



**To:** Members of Dublin City Council

**From:** Marsha I. Grigsby, City Manager *mb*

**Date:** June 5, 2014

**Initiated By:** Paul A. Hammersmith, PE, Director of Engineering  
Jean-Ellen M. Willis, PE, Engineering Manager – Transportation  
Philip K. Hartmann, Assistant Law Director

**Re: RESOLUTION 53-14 - RESOLUTION OF INTENT TO APPROPRIATE  
A 0.040 ACRE, MORE OR LESS, FEE SIMPLE INTEREST FROM  
JAMES G. CLYMER, FOR THE PROPERTY LOCATED AT 7379  
SAWMILL ROAD FOR THE CONSTRUCTION OF IMPROVEMENTS  
AT THE INTERSECTION OF SAWMILL ROAD AND HARD ROAD.**

**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 a shared-use path. In order to construct the Project, the City must obtain property interests from various landowners located within the City.

James G. Clymer owns one of the properties from which the City must obtain a fee simple interest for the construction of the Project. The City will need a 0.040 acre, more or less, fee simple interest from the property located at 7379 Sawmill Road, identified as Franklin County parcel number 273-008405.

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

**Acquisition**

The property acquisition consists of the following property interests from James G. Clymer, as depicted in the exhibits attached hereto:

Property Owner	Property Interests	Auditor Parcel ID Number
James G. Clymer	Fee Simple Interest (0.040 acre ±)	273-008405

**Recommendation**

The Law Department recommends approval of Resolution No. 53-14 as the approval of the Resolution will keep the Project moving forward.

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

**53-14**

Resolution No. \_\_\_\_\_

Passed \_\_\_\_\_

20\_\_\_\_

**A RESOLUTION OF INTENT TO APPROPRIATE A 0.040 ACRE, MORE OR LESS, FEE SIMPLE INTEREST FROM JAMES G. CLYMER, FOR THE PROPERTY LOCATED AT 7379 SAWMILL ROAD FOR THE CONSTRUCTION OF IMPROVEMENTS AT THE INTERSECTION OF SAWMILL ROAD AND HARD ROAD.**

**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 fee simple interest from James G. Clymer, 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.

**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 constructing improvements at the intersection of Sawmill Road and Hard Road, a fee simple interest as described in Exhibit "A" and depicted in Exhibit "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 Exhibit "A" and depicted in Exhibit "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

**EXHIBIT A**

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Ver. Date 02/02/13

PID 93892

**PARCEL 3-WD  
FRA-SAWMILL/HARD  
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE  
IN THE FOLLOWING DESCRIBED PROPERTY  
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[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 3.092 acre tract as conveyed to James G. Clymer by deed of record in Instrument Numbers 201006010067149 and 200406240146368, 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 592.77 feet along the Construction Centerline of Sawmill Road to the northeast corner of that 0.180 acre tract as conveyed to the Franklin County Commissioners by deed of record in Official Record 9953 G12, being 0.00 feet left of Sawmill Road Station 194+07.23;

Thence North 89 degrees 50 minutes 39 seconds West, a distance of 40.04 feet along the northerly line of said Franklin County 0.180 acre tract to the northeast corner of said Clymer 3.092 acre tract in the existing westerly Right-of-Way line of Sawmill Road, being 40.00 feet left of Sawmill Road Station 194+05.54, and being the Point of True Beginning;

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Thence South 02 degrees 34 minutes 54 seconds West, a distance of 115.54 feet, along the easterly line of said Clymer 3.092 acre tract, parallel to the existing Construction Centerline of Sawmill Road, and along the existing westerly Right-of-Way line of Sawmill Road, to an iron pin set being 40.00 feet left of Sawmill Road Station 192+90.00;

Thence North 87 degrees 25 minutes 06 seconds West, a distance of 15.00 feet, across said Clymer 3.092 acre tract, and along the proposed westerly Right-of-Way line of Sawmill Road, to an iron pin set at an angle point in the proposed westerly Right-of-Way line of Sawmill Road, being 55.00 feet left of Sawmill Road Station 192+90.00;

Thence North 02 degrees 34 minutes 54 seconds East, a distance of 114.90 feet, across said Clymer 3.092 acre tract, parallel to the existing Construction Centerline of Sawmill Road, and along the proposed westerly Right-of-Way line of Sawmill Road, to an iron pin set at the intersection with the northerly line of said Clymer 3.092 acre tract, being 55.00 feet left of Sawmill Road Station 194+04.90;

Thence South 89 degrees 50 minutes 39 seconds East, a distance of 15.01 feet, along the northerly line of said Clymer 3.092 acre tract, and along the southerly line of that 16.725 acre Lot 3 as conveyed to LTF Real Estate Company Inc. by deed of record in Instrument Number 200603240055552 and as shown on the Plat for EMERALD PHASE 5B as recorded in Plat Book 110, Page 47, to the **Point of True Beginning**, containing 0.040 acres, more or less, of which the Present Road Occupies 0.000 acres, more or less.

