



To: Members of Dublin City Council
From: Marsha I. Grigsby, City Manager *MIG*
Date: June 5, 2014
Initiated By: Terry Foegler, Director of Strategic Initiatives and Special Projects
Philip K. Hartmann, Assistant Law Director
Re: **Resolution 44-14 – Dale Holding Co. of Columbus LLC**
Resolution 45-14 – G&I VI Sycamore Ridge, LLC
Resolution 46-14 – Store Master Funding IV, LLC
(Related to North/South Connector between Tuller Ridge and Dale Drives)

Background

As Council is aware, the City has been engaged in the planning and design of several important public infrastructure improvement projects for the Bridge Street Corridor. These projects have received increased attention in recent months with the Bridge Street River Corridor urban design framework planning effort. These efforts further refined the planning for the river front parkland and right of way and other related public improvement projects in the area.

This project is for the construction of a north to south connection between the existing Tuller Ridge and Dale Drives (the "Project"). The properties subject to the "Resolutions of Intent to Appropriate" constitute the beginning of the construction of the grid format right of way system planned for the Corridor. The City must obtain property interests from three landowners located within the City in order to construct this Project.

- The first property owner is Dale Holding Co. of Columbus, LLC ("Dale Holdings"). Dale Holdings owns property located adjacent to and east of the current Dale Drive. The City must obtain a 1.49 fee simple interest, a 0.384 acre fee simple interest and a 0.366 acre slope easement.
- The second property owner is G&I VI Sycamore Ridge, LLC ("Sycamore Ridge"). Sycamore Ridge owns property located adjacent to and south of the current Tuller Ridge Drive. The City must obtain a 0.385 acre fee simple interest, a 0.004 acre fee simple interest, and a 0.320 acre temporary easement.
- The third property owner is Store Master Funding IV, LLC ("Store Master"). Store Master owns the third property from which the City must obtain a 0.013 acre fee simple interest and a 0.020 acre temporary easement.

The City is hopeful that an amicable resolution may be reached with the property owner; however, these Resolutions begin the eminent domain process in the event that negotiations are unsuccessful.

Property to be Appropriated

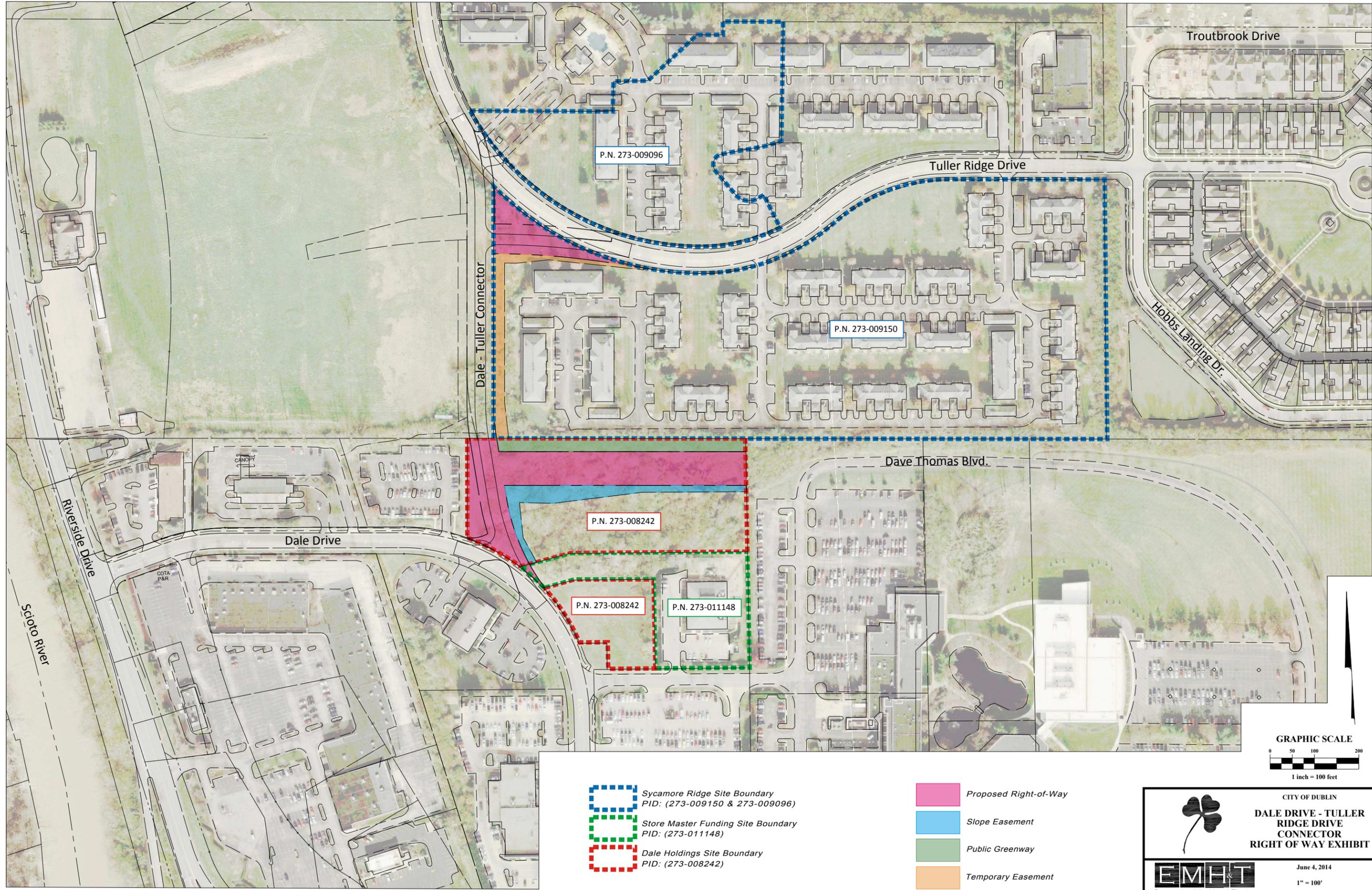
The property acquisition consists of the following property interests as depicted in the exhibits attached hereto:

Property Owner	Property Interests	Auditor Parcel ID Number
Dale Holdings Res. 44-14	Fee Simple Interest (0.149 acres) Fee Simple Interest (0.384 acres) Slope Easement (0.366 acres)	273-008242
Sycamore Ridge Res. 45-14	Fee Simple Interest (0.385 acres) Fee Simple Interest (0.004 acres) Temporary Easement (0.320 acres)	273-009150
Store Master Res. 46-14	Fee Simple Interest (0.013 acres) Temporary Easement (0.020 acres)	273-011148

Recommendation

Staff recommends approval of Resolutions No. 44-14, 45-14 and 46-14 in order to keep the Project moving forward in a timely manner.

\ICM\DATA\01\Project\0120130451\Drawings\Overall Exhibits\Property Acquisition Exhibits\2014-08-03 Property Exhibit-MColor.dwg Last Saved By: d Vance, 6/4/2014 3:55 PM Last
 Printed By: Vance, David, 4/1/2014 2:06 PM
 4 Xrefs: 20121872-CS-REFR-PHOT, 79607650, 79857650, 20121872-CP-ROAD-REFR-N

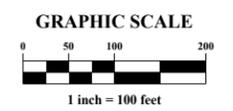


2013 Aerial Photo

NOTE:
Property lines are based on Franklin County Auditor's GIS Information.

-  Sycamore Ridge Site Boundary
PID: (273-009150 & 273-009096)
-  Store Master Funding Site Boundary
PID: (273-011148)
-  Dale Holdings Site Boundary
PID: (273-008242)

-  Proposed Right-of-Way
-  Slope Easement
-  Public Greenway
-  Temporary Easement



CITY OF DUBLIN
**DALE DRIVE - TULLER
 RIDGE DRIVE
 CONNECTOR
 RIGHT OF WAY EXHIBIT**



EMHT
 Evans, McWhorter, Hamblin & Tillon, Inc.
 Engineers • Surveyors • Planners • Scientists
 8500 New Albany Road, Columbus, OH 43244
 Phone: 614.776.4500 Toll Free: 888.775.3648
 emht.com

