



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: December 4, 2014
Initiated By: Paul A. Hammersmith, PE, Director of Engineering/City Engineer
Kenneth B. Richardson, PE, PS, Engineering Manager - Design
Philip K. Hartmann, Assistant Law Director
Re: Ordinance 121-14 - AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.011 ACRE, MORE OR LESS, PERMANENT EASEMENT AND A 0.006 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM E. ELAINE T. HERR, TRUSTEE OF THE E. ELAINE T. HERR REVOCABLE TRUST EXECUTED MARCH 12, 2009, FOR THE PROPERTY LOCATED AT 8668 HYLAND-CROY ROAD FOR THE CONSTRUCTION OF A SHARED-USE PATH CONNECTION, AND DECLARING AN EMERGENCY.

BACKGROUND

The City of Dublin ("City") is preparing to construct a shared-use connection path adjacent to Hyland-Croy 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.

E. Elaine T. Herr, Trustee of the E. Elaine T. Herr Revocable Trust Executed March 12, 2009 (the "Grantor") owns property from which the City desires a permanent easement and a temporary easement. This property is located at 8668 Hyland-Croy Road, Plain City, OH 43064 and is identified as Union County Parcel No. 39-00240560000.

After engaging in amicable discussions, the City has come to an agreement with the Grantor to acquire the property for the appraised value of Three Thousand One Hundred Dollars (\$3,100), pursuant to the terms outlined in this memorandum.

ACQUISITION

The City will be acquiring from the Grantor only the property interest necessary for purposes of the Project, as depicted in the legal description and depiction attached to this memorandum. The City will be acquiring the property interest for its appraised value. The property interest is detailed below:

Union County Parcel No. 39-00240560000

Property Interest Acquiring	Description	Appraised Value
Permanent Easement	0.011 acre ±	\$700.00
Temporary Easement	0.006 acre ±	\$50.00
Improvement Valuation	Trees, asphalt, lawn sod, etc.	\$2,350.00
TOTAL		\$3,100.00

RECOMMENDATION

Ordinance No. 121-14 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. 121-14 by emergency at the December 8 Council meeting in order to continue moving forward with the Project.

RECORD OF ORDINANCES

Ordinance No. 121-14

Passed _____, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.011 ACRE, MORE OR LESS, PERMANENT EASEMENT AND A 0.006 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM E. ELAINE T. HARR, TRUSTEE OF THE E. ELAINE T. HARR REVOCABLE TRUST EXECUTED MARCH 12, 2009, FOR THE PROPERTY LOCATED AT 8668 HYLAND-CROY ROAD FOR THE CONSTRUCTION OF A SHARED-USE PATH CONNECTION, AND DECLARING AN EMERGENCY.

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

WHEREAS, said Project requires that the City obtain certain property interest within Union County Parcel No. 39-00240560000 owned by E. Elaine T. Harr, Trustee of the E. Elaine T. Harr Revocable Trust Executed March 12, 2009 (the "Grantor"), said property interest more fully described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," all attached hereto; and

WHEREAS, the City and the Grantor participated in good faith discussions and have come to mutually agreeable terms for the acquisition of the necessary property interest for the sum of Three Thousand One Hundred Dollars (\$3,100); and

WHEREAS, the City desires to execute necessary conveyance documentation to complete the transaction between the City and the Grantor.

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 0.011 acre, more or less, permanent easement, as well as a 0.006 acre, more or less, temporary easement for twelve (12) months, commencing on the date construction begins, from E. Elaine T. Harr, Trustee of the E. Elaine T. Harr Revocable Trust Executed March 12, 2009, for the sum of Three Thousand One Hundred Dollars (\$3,100), said property interest located within Union County Parcel No. 39-00240560000, 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

Parcel 4P
Exhibit A
Permanent Easement
for
Shared-Use Path, Utilities, Storm Drainage, and Grading
0.011 acres

Situated in the State of Ohio, County of Union, City of Dublin, being a part of Virginia Military Survey Number 2925, and a part of a 1.50 acre tract conveyed to E. Elaine T. Horr, Trustee of the E. Elaine T. Horr Revocable Trust Executed March 12, 2009 by Official Record 816, Page 734, all records herein are from the Recorder's Office, Union County, Ohio unless otherwise noted and being more particularly described as follows:

Beginning at the intersection of the east Right of Way of Hyland Croy Road (60 foot) and the south line of said 1.50 acre tract;

Thence, North 12°18'59" West, a distance of 30.10 feet, along the east Right of Way of Hyland Croy Road to the north line of said 1.50 acre tract;

Thence, North 82°36'01" East, a distance of 20.00 feet, along the north line of said 1.50 acre tract to a point;

Thence, crossing said 1.50 acre tract the following three courses:

1. Thence, South 12°18'59" East, a distance of 10.00 feet to a point;
2. Thence, South 82°36'01" West, a distance of 5.00 feet to a point;
3. Thence, South 12°18'00" East, a distance of 20.10 feet, to the south line of said 1.50 acre tract;

Thence, South 82°36'01" West, a distance of 15.00 feet, along the south line of said 1.50 acre tract to the **Point of Beginning**, containing 0.011 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, North Zone, NAD83 (2011). 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 tract is a part of Auditor's Tax Parcel Number 3900240560000 and is based on Official Record 816, Page 734.

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

CW Design Group, LLC



Charles A. Wagner - Professional Surveyor 8091

11/13/2014
Date



Parcel 4T
Exhibit A
Temporary Easement
for
Shared-Use Path, Utilities, Storm Drainage, and Grading
0.006 acres

Situated in the State of Ohio, County of Union, City of Dublin, being a part of Virginia Military Survey Number 2925, and a part of a 1.50 acre tract conveyed to E. Elaine T. Horr, Trustee of the E. Elaine T. Horr Revocable Trust Executed March 12, 2009 by Official Record 816, Page 734, all records herein are from the Recorder's Office, Union County, Ohio unless otherwise noted and being more particularly described as follows:

Beginning for Reference at the intersection of the east Right of Way of Hyland Croy Road (60 foot) and the south line of said 1.50 acre tract;

Thence, North 82°36'01" East, a distance of 15.00 feet along the south line of said 1.50 acre tract the **True Point of Beginning**;

Thence, crossing said 1.50 acre tract the following three courses:

1. Thence, North 12°18'59" West, a distance of 20.10 feet to a point;
2. Thence, North 82°36'01" East, a distance of 5.00 feet to a point;
3. Thence, North 12°18'59" West, a distance of 10.00 feet, to the north line of said 1.50 acre tract;

Thence, North 82°36'01" East, a distance of 5.00 feet, along the north line of said 1.50 acre tract to a point;

Thence, South 12°18'59" East, a distance of 30.10 feet, crossing said 1.50 acre tract to the south line of said 1.50 acre tract;

Thence, South 82°36'01" West, a distance of 10.00 feet, along said 1.50 acre tract to the **Point of Beginning**, containing 0.006 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, North Zone, NAD83 (2011). 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 tract is a part of Auditor's Tax Parcel Number 3900240560000 and is based on Official Record 816, Page 734.

