



**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 */mac*  
**Date:** August 21, 2014  
**Initiated By:** Paul A. Hammersmith, PE, Director of Engineering/City Engineer  
Michael S. Sweder, PE, Civil Engineer II  
Philip K. Hartmann, Assistant Law Director  
**Re:** ORDINANCE 89-14 - AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.029 ACRE, MORE OR LESS, PERMANENT EASEMENT AND A 0.029 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM MOHAMMED GIATH AMMAR AND ESTER LEA AMMAR, FOR THE PROPERTY LOCATED AT 6143 DUBLIN ROAD FOR THE CONSTRUCTION OF A SHARED-USE PATH AS PART OF THE DUBLIN ROAD SOUTH PHASE 3 PROJECT, AND DECLARING AN EMERGENCY.

## BACKGROUND

The City of Dublin ("City") is preparing to construct a shared-use path along Dublin Road (the "Project"). The City is obtaining certain permanent property interests from various landowners to construct the path, as well as also acquiring temporary easements to perform minor grading and construction.

Mohammed Giath Ammar and Ester Lea Ammar (the "Grantors") own property from which the City desires a permanent easement and a temporary easement. This property is located at 6143 Dublin Road, Dublin, OH 43017 and is identified as Franklin County Parcel No. 273-001408.

After engaging in amicable discussions, the City has come to an agreement with the Grantors to acquire the property for the appraised value of Thirteen Thousand Nine Hundred Dollars (\$13,900.00), pursuant to the terms outlined in this memorandum.

## 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:

Franklin County Parcel No. 273-001408

<b>Property Interest Acquiring</b>	<b>Description</b>	<b>Appraised Value</b>
Permanent Easement	0.029 acre ±	\$4,900.00
Temporary Easement	0.029 acre ±	\$1,000.00
Improvement Valuation	Mature Trees	\$8,000.00
<b>TOTAL</b>		<b>\$13,900.00</b>

**RECOMMENDATION**

Ordinance No. 89-14 would authorize the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interest described above.

Staff recommends that Council dispense with the public hearing and approve Ordinance No. 89-14 by emergency at the August 25 Council meeting in order to continue moving forward with the Project.

# RECORD OF ORDINANCES

Ordinance No. 89-14

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

**AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.029 ACRE, MORE OR LESS, PERMANENT EASEMENT AND A 0.029 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM MOHAMMED GIATH AMMAR AND ESTER LEA AMMAR, FOR THE PROPERTY LOCATED AT 6143 DUBLIN ROAD FOR THE CONSTRUCTION OF A SHARED-USE PATH AS PART OF THE DUBLIN ROAD SOUTH PHASE 3 PROJECT, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Dublin (the "City") is preparing to construct a shared-use path along Dublin Road (the "Project"); and

**WHEREAS**, said Project requires that the City obtain certain property interest within Franklin County Parcel No. 273-001408 owned by Mohammed Giath Ammar and Ester Lea Ammar (the "Grantors"), said property interest more fully described in the Exhibit labeled "A" and depicted in the Exhibit labeled "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 sum of Thirteen Thousand Nine Hundred Dollars (\$13,900.00); 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 0.029 acre, more or less, permanent easement, as well as a 0.029 acre, more or less, temporary easement for two (2) years, commencing on the date construction begins, from Mohammed Giath Ammar and Ester Lea Ammar, for the sum of Thirteen Thousand Nine Hundred Dollars (\$13,900.00), said property interest located within Franklin County Parcel No. 273-001408, and more fully described and depicted in the attached Exhibits "A" and "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

**EXHIBIT A**

CIP 1 of 2  
PARCEL 08-009  
PROJECT 36-P  
Version Date DUBLIN MUP 11/01/13

**PARCEL 36-P  
DUBLIN ROAD SOUTH MULTI-USE PATH  
PERPETUAL EASEMENT  
FOR UTILITIES, GRADING, and a MULTI-USE PATH**

Situate in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey 2419, being a part of that 0.521 acre tract as conveyed to Mohammed Ghiath Ammar and Ester Lea Ammar, by deed of record in Instrument Number 199912200311432, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

**Beginning for Reference** at the intersection of the centerline right-of-way of Marion Street and Dublin Road; said point being at centerline station 164+98.15;

Thence North 20 deg. 43 min. 23 sec. East, a distance of 167.76 feet along the centerline right-of-way of Dublin Road to an angle point, being at centerline station 166+65.91;

Thence North 19 deg. 40 min. 16 sec. East, a distance of 130.02 feet along the centerline right-of-way of Dublin Road to the intersection of the easterly extension of the common line of said Ammar 0.521 acre tract and the 0.524 acre tract conveyed to Frederick M. Coggin and Judith W. Harvey by deed of record in Instrument Number 199904300109030; said point being at centerline station 167+95.92;

Thence North 82 deg. 15 min. 21 sec. West, a distance of 30.66 feet along the common line (and it's easterly extension) of said Ammar 0.521 acre tract and said Coggin and Harvey 0.524 acre tract, to a point in the existing westerly right-of-way line of Dublin Road; said point being 30.00 feet left of centerline station 167+89.58, and being the **Point of True Beginning** of the herein described easement;

Thence South 19 deg. 40 min. 16 sec. West, a distance of 123.40 feet across said Ammar 0.521 acre tract, and along the existing westerly right-of-way line of Dublin Road, to an angle point in the existing westerly right-of-way line of Dublin Road, being 30.00 feet left of centerline station 166+66.18 (ahead);

Thence South 20 deg. 43 min. 23 sec. West, a distance of 4.75 feet across said Ammar 0.521 acre tract, and along the existing westerly right-of-way line of Dublin Road, to a point in the common line of said Ammar 0.521 acre tract and Lot 11 of the subdivision entitled SOUTH CIVIC ADDITION, as recorded in Plat Book 22, Page 71, and conveyed to JC Land Company, Ltd., by deed of record in Instrument Number 199904300108377; said point being 30.00 feet left of centerline station 166+60.88;

Thence North 78 deg. 47 min. 37 sec. West, a distance of 10.14 feet along the common line of said Ammar 0.521 acre tract and said Lot 11, to a point being 40.00 feet left of centerline station 166+59.20;

Thence North 20 deg. 43 min. 23 sec. East, a distance of 6.34 feet across said Ammar 0.521 acre tract to a point being 40.00 feet left of centerline station 166+66.27 (ahead);

Thence North 19 deg. 40 min. 16 sec. East, a distance of 121.20 feet across said Ammar 0.521 acre tract to a point in the common line of said Ammar 0.521 acre tract and said Coggin and Harvey 0.524 acre tract; said point being 40.00 feet left of centerline station 167+87.47;

**EXHIBIT A**

2 of 2  
CIP 08-009  
PARCEL 36-P  
PROJECT DUBLIN MUP  
Version Date 11/01/13

Thence South 82 deg. 15 min. 21 sec. East, a distance of 10.22 feet along the common line of said Ammar 0.521 acre tract and said Coggin and Harvey 0.524 acre tract to the **Point of Beginning**, containing 0.029 acres, more or less.

Of the above described area, 0.029 acres are contained within Franklin County Auditor's Parcel 273-001408.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (86), using the bearing of South 20 deg. 27 min. 34 sec. West, as derived from a GPS survey in 2008 occupying Franklin County Geodetic Control Monuments "FRANK 73" and "FCGS 6642 RESET".

This description was prepared by Steven E. Rader, registered surveyor 7191, and is based upon a field survey for the City of Dublin, Ohio, in 2008 by Stantec Consulting Services, Inc., under the direction of said surveyor.

Grantor claims title by the instrument of record in Instrument Number 199912200311432, of the Recorder's Office, Franklin County, Ohio.

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



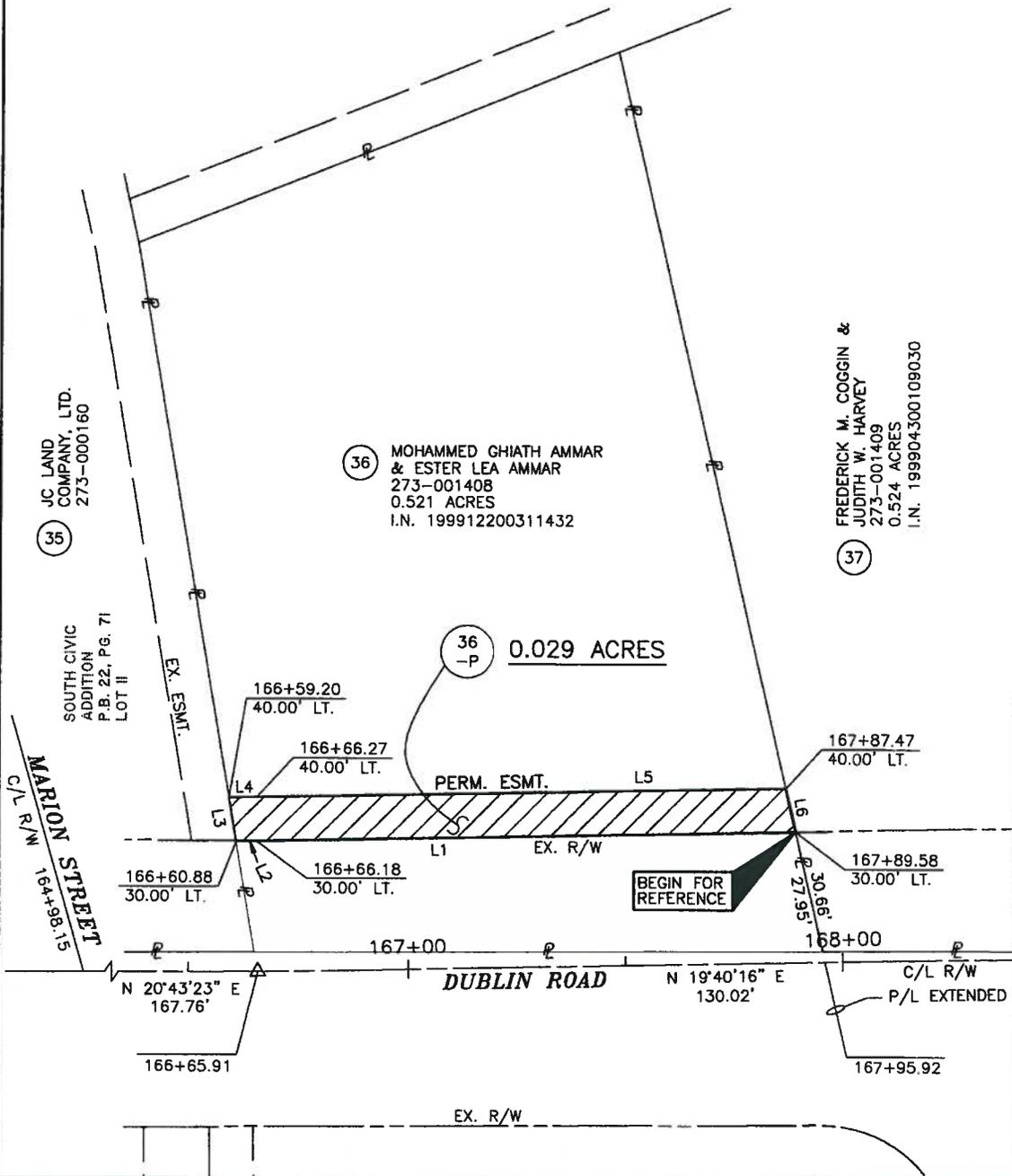
STANTEC CONSULTING SERVICES, INC.

*Steven E. Rader* 11/3/13  
Registered Surveyor No. 7191 Date

EXHIBIT B

MONUMENT LEGEND

- ◻ R.R.S. FOUND
- REBAR FOUND
- IRON PIN FOUND
- MONUMENT BOX
- 3/4" IRON PIN SET



MADE: STEVE 11/13/13 11:31 AM PLOT: 11/13/13 11:31 AM PLOT: 11/13/13 11:31 AM PLOT: 11/13/13 11:31 AM PLOT: 11/13/13 11:31 AM

NUMBER	DIRECTION	DISTANCE
L1	S 19°40'16" W	123.40'
L2	S 20°43'23" W	4.75'
L3	N 78°47'37" W	10.14'
L4	N 20°43'23" E	6.34'
L5	N 19°40'16" E	121.20'
L6	S 82°15'21" E	10.22'

**BASIS OF BEARINGS**  
 THE PROJECT BEARING DATUM IS BASED UPON STATE PLANE GRID BEARINGS FROM THE OHIO COORDINATE SYSTEM, SOUTH ZONE, NAD 83 (86), USING THE BEARING OF S 20°27'34" W AS DERIVED FROM A GPS SURVEY OCCUPYING FRANKLIN COUNTY ENGINEER'S STATIONS "FRANK 73", AND "FCGS 6642 RESET".

PARCEL 36-P  
 DUBLIN ROAD SOUTH  
 MULTI-USE PATH  
 CITY OF DUBLIN, FRANKLIN COUNTY, OHIO



Stantec Consulting Services, Inc.  
 1500 Lake Shore Drive, Suite 100  
 Columbus, Ohio 43204  
 Phone: (614) 486-4383

Stantec  
*Steven E. Rader* 11/13/13  
 Registered Surveyor #7191 Date

**EXHIBIT A**

CIP 1 of 2  
08-009  
PARCEL 36-T  
PROJECT DUBLIN MUP  
Version Date 05/18/12

**PARCEL 36-T  
DUBLIN ROAD SOUTH MULTI-USE PATH  
TEMPORARY EASEMENT  
TO RECONSTRUCT A DRIVE**

Situate in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey 2419, being a part of that 0.521 acre tract as conveyed to Mohammed Ghiath Ammar and Ester Lea Ammar, by deed of record in Instrument Number 199912200311432, records of the Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

**Beginning for Reference** at the intersection of the southerly line of said Ammar 0.521 acre tract with the existing westerly right-of-way line of Dublin Road, and being the northeasterly corner of Lot 11 of the South Civic Addition of record in Plat Book 22, Page 71, and being 30.00 feet left of centerline station 166+60.88;

Thence North 78 deg. 47 min. 37 sec. West, a distance of 10.14 feet along the common line of said Ammar 0.521 acre tract and said Lot 11, to the **Point of True Beginning** of the herein described parcel, being 40.00 feet left of centerline station 166+59.20;

Thence North 78 deg. 47 min. 37 sec. West, a distance of 30.21 feet along the common line of said Ammar 0.521 acre tract and said Lot 11, to a point being 69.80 feet left of centerline station 166+54.21;

Thence the following four (4) courses and distances across said Ammar 0.521 acre tract;

1. Thence North 19 deg. 40 min. 16 sec. East, a distance of 44.51 feet to a point being 70.00 feet left of centerline station 167+00.00;
2. Thence South 70 deg. 19 min. 44 sec. East, a distance of 30.00 feet to a point being 40.00 feet left of centerline station 167+00.00;
3. Thence South 19 deg. 40 min. 16 sec. West, a distance of 33.73 feet to a point being 40.00 feet left of centerline station 166+66.27;
4. Thence South 20 deg. 43 min. 23 sec. West, a distance of 6.34 feet to the **Point of True Beginning**, containing 0.029 acres, more or less.

**EXHIBIT A**

	2 of 2
CIP	08-009
PARCEL	36-T
PROJECT	DUBLIN MUP
Version Date	05/18/12

Of the above described area, 0.029 acres are contained within Franklin County Auditor's Parcel 273-001408.

Bearings are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (86), as established from a GPS survey in 2008, occupying Franklin County Geodetic Control Monuments "FRANK 73" and "FCGS 6642 RESET".

This description was prepared by Steven E. Rader, registered surveyor 7191, and is based upon a field survey for the City of Dublin, Ohio, in 2008 by Stantec Consulting Services, Inc., under the direction of said surveyor.

Grantor claims title by the instrument of record in Instrument Number 199912200311432, of the Recorder's Office, Franklin County, Ohio.

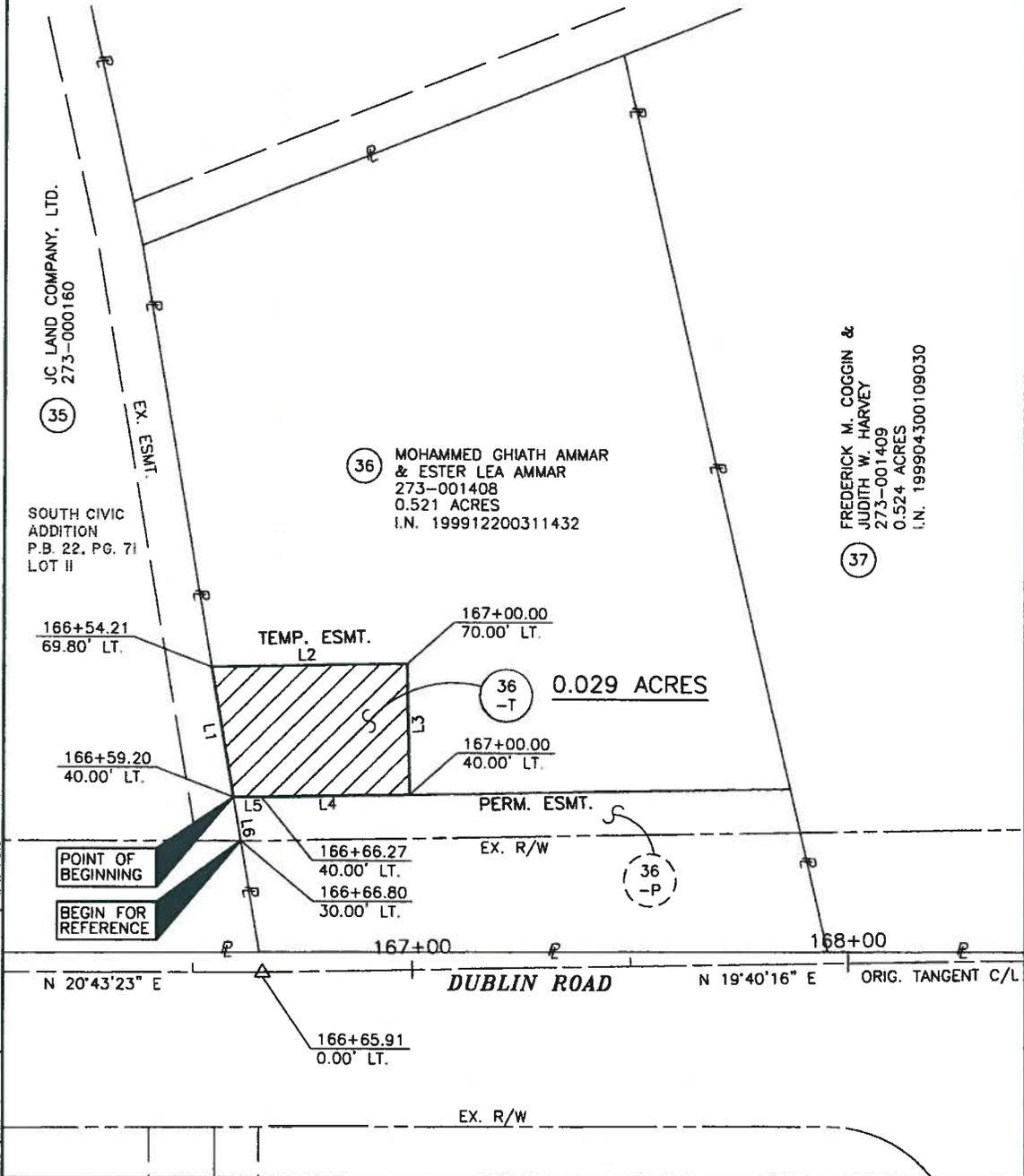
A drawing of this description is attached hereto and made part thereof.



STANTEC CONSULTING SERVICES, INC.

*Steven E. Rader* 5/22/12  
Registered Surveyor No. 7191 Date

EXHIBIT B



JC LAND COMPANY, LTD.  
273-000160  
(35)

SOUTH CIVIC  
ADDITION  
P.B. 22, PG. 71  
LOT II

(36) MOHAMMED GHIATH AMMAR  
& ESTER LEA AMMAR  
273-001408  
0.521 ACRES  
I.N. 199912200311432

(37) FREDERICK M. COGGIN &  
JUDITH W. HARVEY  
273-001409  
0.524 ACRES  
I.N. 199904300109030

166+54.21  
69.80' LT.

166+59.20  
40.00' LT.

166+66.27  
40.00' LT.

166+66.80  
30.00' LT.

166+65.91  
0.00' LT.

167+00.00  
70.00' LT.

167+00.00  
40.00' LT.

167+00  
168+00

TEMP. ESMT. L2

PERM. ESMT.

EX. R/W

EX. R/W

POINT OF BEGINNING

BEGIN FOR REFERENCE

(36) -T

(36) -P

0.029 ACRES

N 20°43'23" E

DUBLIN ROAD

N 19°40'16" E

ORIG. TANGENT C/L

NUMBER	DIRECTION	DISTANCE
L1	N 78°47'37" W	30.21'
L2	N 19°40'16" E	44.51'
L3	S 70°19'44" E	30.00'
L4	S 19°40'16" W	33.73'
L5	S 20°43'23" W	6.34'
L6	N 78°47'37" W	10.14'

- MONUMENT LEGEND**
- ⊕ R.R.S. FOUND
  - REBAR FOUND
  - IRON PIN FOUND
  - ⊞ MONUMENT BOX
  - 3/4" IRON PIN SET

PARCEL 36-T  
DUBLIN ROAD SOUTH  
MULTI-USE PATH  
CITY OF DUBLIN, FRANKLIN COUNTY, OHIO

0 30 60  
SCALE IN FEET  
Prepared By

**BASIS OF BEARINGS**  
THE PROJECT BEARING DATUM IS BASED UPON STATE PLANE GRID BEARINGS FROM THE OHIO COORDINATE SYSTEM, SOUTH ZONE, NAD 83 (86), AS MEASURED USING G.P.S. METHODS THROUGH THE FRANKLIN COUNTY ENGINEER'S STATIONS "FRANK 73", AND "FCGS 6642 RESET".



Stantec Consulting Services, Inc.  
1500 Lake Shore Drive, Suite 100  
Columbus, Ohio 43204  
Phone: (614) 486-4383

**Stantec**  
Steven E. Rader 5/22/12  
Registered Surveyor #7191 Date

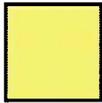
MOORE, STEVE 05/22/2012 12:53 PM PlotSize: 11x17 12:53 PM PlotDate: May 22, 2012 2:09 PM  
 SET - Utopia1 Land Survey: May 22, 2012 12:53 PM PlotSize: 11x17 12:53 PM PlotDate: May 22, 2012 2:09 PM



DUBLIN ROAD SOUTH  
SHARED-USE PATH  
6143 DUBLIN ROAD  
DUBLIN, OHIO 43017

5800 Shier-Rings Road • Dublin, Ohio 43016-1236  
Phone (614)410-4800 • Fax (614)410-4899

LEGEND



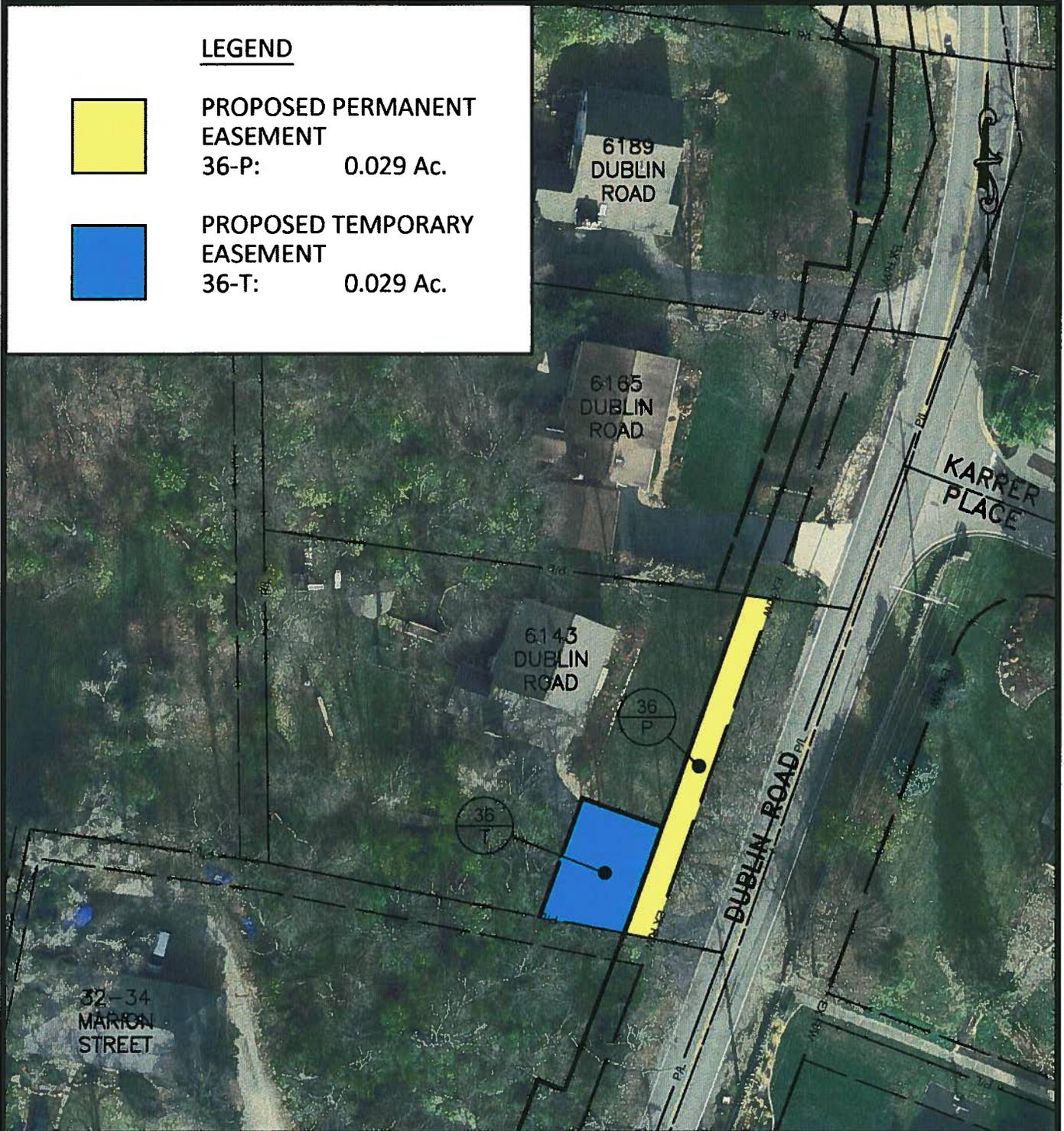
PROPOSED PERMANENT  
EASEMENT

36-P: 0.029 Ac.



PROPOSED TEMPORARY  
EASEMENT

36-T: 0.029 Ac.



DRAWN	CHECKED	DATE	JOB NO.
MSS	-	07/31/14	08-009.3-CIP

