



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 27, 2014

**Initiated By:** Paul A. Hammersmith, PE, Director of Engineering/City Engineer  
Kenneth B. Richardson, PE, Engineering Manager - Design  
Philip K. Hartmann, Assistant Law Director

**Re:** ORDINANCE 69-14 - AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.013 ACRE, MORE OR LESS, PERMANENT EASEMENT FROM GEORGE DANIEL SCHREIBEIS AND ELAINE D. SCHREIBEIS, TRUSTEES, AT THE PROPERTY LOCATED AT 8832 LOCHERBIE COURT, FOR THE CONSTRUCTION OF A SHARED-USE PATH AS PART OF THE MUIRFIELD DRIVE BIKE LANES PROJECT, AND DECLARING AN EMERGENCY.

## Background

The City of Dublin (the "City") is constructing bike lanes, a shared-use path, and pedestrian bridges along Muirfield Drive as part of the Muirfield Drive Bike Lanes Project (the "Project").

George Daniel Schreibeis and Elaine D. Schreibeis, Trustees (the "Grantors") own property from which the City desires a permanent easement for the construction of the shared-use path. This property is located at 8832 Locherbie Court and is identified as Delaware County Parcel No. 600-343-05-091-000.

After engaging in amicable discussions, the City has come to an agreement with the Grantors to acquire the property pursuant to the terms outlined in this memorandum. This Ordinance authorizes the settlement of the matter for the appraised value of One Thousand Five Hundred Dollars (\$1,500.00).

## Acquisition

The City will be acquiring from the Grantors 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.

Delaware County Parcel No. 600-343-05-091-000

<b>Property Interest Acquiring</b>	<b>Description</b>	<b>Appraised Value</b>
Permanent Easement	0.013 acre ±	\$1,500.00
<b>Total</b>		<b>\$1,500.00</b>

**Recommendation**

Ordinance No. 69-14 would authorize the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interest described above.

The Law Department recommends that Council dispense with the public hearing and approve Ordinance 69-14 by emergency at the July 1, 2014 Council meeting in order to finalize settlement with George Daniel Schreibeis and Elaine D. Schreibeis, Trustees and continue moving forward with the Project.

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 69-14

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

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.013 ACRE, MORE OR LESS, PERMANENT EASEMENT FROM GEORGE DANIEL SCHREIBEIS AND ELAINE D. SCHREIBEIS, TRUSTEES, AT THE PROPERTY LOCATED AT 8832 LOCHERBIE COURT, FOR THE CONSTRUCTION OF A SHARED-USE PATH AS PART OF THE MUIRFIELD DRIVE BIKE LANES PROJECT, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Dublin (the "City") is constructing bike lanes, a shared-use path, and pedestrian bridges along Muirfield Drive as part of the Muirfield Drive Bike Lanes Project (the "Project"); and

**WHEREAS**, said Project requires that the City obtain a permanent easement from George Daniel Schreibeis and Elaine D. Schreibeis, Trustees (the "Grantors") at 8832 Locherbie Court, identified as Delaware County Parcel No. 600-343-05-091-000, said property interest more fully described in Exhibit "A" and depicted in Exhibit "B," all 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 appraised value of One Thousand Five Hundred Dollars (\$1,500.00); 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 0.013 acre, more or less, permanent easement from George Daniel Schreibeis and Elaine D. Schreibeis, Trustees, for the appraised value of One Thousand Five Hundred Dollars (\$1,500.00), said property interest located within Delaware County Parcel No. 600-343-05-091-000, 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. The ordinance shall therefore take effect immediately upon passage.

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

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

ATTEST:

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

**Parcel #60034305091000**  
**Permanent Easement**  
**for**  
**Utilities, Storm Drainage, and Grading**  
**0.013 acres**

Situated in the State of Ohio, County of Delaware, City of Dublin, being in Virginia Military Survey Number 2545 and 5162 being Lot 756 of the Muirfield Village Phase 14 Subdivision as delineated in Plat Book 15, Page 153 and conveyed to George Daniel and Elaine D. Schreibeis, Trustees, all records herein are from the Recorder's Office, Delaware County, Ohio and being more particularly described as follows:

Beginning at 3/4" diameter iron pipe at the intersection of the west Right of Way of Muirfield Drive (variable Right of Way width - Plat Book 12, Pages 6-8, Delaware County & Plat Book 49, Pages 81-83, Franklin County) and the southerly line of said Lot 756, said point being the **Point of Beginning**;

Thence, North 85°26'15" West, a distance of 15.00 feet, along the southerly line of said Lot 756 to a point;

Thence, North 40°31'00" East, a distance of 57.64 feet, crossing and to the northerly line of said Lot 756;

Thence, South 38°36'27" East, a distance of 10.00 feet, along the northerly line of said Lot 756 to the west Right of Way of said Muirfield Drive;

Thence, South 37°41'06" West, a distance of 47.00 feet, along the west Right of Way of said Muirfield Drive to the **Point of Beginning**, containing 0.013 acres, more or less, subject to legal highways, easements, leases and restriction of record and of records in the respective utility offices.

The bearings described herein are based on the Ohio State Plane Coordinate System, South Zone, NAD83 (CORS96). Note that parcel is located in North Zone, however, the overall project is in South Zone and used for the Construction Documents. Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network.

