



**To:** Members of Dublin City Council  
**From:** Dana L. McDaniel, City Manager *DLM*  
**Date:** February 19, 2015  
**Initiated By:** Megan O'Callaghan, PE, Public Service Director  
Philip K. Hartmann, Assistant Law Director  
**Re:** Ordinances 16-15 through 21-15 – Authorizing Appropriation - State Route 161  
and Riverside Drive Intersection Improvement

## BACKGROUND

The City of Dublin ("City") is preparing to improve the intersection of State Route 161 and Riverside Drive (the "Project"). The Project provides for the construction of a multi-lane roundabout with appropriate pedestrian facilities. The southbound bypass lane will be retained and a shared use path will be incorporated in the underpass area to provide a north/south connection adjacent to the river. The project also builds a shared use path connection on the east side of Riverside Drive between the intersection and Martin Road.

The City must obtain property interests from the following property owners in order to construct this Project:

- Four Fives, LLC
- Karen Michelle R. Friedman
- Patrick W. Hitesman
- MR/TSARR Owner, LLC
- Riverpark Group, LLC
- River's Edge One

The City is hopeful that an amicable resolution may be reached with the property owners; however, these ordinances permit the City Law Director's Office to begin the eminent domain process in the event that negotiations are unsuccessful. The City has made, or attempted to make, contact with each of the property owners in order to resolve these matters prior to court action.

## ACQUISITION

The property acquisition consists of the following property interests from each of the above-named property owners, as depicted in the maps attached hereto:

<b>Property Owner</b>	<b>Property Interests</b>	<b>Appraised Value</b>
<b>Four Fives, LLC</b>	Temporary Easement (0.018 acre ±)	\$988.00
<b>Karen Michelle R. Friedman</b>	Permanent Easement (0.100 acre ±)  Temporary Easement (0.096 acre ±)	\$27,918.00
<b>Patrick W. Hitesman</b>	Permanent Easement (0.109 acre ±)  Temporary Easement (0.130 acre ±)	\$31,779.00
<b>MR/TSARR Owner, LLC</b>	Temporary Easement (0.082 acre ±)	\$5,688.00
<b>Riverpark Group, LLC</b>	Permanent Easement (0.130 acre ±)  Temporary Easement (0.036 acre ±)	\$35,930.00
<b>River's Edge One</b>	Temporary Easement (0.011 acre ±)	\$506.00

**RECOMMENDATION**

Staff recommends approval of Ordinance Nos. 16-15 through 21-15 as the construction of the Project is necessary for public welfare and safety, and approval of the Ordinances will keep the Project moving forward.

# RECORD OF ORDINANCES

Ordinance No. 18-15 Passed \_\_\_\_\_, 20\_\_\_\_

**AN ORDINANCE AUTHORIZING THE APPROPRIATION OF A 0.011 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM RIVER'S EDGE ONE, FOR THE PROPERTY LOCATED AT 6371 RIVERSIDE DRIVE, FOR THE CONSTRUCTION OF A ROUNDABOUT AT THE INTERSECTION OF STATE ROUTE 161 AND RIVERSIDE DRIVE AND A SHARED-USE PATH ADJACENT TO RIVERSIDE DRIVE, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Dublin (the "City") is preparing to construct a roundabout at the intersection of State Route 161 and Riverside Drive and a shared-use path adjacent to Riverside Drive (the "Project"); and

**WHEREAS**, the Project requires that the City obtain a temporary easement from River's Edge One, 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 ORDAINED** 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 authorization to appropriate for the appraised value of Five Hundred Six dollars (\$506.00), for the public purpose of constructing a roundabout at the intersection of State Route 161 and Riverside Drive and a shared-use path adjacent to Riverside Drive, a temporary easement as described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," all attached hereto.

**Section 2.** The City Law Director's office is hereby authorized to file a petition for appropriation in the county Court of Common Pleas should it become necessary.

**Section 3.** 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 \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor – Presiding Officer

ATTEST:

\_\_\_\_\_  
Clerk of Council

**CITY OF DUBLIN, OHIO  
DESCRIPTION OF A 0.011 ACRE TEMPORARY EASEMENT  
ACQUIRED FROM RIVER'S EDGE ONE**

Situated in the State of Ohio, County of Franklin, City of Dublin, being located in Quarter Township 3, Township 2, Range 19, United States Military Lands, and being a part of that original 0.332 acre parcel described in a deed to **River's Edge One**, of record in Official Record 6755 H19, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, and being further bounded and described as follows:

Commencing for reference at the southwest corner of said 0.332 acre parcel, being on the north line of a 0.632 acre parcel described in a deed to MRW Investments, LLC, of record in Instrument Number 200206120145939;

Thence **North 73 degrees 25 minutes 14 seconds East**, along the south line of said original 0.332 acre parcel, along the north line of said 0.362 acre parcel, a distance of **61.02 feet** to a point on the existing west right-of-way line for Riverside Drive (U.S. 33), being the southwest corner of a 1.290 acre parcel described in a deed to City of Dublin, of record in Official Record 7019 E10;

Thence across said original 0.332 acre parcel along the following five (5) described courses:

1. **North 18 degrees 37 minutes 52 seconds West**, along the west right-of-way line for said Riverside Drive, along the west line of said 1.290 acre parcel, a distance of **13.79 feet** to a westerly corner of said 1.290 acre parcel, being the **TRUE POINT OF BEGINNING** for this description;
2. **North 18 degrees 37 minutes 52 seconds West**, a distance of **24.74 feet** to a point;
3. **North 45 degrees 53 minutes 02 seconds East**, a distance of **18.83 feet** to a point on the west right-of-way line for said Riverside Drive, being on the west line of said 1.290 acre parcel;
4. **South 18 degrees 37 minutes 52 seconds East**, along the west right-of-way line for said Riverside Drive, along the west line of said 1.290 acre parcel, a distance of **32.86 feet** to a point, being a westerly corner of said 1.290 acre parcel;
5. **South 71 degrees 25 minutes 20 seconds West**, continuing along the west right-of-way line for said Riverside Drive, along a northwest line of said 1.290 acre parcel, a distance of **17.00 feet** to the **TRUE POINT OF BEGINNING** for this description.