Of the above described area, 0.040 acres are contained within Franklin County Auditor's Parcel 273-008405.

All Iron Pins Set are ¼ 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.

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Grantor claims title by the instrument of record in Instrument Numbers 201006010067149 and 200406240146368, records of the Recorder's Office, Franklin County, Ohio.

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

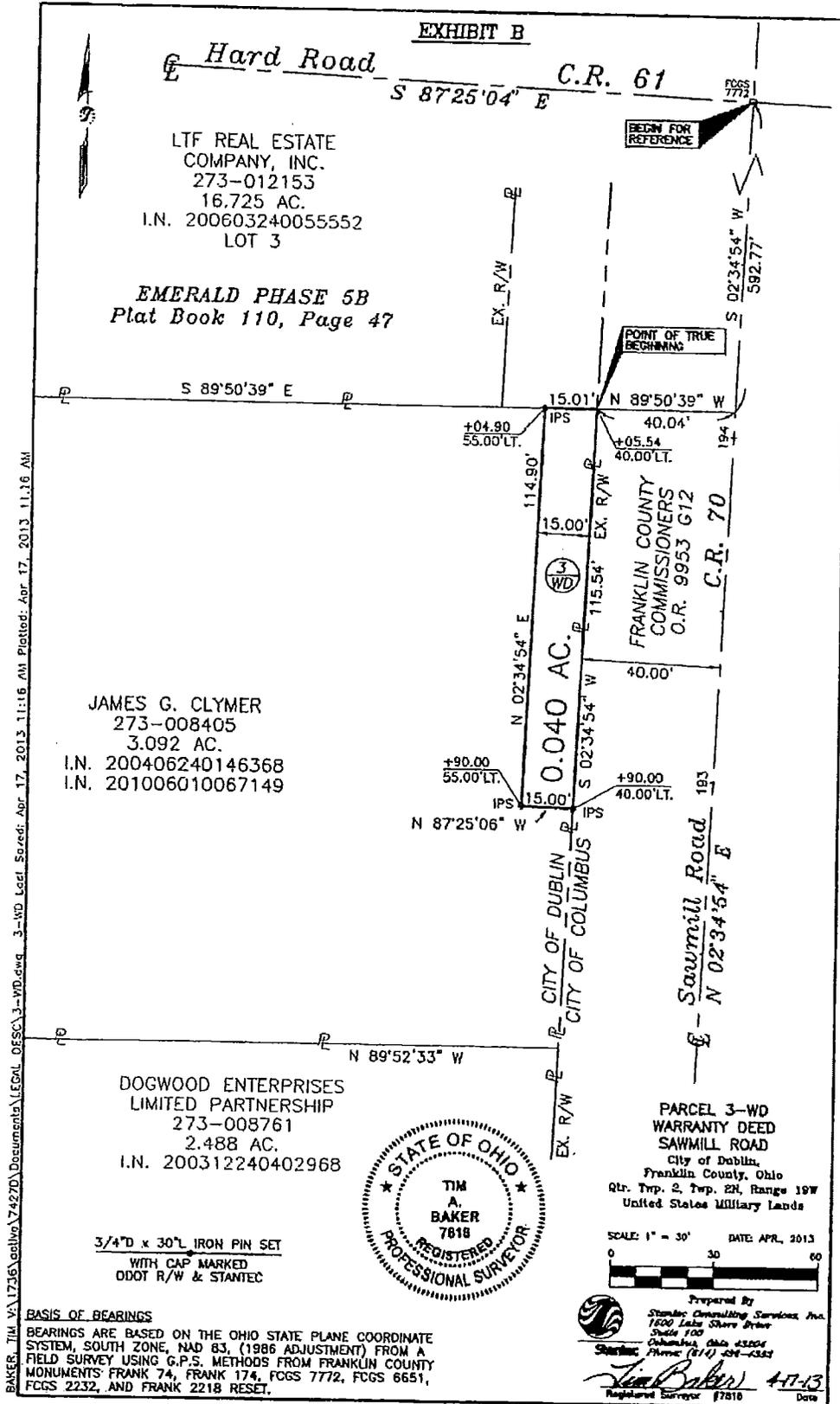


STANTEC CONSULTING SERVICES, INC.

*Tim Baker* 4-17-13  
 Registered Surveyor No. 7818 Date

0-71-C  
 Split  
 0.040 Acre  
 out of  
 (273)  
 8405







City of Dublin

06-003-CIP  
Sawmill Road and Hard Road  
Intersection Improvements  
Clymer Property