The described 0.013 acre tract is a part of Auditor's Tax Parcel Number 60034305091000 and is based on Plat Book 15, Page 153.

I hereby certify this description was based field survey conducted by CW Design Group, LLC under my guidance in May 2014 and to the best of my knowledge depicts the boundary lines.

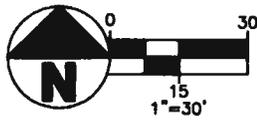
CW Design Group, LLC



Charles A. Wagner - Professional Surveyor 8091

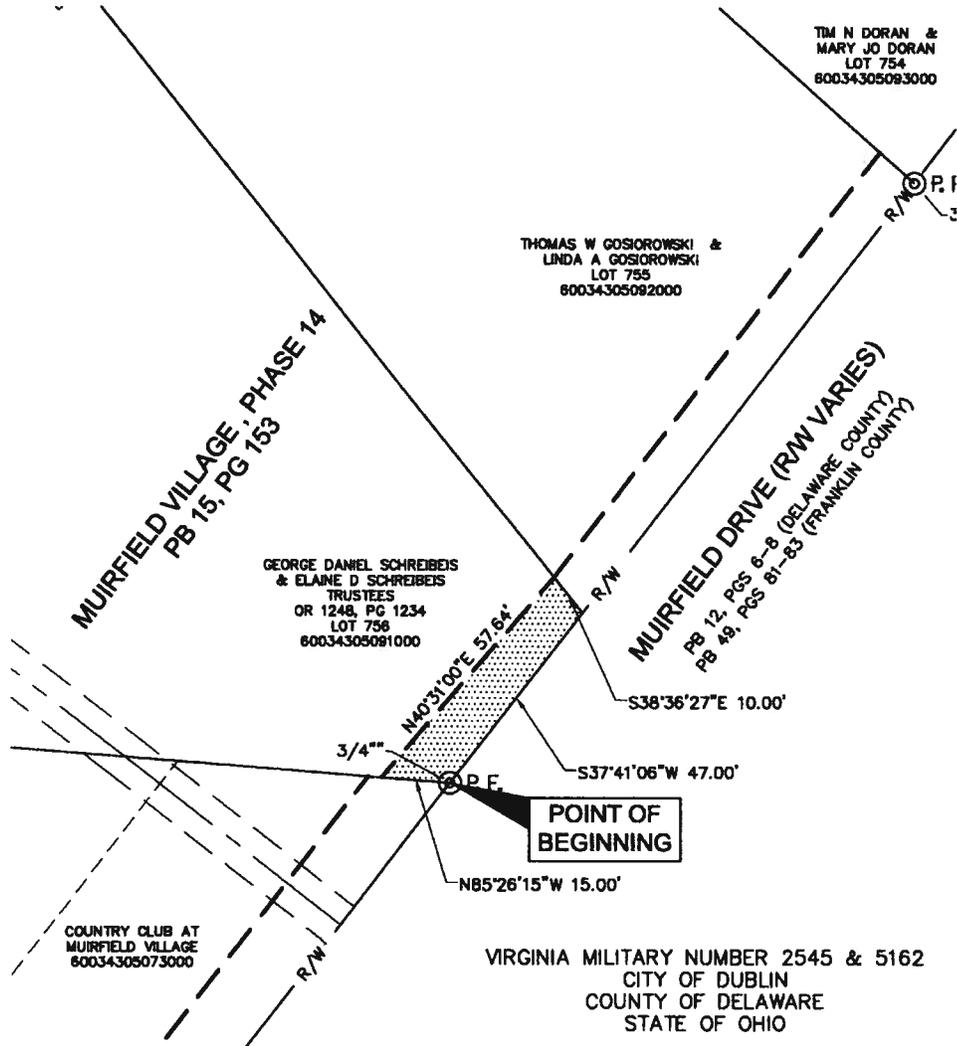
06/05/2014  
Date





**SYMBOL LEGEND**

- ⊙ P.F. IRON PIPE FOUND
- PERMANENT EASEMENT  
0.013 ACRES



**BASIS OF BEARINGS**

THE BEARINGS SHOWN ON THIS PLAT ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD83 (CORS).

HEREBY CERTIFY THIS PLAT WAS BASED FIELD SURVEY CONDUCTED BY CW DESIGN GROUP, LLC UNDER MY GUIDANCE IN MAY 2014 AND TO THE BEST OF MY KNOWLEDGE DEPICTS THE BOUNDARY LINES.

*Charles A. Wagner*  
 \_\_\_\_\_ 06/05/2014  
 CHARLES A. WAGNER, PS-8091 DATE  
 CW DESIGN GROUP, LLC



[cw design group] G:\CADD\Projects\2013\130042\Drawing\Parcel04P.dwg June 05, 2014 1:46pm

**CW Design Group**  
 ENGINEERS | SURVEYORS  
 PHONE: 614-846-9279  
 972 Linkfield Drive  
 Worthington, Ohio 43085

**PARCEL #60034305091000**  
 PERMANENT EASEMENT  
 FOR UTILITIES, STORM DRAINAGE, AND  
 GRADING

13-0042  
  
 06/05/2014