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: September 4, 2014

Initiated By: Paul A. Hammersmith, PE, Director of Engineering/City Engineer
Barb Cox, PE, Engineering Manager – Development

Re: ORDINANCE 93-14 - AUTHORIZING THE EXECUTION OF CONVEYANCE DOCUMENTS TO ACCEPT THE DONATION OF A 0.059 ACRE, MORE OR LESS, STORM SEWER EASEMENT FROM DOUGLAS H. LOYNES AND JULIE C. JOHNSTON, FOR THE PROPERTY LOCATED AT 7369 EARLSFORD DRIVE TO CONSTRUCT AND MAINTAIN AND STORM SEWER.

ORDINANCE 94-14 -AUTHORIZING THE EXECUTION OF CONVEYANCE DOCUMENTS TO ACCEPT THE DONATION OF A 0.059 ACRE, MORE OR LESS, STORM SEWER EASEMENT FROM P. ANTHONY DEANGELO AND AMY R. DEANGELO, FOR THE PROPERTY LOCATED AT 7361 EARLSFORD DRIVE TO CONSTRUCT AND MAINTAIN AND STORM SEWER.

BACKGROUND

There has been an ongoing drainage problem in the rear of the properties located at 7369 Earlsford Drive and 7361 Earlsford Drive, which are owned by Douglas H. Loynes and Julie C. Johnston, and P. Anthony and Amy R. DeAngelo, respectively (hereinafter referred to collectively as "Grantors"). The two properties are identified as Franklin County Parcel Nos. 273-004916 and 273-004915, respectively.

The City desires a storm sewer easement through a portion of the Grantors' properties in order to construct and maintain a storm sewer to address the drainage problem (the "Project").

After engaging in amicable discussions, the Grantors have agreed to donate the storm sewer easements to the City in order to construct and maintain a storm sewer. The ordinances authorize the execution of conveyance documents to accept these grants of easement as a donation from the Grantors. The acquisition is detailed on the following page.

ACQUISITION

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

Franklin County Parcel No. 273-004916

Property Interest Acquiring	Description
Storm Sewer Easement	0.059 acre ±

Franklin County Parcel No. 273-004915

Property Interest Acquiring	Description
Storm Sewer Easement	0.059 acre ±

RECOMMENDATION

Ordinances 93-14 and 94-14 would authorize the City Manager to execute all necessary conveyance documentation to formally accept the necessary property interests described above.

Staff recommends approval of Ordinance Nos. 93-14 and 94-14 at the second reading/public hearing on September 22 in order to finalize the donation of the storm sewer easements from the Grantors to the City, and continue moving forward with the Project.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc. Form No. 30043

Ordinance No. 94-14 *Passed* _____, 20____

AUTHORIZING THE EXECUTION OF CONVEYANCE DOCUMENTS TO ACCEPT THE DONATION OF A 0.059 ACRE, MORE OR LESS, STORM SEWER EASEMENT FROM P. ANTHONY DEANGELO AND AMY R. DEANGELO, FOR THE PROPERTY LOCATED AT 7361 EARLSFORD DRIVE TO CONSTRUCT AND MAINTAIN A STORM SEWER.

WHEREAS, the City of Dublin (the "City") desires to construct and maintain a storm sewer for the general public (the "Project"); and

WHEREAS, said Project requires that the City obtain a storm sewer easement from P. Anthony DeAngelo and Amy R. DeAngelo (the "Grantors"), at the property located at 7361 Earlsford Drive and identified as Franklin County Parcel No. 273-004915, said property interest more fully described in Exhibit "A" and depicted in Exhibit "B," all attached hereto; and

WHEREAS, the Grantors desire to donate this storm sewer easement and the City desires to receive said storm sewer easement as a donation from the Grantors, as 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 Grantors 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 storm sewer easement donated by P. Anthony DeAngelo and Amy R. DeAngelo.