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

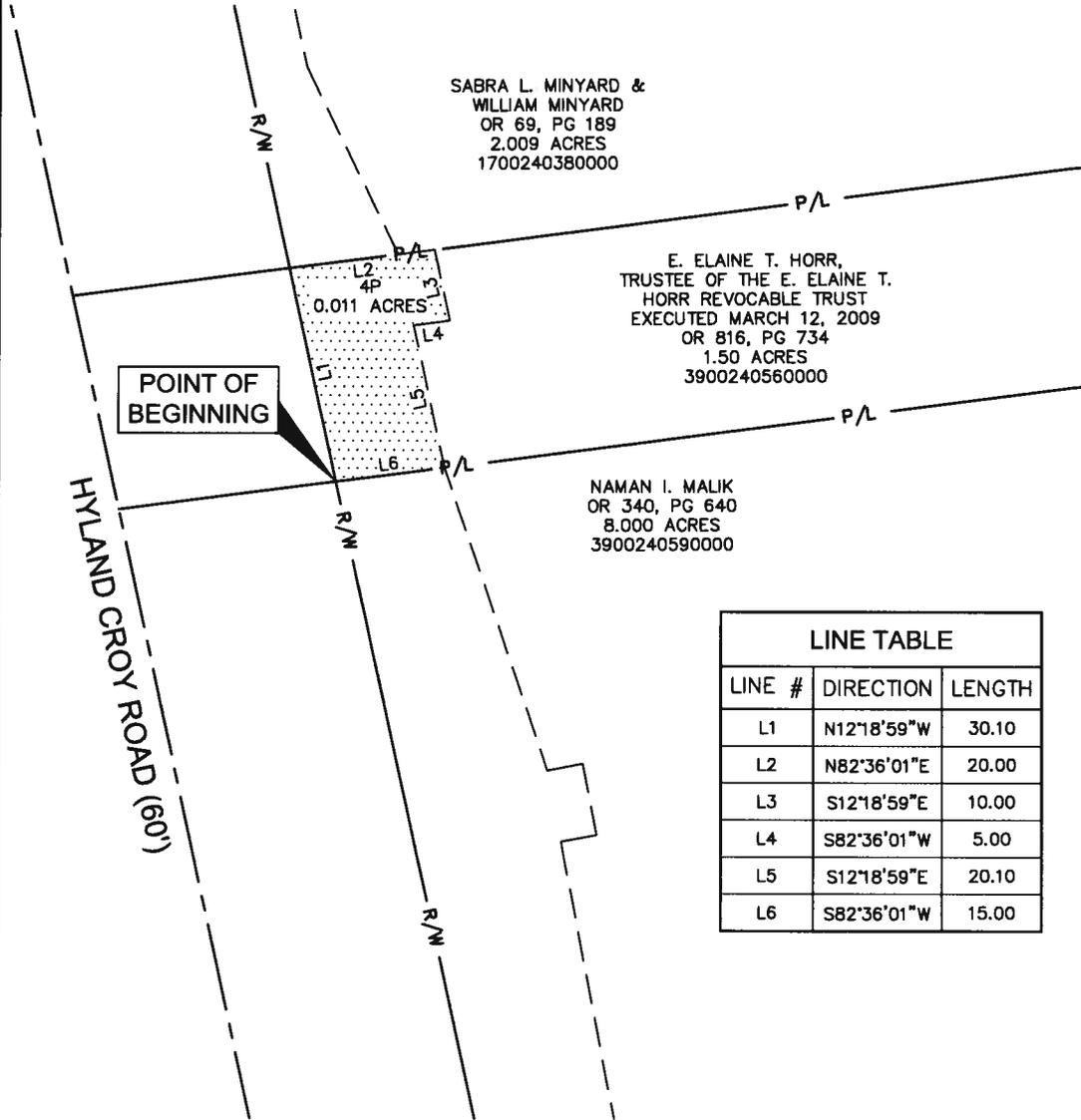
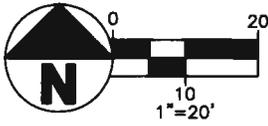
CW Design Group, LLC



Charles A. Wagner - Professional Surveyor 8091

11/13/2014
Date





POINT OF BEGINNING

HYLAND CROY ROAD (60')

SABRA L. MINYARD &
WILLIAM MINYARD
OR 69, PG 189
2.009 ACRES
1700240380000

E. ELAINE T. HARR,
TRUSTEE OF THE E. ELAINE T.
HARR REVOCABLE TRUST
EXECUTED MARCH 12, 2009
OR 816, PG 734
1.50 ACRES
3900240560000

NAMAN I. MALIK
OR 340, PG 640
8.000 ACRES
3900240590000

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N12°18'59"W	30.10
L2	N82°36'01"E	20.00
L3	S12°18'59"E	10.00
L4	S82°36'01"W	5.00
L5	S12°18'59"E	20.10
L6	S82°36'01"W	15.00

BASIS OF BEARINGS

THE BEARINGS SHOWN ON THIS PLAT ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD83 (2011).

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

11/13/2014

CHARLES A. WAGNER, PS-8091
CW DESIGN GROUP, LLC

VIRGINIA MILITARY NUMBER 2925
CITY OF DUBLIN
COUNTY OF UNION
STATE OF OHIO



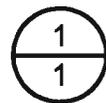
[cw design group] D:\CWDC\Project\2013\130026\Drawing\Parcel4P.dwg November 13, 2014 1:57pm

CW Design Group
ENGINEERS | SURVEYORS

PHONE: 614-846-9279
972 Linkfield Drive
Worthington, Ohio 43085

PARCEL 4P
PERMANENT EASEMENT
FOR SHARED-USE PATH, UTILITIES, STORM DRAINAGE, AND GRADING

13-0026



11/13/2014