June 4, 2014
 1" = 100'
 20130451
 1 of 1

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

44-14

Resolution No. _____

Passed _____, 20____

A RESOLUTION OF INTENT TO APPROPRIATE A 1.490 ACRE, MORE OR LESS, FEE SIMPLE INTEREST; A 0.384 ACRE, MORE OR LESS, FEE SIMPLE INTEREST; A 0.366 ACRE, MORE OR LESS, SLOPE EASEMENT, FROM PROPERTY LOCATED ADJACENT TO AND NORTHEAST OF DALE DRIVE OWNED BY DALE DRIVE PROPERTIES, LLC, TO CONNECT DALE AND TULLER RIDGE DRIVES AND FOR THE CONSTRUCTION OF THE NEW PARK AVENUE.

WHEREAS, the City of Dublin (the "City") is preparing to extend Dale Drive to the north to connect with Tuller Road (the "Project"); and

WHEREAS, the Project requires that the City obtain two fee simple interests and a slope easement from Dale Drive Properties, LLC (FKA "Dale Holding Co. of Columbus, LLC,") as described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," all attached hereto, said property interest located in the City of Dublin, County of Franklin, State of Ohio.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. Council considers it necessary and declares its intention to appropriate, for the purpose of extending and connecting Dale and Tuller Ridge Drives, two fee simple interests and a slope easement as described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," all attached hereto.

Section 2. The City Manager is hereby authorized to cause written notice of the passage of this Resolution to be served upon the owner and persons in possession or having an interest of record in the property described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," and this notice shall be served according to law.

Section 3. This Resolution shall take effect upon passage in accordance with Section 4.04(a) of the Revised Charter.

Passed this _____ day of _____, 2014.

Mayor – Presiding Officer

ATTEST:

Clerk of Council

1.490 ACRE

Situated in the State of Ohio, County of Franklin, City of Dublin, lying in Quarter Township 3, Township 2, Range 19, United States Military Lands, and being part of that 6.202 acre tract conveyed to Dale Holding Co. of Columbus, LLC by deed of record in Instrument Number 200504120068206 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning for reference, at a 5/8 inch rebar found in a monument box at the centerline intersection of State Route 161 (right-of-way width varies) with Dale Drive (60 foot right-of-way width) as dedicated in Plat Book 58, Pages 81 and 82;

thence with the centerline of said Dale Drive, the following courses and distances:

North 02°31'25" East, a distance of 518.36 feet to a point of curvature;

with a curve to the left, having a central angle of 51°18'55", a radius of 400.00 feet, an arc length of 358.25 feet, and a chord that bears North 23°08'03" West, a chord distance of 346.39 feet to a point;

thence North 41°12'30" East, across said Dale Drive, a distance of 30.00 feet to an iron pin set at a corner common to said 6.202 acre tract and that 1.635 acre tract conveyed to Store Master Funding IV, LLC by deed of record in Instrument Number 201307020111012, in the easterly right-of-way line of said Dale Drive, being the TRUE POINT OF BEGINNING;

thence with the easterly right-of-way line of said Dale Drive and with the westerly line of said 6.202 acre tract, with a curve to the left, having a central angle of 18°22'25", a radius of 430.00 feet, an arc length of 137.89 feet and a chord that bears North 57°58'43" West, a chord distance of 137.30 feet to a 3/4 inch iron pipe found capped R.D. Zande at a corner common to said 6.202 acre tract and that 1.200 acre tract conveyed to Central Ohio Transit Authority by deed of record in Official Record 29294B09;

thence North 03°35'40" East, with the line common to said 6.202 acre tract and said 1.200 acre tract, a distance of 223.86 feet to a 3/4 inch iron pipe found capped R.D. Zande at a corner common to said 6.202 acre tract and said 1.200 acre tract, in the southerly line of that 15.097 acre tract conveyed to Scioto Tuller Acquisition, LLC by deed of record in Instrument Number 201308160140286;

thence South 86°21'53" East, with the northerly line of said 6.202 acre tract, with the southerly line of said 15.097 acre tract, with the southerly line of that 0.821 acre tract conveyed to The City of Dublin, Ohio by deed of record in Instrument Number 201212310201439 and with the southerly line of that 15.459 acre tract conveyed as Parcel I to G&I VI Sycamore Ridge LLC by deed of record in Instrument Number 200803100036370, (passing a 3/4 inch iron pipe found capped R.D. Zande at a distance of 59.41 feet) a total distance of 66.34 feet to an iron pin set;

thence across said 6.202 acre tract, the following courses and distances:

South 05°44'51" East, a distance of 30.41 feet to an iron pin set;

South 86°21'53" East, a distance of 555.94 feet to an iron pin set in the easterly line of said 6.202 acre tract and in the westerly line of that 5.270 acre tract conveyed to Wendy's International, Inc., by deed of record in Deed Book 3596, Page 274;

thence South 02°31'25" West, with the easterly line of said 6.202 acre tract and with the westerly line of said 5.270 acre tract, a distance of 76.01 feet to an iron pin set;

thence across said 6.202 acre tract, the following courses and distances:

North 86°21'53" West, a distance of 544.86 feet to an iron pin set;

South 05°44'51" East, a distance of 26.93 feet to an iron pin set at a point of curvature;

with said curve to the left, having a central angle of 19°37'49", a radius of 470.00 feet, an arc length of 161.03 feet and a chord that bears South 15°33'46" East, a chord distance of 160.24 feet to an iron pin set in a line common to said 6.202 acre tract and said 1.635 acre tract;

thence South 78°57'25" West, with said common line, a distance of 20.65 feet to the TRUE POINT OF BEGINNING and containing 1.490 acres, more or less.

1.490 ACRE

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Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The Bearings shown hereon are based on the Ohio State Plane Coordinate System South Zone as per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments FRANK 73 and FRANK 74, having a bearing of South 73° 57' 18" East, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.

This description is based on an actual field survey performed by or under the direct supervision of Joshua M. Meyer, Registered Surveyor Number 8485 in April 2013.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Joshua M. Meyer
Professional Surveyor No. 8485

Date

0.384 ACRE

Situated in the State of Ohio, County of Franklin, City of Dublin, lying in Quarter Township 3, Township 2, Range 19, United States Military Lands, and being part of that 6.202 acre tract conveyed to Dale Holding Co. of Columbus, LLC by deed of record in Instrument Number 200504120068206 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning for reference, at a 5/8 inch rebar found in a monument box at the centerline intersection of State Route 161 (right-of-way width varies) with Dale Drive (60 foot right-of-way width) as dedicated in Plat Book 58, Pages 81 and 82;

thence with the centerline of said Dale Drive, the following courses and distances:

North 02°31'25" East, a distance of 518.36 feet to a point of curvature;

with a curve to the left, having a central angle of 51°18'55", a radius of 400.00 feet, an arc length of 358.25 feet, and a chord that bears North 23°08'03" West, a chord distance of 346.39 feet to a point;

thence North 41°12'30" East, across said Dale Drive, a distance of 30.00 feet to an iron pin set at a corner common to said 6.202 acre tract and that 1.635 acre tract conveyed to Store Master Funding IV, LLC by deed of record in Instrument Number 201307020111012, in the easterly right-of-way line of said Dale Drive;

thence with the easterly right-of-way line of said Dale Drive and with the westerly line of said 6.202 acre tract, with a curve to the left, having a central angle of 18°22'25", a radius of 430.00 feet, an arc length of 137.89 feet and a chord that bears North 57°58'43" West, a chord distance of 137.30 feet to a 3/4 inch iron pipe found capped R.D. Zande at a corner common to said 6.202 acre tract and that 1.200 acre tract conveyed to Central Ohio Transit Authority by deed of record in Official Record 29294B09;

thence North 03°35'40" East, with the line common to said 6.202 acre tract and said 1.200 acre tract, a distance of 223.86 feet to a 3/4 inch iron pipe found capped R.D. Zande at a corner common to said 6.202 acre tract and said 1.200 acre tract, in the southerly line of that 15.097 acre tract conveyed to Scioto Tuller Acquisition, LLC by deed of record in Instrument Number 201308160140286;

thence South 86°21'53" East, with the northerly line of said 6.202 acre tract, with the southerly line of said 15.097 acre tract, with the southerly line of that 0.821 acre tract conveyed to The City of Dublin, Ohio by deed of record in Instrument Number 201212310201439 and with the southerly line of that 15.459 acre tract conveyed as Parcel I to G&I VI Sycamore Ridge LLC by deed of record in Instrument Number 200803100036370, (passing a 3/4 inch iron pipe found capped R.D. Zande at a distance of 59.41 feet) a total distance of 66.34 feet to an iron pin set, being the TRUE POINT OF BEGINNING;

thence South 86°21'53" East, with the line common to said 6.202 acre tract and said 15.459 acre tract a distance of 560.32 feet, to the northeasterly corner of said 6.202 acre tract and the northwesterly corner of that 5.270 acre tract conveyed to Wendy's International, Inc., by deed of record in Deed Book 3596, Page 274 (reference a 3/4 inch iron pipe found 0.40 feet north and 0.16 feet east);

thence South 02°31'25" West, with the easterly line of said 6.202 acre tract and with the westerly line of 5.270 acre tract, a distance of 30.01 feet to an iron pin set

thence across said 6.202 acre tract, the following courses and distances:

North 86°21'53" West, a distance of 555.94 feet to an iron pin set;

0.384 ACRE

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North 05°44'51" West, a distance of 30.41 feet to the TRUE POINT OF BEGINNING and containing 0.384 acre, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The Bearings shown hereon are based on the Ohio State Plane Coordinate System South Zone as per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments FRANK 73 and FRANK 74, having a bearing of South 73° 57' 18" East, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.

This description is based on an actual field survey performed by or under the direct supervision of Joshua M. Meyer, Registered Surveyor Number 8485 in April 2013.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Joshua M. Meyer
Professional Surveyor No. 8485

Date

**SLOPE EASEMENT
0.366 ACRE**

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Quarter Township 3, Township 2, Range 19, United States Military Lands, being across that 6.202 acre tract conveyed to Dale Holding Co. of Columbus, LLC by deed of record in Instrument Number 200504120068206 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at a southwesterly corner of said 6.202 acre tract, a northwesterly corner of that 1.635 acre tract conveyed to Store Master Funding IV, LLC by deed of record in Instrument Number 201307020111012, being the easterly right-of-way line of Dale Drive (60 foot right-of-way width) of record in Plat Book 58, Pages 81 and 82;

thence North 78° 57' 25" East, with the southerly line of said 6.202 acre tract, a distance of 20.65 feet a point on the arc of a curve to the right, being the TRUE POINT OF BEGINNING;

thence across said 6.202 acre tract, the following courses and distances:

with the arc of said curve to the right, having a central angle of 19° 37' 49", a radius of 470.00 feet, an arc length of 161.03 feet, a chord bearing and distance of North 15° 33' 46" West, 160.24 feet to a point;

North 05° 44' 51" West, a distance of 26.93 feet to a point; and

South 86° 21' 53" East, a distance of 544.86 feet to a point in the westerly line of that 5.270 acre tract conveyed to Wendy's International, Inc., by deed of record in Deed Book 3596, Page 274;

thence South 02° 31' 25" West, with said westerly line, a distance of 14.23 feet to a point;

thence across said 6.202 acre tract, the following courses and distances:

North 86° 41' 25" West, a distance of 235.08 feet to a point;

South 86° 33' 36" West, a distance of 201.80 feet to a point;

North 85° 04' 47" West, a distance of 76.06 feet to a point;

South 02° 27' 58" East, a distance of 78.94 feet to a point; and

South 24° 57' 43" East, a distance of 64.39 feet to a point in the northerly line of said 1.635 acre tract;

thence South 78° 57' 25" West, with said northerly line, a distance of 16.41 feet to the TRUE POINT OF BEGINNING, and containing 0.366 acre of land, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Joshua M. Meyer
Registered Surveyor No. 8485

1.876 ACRE

Situated in the State of Ohio, County of Franklin, City of Dublin, lying in Quarter Township 3, Township 2, Range 19, United States Military Lands, and being part of that 6.202 acre tract conveyed to Dale Holding Co. of Columbus, LLC by deed of record in Instrument Number 200504120068206 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning for reference, at a 5/8 inch rebar found in a monument box at the centerline intersection of State Route 161 (right-of-way width varies) with Dale Drive (60 foot right-of-way width) as dedicated in Plat Book 58, Pages 81 and 82;

thence with the centerline of said Dale Drive, the following courses and distances:

North 02°31'25" East, a distance of 518.36 feet to a point of curvature;

with a curve to the left, having a central angle of 51°18'55", a radius of 400.00 feet, an arc length of 358.25 feet, and a chord that bears North 23°08'03" West, a chord distance of 346.39 feet to a point;

thence North 41°12'30" East, across said Dale Drive, a distance of 30.00 feet to an iron pin set at a corner common to said 6.202 acre tract and that 1.635 acre tract conveyed to Store Master Funding IV, LLC by deed of record in Instrument Number 201307020111012, in the easterly right-of-way line of said Dale Drive;

thence North 78°57'25" East, with a line common to said 6.202 acre tract and said 1.635 acre tract, a distance of 20.65 feet to an iron pin set, being the TRUE POINT OF BEGINNING;

thence across said 6.202 acre tract, the following courses and distances:

with a curve to the right, having a central angle of 19°37'49", a radius of 470.00 feet, an arc length of 161.03 feet, and a chord that bears North 15°33'46" West, a chord distance of 160.24 feet, to an iron pin set at a point of tangency;

North 05°44'51" West, a distance of 26.93 feet to an iron pin set;

South 86°21'53" East, a distance of 544.86 feet to an iron pin set in the easterly line of said 6.202 acre tract and in the westerly line of that 5.270 acre tract conveyed to Wendy's International, Inc., by deed of record in Deed Book 3596, Page 274;

thence South 02°31'25" West, with the easterly line of said 6.202 acre tract and with the westerly line of said 5.270 acre tract, a distance of 150.00 feet to an iron pin set at a common corner of said 6.202 acre tract and said 1.635 acre tract;

thence with the lines common to said 6.202 acre tract and said 1.635 acre tract, the following courses and distances:

North 86°52'35" West, a distance of 397.63 feet to an iron pin set;

thence South 78°57'25" West, a distance of 96.22 feet to the TRUE POINT OF BEGINNING and containing 1.876 acres, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The Bearings shown hereon are based on the Ohio State Plane Coordinate System South Zone as per NAD83 (1986 Adjustment). Control for bearings was from coordinates of

1.876 ACRE

-2-

monuments FRANK 73 and FRANK 74, having a bearing of South 73° 57' 18" East, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.

This description is based on an actual field survey performed by or under the direct supervision of Joshua M. Meyer, Registered Surveyor Number 8485 in April 2013.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Joshua M. Meyer
Professional Surveyor No. 8485

Date

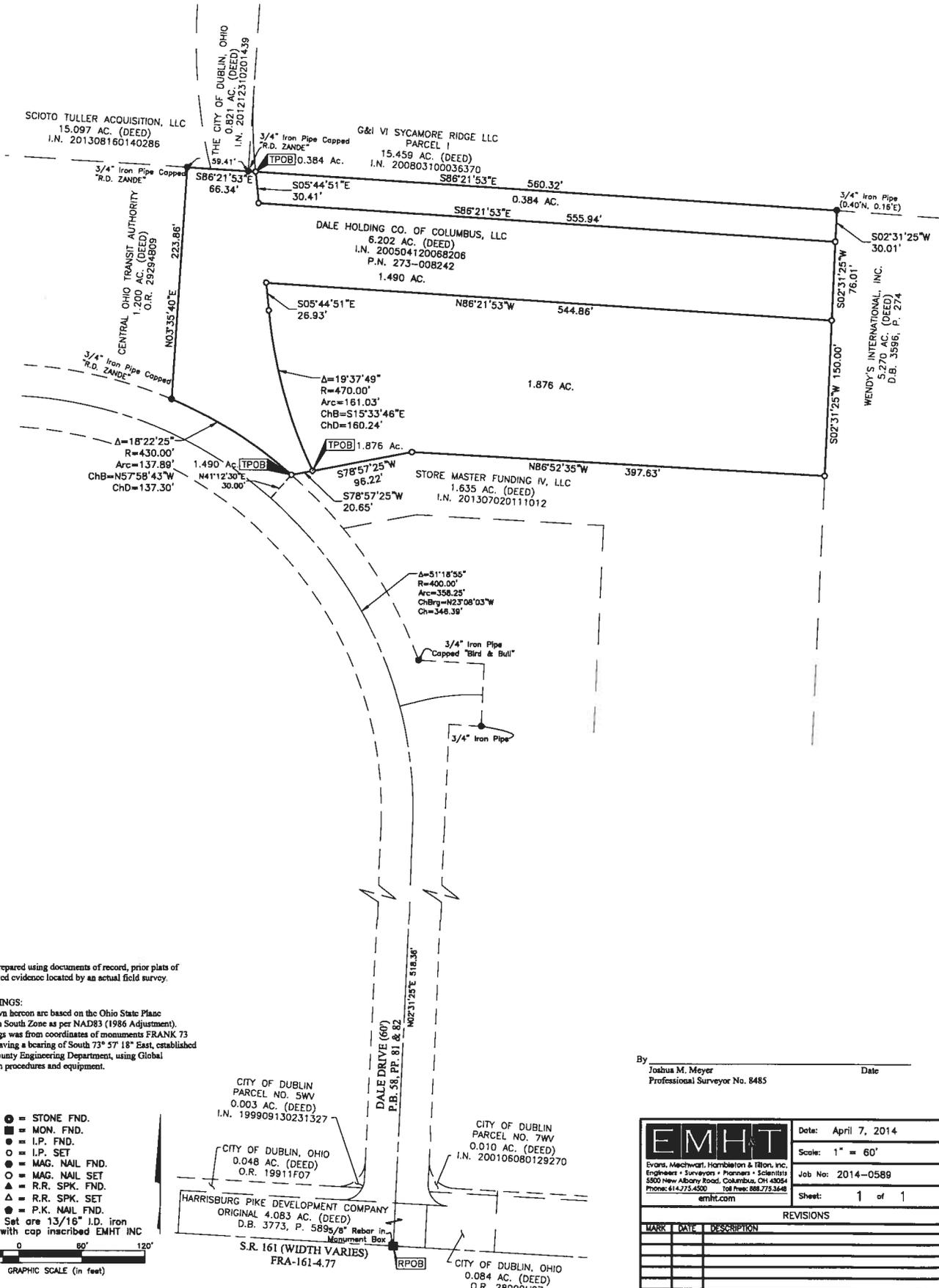
JMM
1_876 ac 20140589-VS-BNDY-02

SURVEY OF ACREAGE PARCELS

QUARTER TOWNSHIP 3, TOWNSHIP 2, RANGE 19

UNITED STATES MILITARY LANDS

CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO



SURVEY NOTE:
This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey.

BASIS OF BEARINGS:
The Bearings shown hereon are based on the Ohio State Plane Coordinate System South Zone as per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments FRANK 73 and FRANK 74, having a bearing of South 73° 57' 18" East, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.

By Joshua M. Meyer Date _____
Professional Surveyor No. 8485

Legend:

- = STONE FND.
- = MON. FND.
- = I.P. FND.
- = I.P. SET
- = MAG. NAIL FND.
- = MAG. NAIL SET
- = R.R. SPK. FND.
- △ = R.R. SPK. SET
- = P.K. NAIL FND.

I.P. Set are 13/16" I.D. iron pipe with cap inscribed EMHT INC

GRAPHIC SCALE (in feet)

0 60 120'

EMHT		Date: April 7, 2014
Evans, Mechwart, Hambleton & Tilton, Inc. Engineers • Surveyors • Planners • Scientists 5800 New Albany Road, Columbus, OH 43054 Phone: 614.775.4500 Fax: 614.775.3448		Scale: 1" = 60'
emht.com		Job No: 2014-0589
		Sheet: 1 of 1
REVISIONS		
MARK	DATE	DESCRIPTION