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

EXHIBIT A

STORM SEWER EASEMENT
0.059 ACRE

Situate in the State of Ohio, County of Franklin, City of Dublin, lying in Virginia Military Survey 3010, being on, over and across Lot 222 of that subdivision plat entitled "Dublinshire Section 2" of record in Plat Book 69, Pages 54 thru 56, conveyed to P. Anthony DeAngelo and Amy R. DeAngelo by deed of record in Instrument Number 201009160121128, (all references refer to the records of the Recorder's Office, Franklin County, Ohio) being more particularly described as follows:

BEGINNING at the northerly common corner of said Lot 222 and Lot 223 of said "Dublinshire Section 2" subdivision, being in the southeasterly line of Lot 230 of said "Dublinshire Section 2" subdivision;

Thence South 39° 35' 56" East, with the line common to said Lots 222 and 223, a distance of 40.00 feet to a point;

Thence South 63° 38' 30" West, across said Lot 222, a distance of 87.32 feet to a point in the easterly line of Lot 55 of that subdivision plat entitled "Dublinshire" of record in Plat Book 67, Pages 73 thru 75;

Thence North 39° 35' 56" West, with the line common to said Lots 222 and 55, a distance of 20.00 feet to northerly common corner of said Lots 55 and 222;

Thence North 50° 24' 04" East, with the northerly line of said Lot 222, and the southerly line of that 7.710 acre tract labeled as Reserve "C" of said "Dublinshire Section 2" subdivision, and the southerly line of said Lot 230, a distance of 85.00 feet to the POINT OF BEGINNING containing 0.059 acre, more or less.

STATE OF OHIO
JOSHUA M. MEYER
S-8485
REGISTERED
PROFESSIONAL SURVEYOR

EVANS, MECHWART, HAMBLETON & TILTON, INC.

7-25-2014

Joshua M. Meyer
Professional Surveyor No. 8485

JMM: mm
0_059 ac 20140037-VS-ESMT-STRM-01.docx

EXHIBIT B

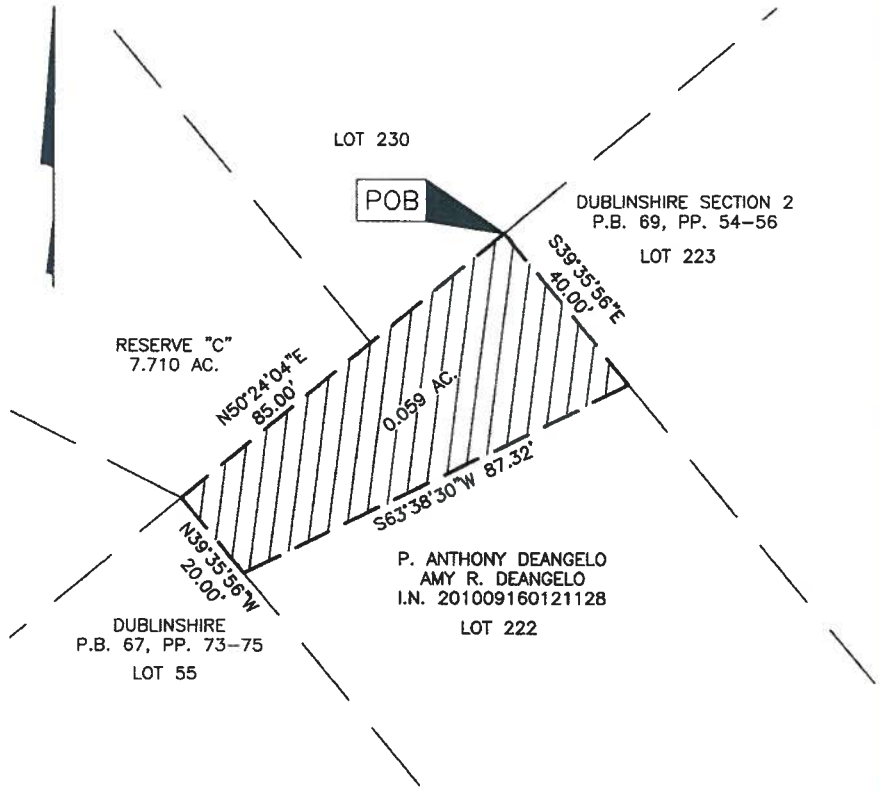
EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

STORM SEWER EASEMENT

VIRGINIA MILITARY SURVEY 3010

CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO

Date: July 25, 2014	Job No. 2014-0037	Scale: 1" = 30'



STATE OF OHIO
JOSHUA M. MEYER
S-8485
REGISTERED
PROFESSIONAL SURVEYOR

By _____ 7-25-2014
Joshua M. Meyer DATE
Registered Surveyor No. 8485

30 0 30 60
GRAPHIC SCALE (in feet)

\\CMHDATA01\PROJECT01\20140037\DWG\04SHEETS\EASEMENTS\20140037-VS-ESMT-STRM-01.DWG plotted by MAGERS, MARCUS on 7/25/2014 1:59:42 PM last saved by MMAGERS on 7/25/2014 1:41:50 PM
Xrefs: