGHTS NO. 1
 P.B. 27 PG 60



The bearings described herein are based on the bearing of North 02 degrees 31 minutes 35 seconds West for the west right-of-way line of Sawmill Road, said bearing is measured from Grid North, as referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 adjustment), as established utilizing GPS survey and NGS OPUS solution.



This easement exhibit was prepared by Brian P. Bingham, Registered Professional Surveyor No. 8438, and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.

Brian P. Bingham
 Brian P. Bingham
 Registered Professional Surveyor No. 8438

5/22/2014
 Date

PROPOSED OPEN SPACE EASEMENT

**AMERICAN
 STRUCTUREPOINT
 INC.**

2550 CORPORATE EXCHANGE DRIVE
 SUITE 300
 COLUMBUS, OHIO 43231
 TEL 614.901.2235 FAX 614.901.2236
 www.structurepoint.com

DATE: 05/22/2014
 DRAWN BY: BPB
 JOB NO. 2013.01025

SHEET NO.
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