The above description contains a total area of **0.011 acres** (including 0.000 acres within the present road occupied) within Franklin County Auditor's parcel number 273-008970.

The bearings herein are based on the Ohio State Plane Coordinate System (South Zone) as per NAD 83 (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.

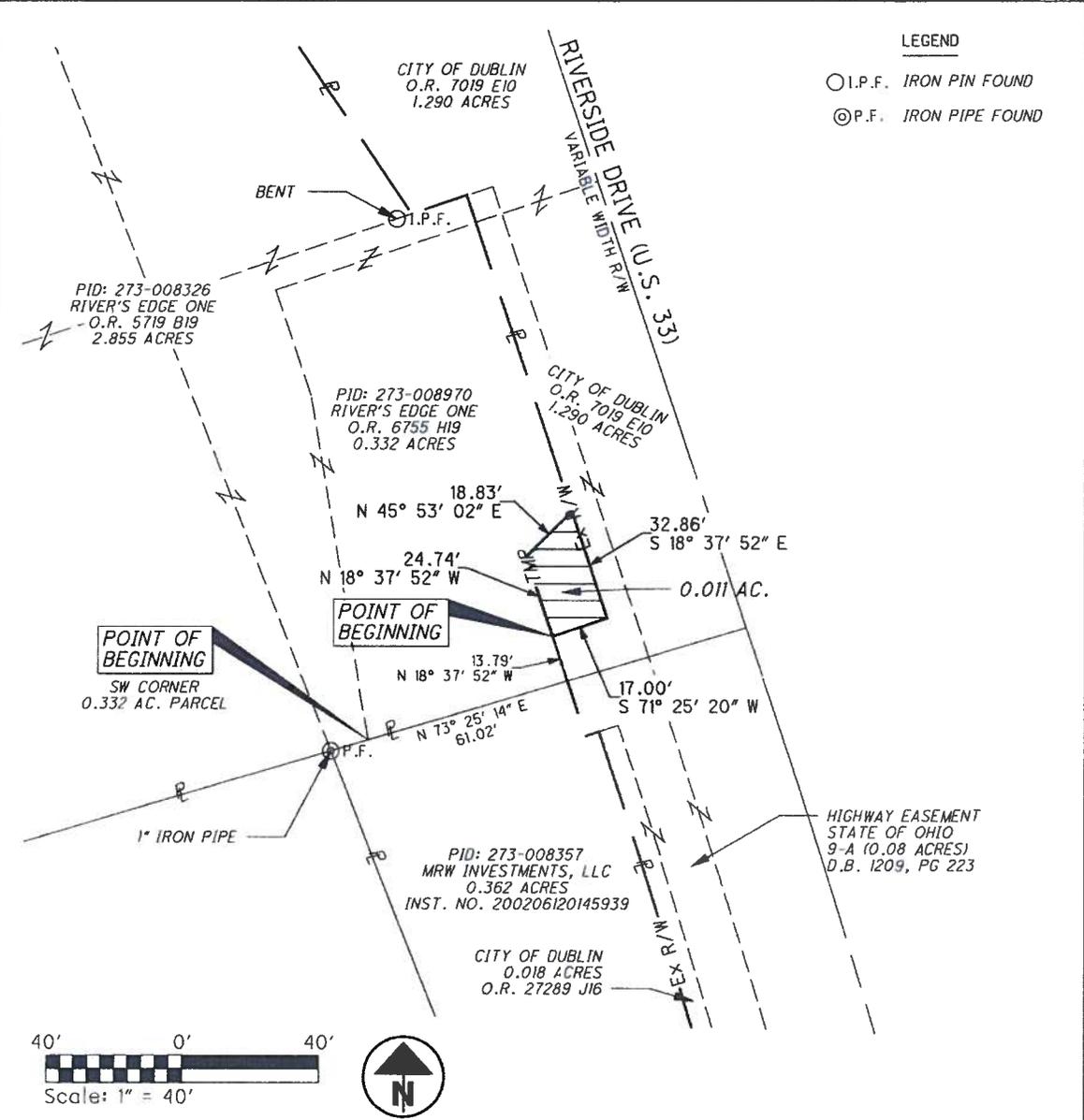
This description was prepared by Brian P. Bingham, Registered Professional Surveyor No. 8438 on November 12, 2014 based on an actual survey performed in the field by American Structurepoint, Inc. and is true and correct to the best of my knowledge.

American Structurepoint, Inc.

  
Brian P. Bingham  
Registered Professional Surveyor No. 8438



11/20/2014  
Date



**BASIS OF BEARING:**

THE BEARINGS HEREIN ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM SOUTH ZONE AS PER NAD 83 (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.

I HEREBY CERTIFY THAT:  
 THIS DRAWING REPRESENTS THE RESULTS OF AN ACTUAL FIELD SURVEY  
 OF THE PREMISES PERFORMED BY AMERICAN STRUCTUREPOINT, INC. IN  
 MARCH-APRIL OF 2013. THIS DRAWING IS CORRECT TO THE BEST OF  
 MY KNOWLEDGE AND BELIEF.



*Brian P. Bingham*  
 BRIAN P. BINGHAM, P.S. NO. 8438  
 AMERICAN STRUCTUREPOINT, INC.

11/20/2014  
 DATE