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: Dana L. McDaniel, City Manager

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:

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

Dayton Legal Blank, Inc. Form No. 30043

Ordinance No. 19-15 *Passed* _____, 20____

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF A 0.109 ACRE, MORE OR LESS, PERMANENT EASEMENT; AND A 0.130 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM PATRICK W. HITESMAN, FOR THE PROPERTY LOCATED AT 6332 AND 6350 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 permanent easement and a temporary easement from Patrick W. Hitesman, 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 Thirty One Thousand Seven Hundred Seventy Nine dollars ($31,779.00), 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 permanent easement and 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 0.109 ACRE PERMANENT BIKE PATH EASEMENT
ACQUIRED FROM PATRICK W. HITESMAN

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 1.00 acre parcel and that 0.945 acre parcel, both as described in a deed to **Patrick W. Hitesman**, of record in Instrument Number 200106190138039, 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 a 5/8 inch iron pin found in concrete at the northwest corner of Lot H of Quarry Place Office Park, of record in Plat Book 68, Page 3;

Thence **North 89 degrees 54 minutes 26 seconds East**, along the north line of said Lot H, (passing at a distance of 123.67 feet the centerline of right-of-way for Riverside Drive (U.S. 33), the northeast corner of said Lot H, the southwest corner of a 0.216 acre parcel described in a deed to City of Dublin, of record in Official Record 22899 G08, the northwest corner of a 1.00 acre parcel described in a deed to Patrick W. Hitesman, of record in Instrument Number 200106190138039), a total distance of **170.38 feet** to a point on the existing east right-of-way line for said Riverside Drive as established by a highway easement designated as Parcel No. 7 in a deed to State of Ohio, of record in Deed Book 1208, page 192, (reference a ¾ inch iron pipe found east 0.37 feet and south 0.13 feet from said point), said point being the **TRUE POINT OF BEGINNING** for this description;

Thence **North 89 degrees 54 minutes 26 seconds East**, along the north line of said 1.00 acre parcel, along the south line of said 0.216 acre parcel, and along the south line of an original 3.866 acre parcel described in a deed to Riverpark Group, LLC, of record in Instrument Number 199912020298524, a distance of **25.46 feet** to an iron pin set;

Thence along the arc of a non-tangent curve to the right, across said 1.00 acre and 0.945 acre parcels, said curve having a radius of **3,340.04 feet**, a central angle of **03 degrees 16 minutes 15 seconds**, and an arc length of **190.67 feet** to an iron pin set on the south line of said 0.945 acre parcel, being on the north line of a 0.967 acre parcel described in a deed to Karen Michelle R. Friedman, of record in Instrument Number 201202230024880, said curve being subtended by a long chord having a bearing of **South 13 degrees 50 minutes 44 seconds East** and a length of **190.64 feet**;

Thence **North 89 degrees 52 minutes 34 seconds West**, along the south line of said 0.945 acre parcel, along the north line of said 0.967 acre parcel, a distance of **25.73 feet** to a point on the existing east right-of-way line for said Riverside Drive;

Thence **North 12 degrees 48 minutes 52 seconds West**, across said 0.945 acre parcel, along the existing east right-of-way line for said Riverside Drive, a distance of **54.36 feet** to a point of curvature;

Thence along the arc of a curve to the left, continuing across said 0.945 acre parcel and across said 1.00 acre parcel, continuing along the existing east right-of-way line for said Riverside Drive, said curve having a radius of **2,909.93 feet**, a central angle of **02 degrees 40 minutes 50 seconds**, and an arc length of **136.15 feet** to the **TRUE POINT OF BEGINNING** for this description, said curve being subtended by a long chord having a bearing of **North 14 degrees 09 minutes 17 seconds West** and a length of **136.13 feet**.

The above description contains a total area of **0.109 acres** (including 0.000 acres within the present road occupied), of which 0.054 is within Franklin County Auditor's parcel number 273-008267 and 0.055 acres is within Franklin County Auditor's parcel number 273-008359.

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.

Iron pins set are 5/8 inch diameter by 30 inch long rebar with caps stamped "Structurepoint-PS 8438".

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

STATE OF OHIO
BRIAN P. BINGHAM
8438
REGISTERED
PROFESSIONAL SURVEYOR

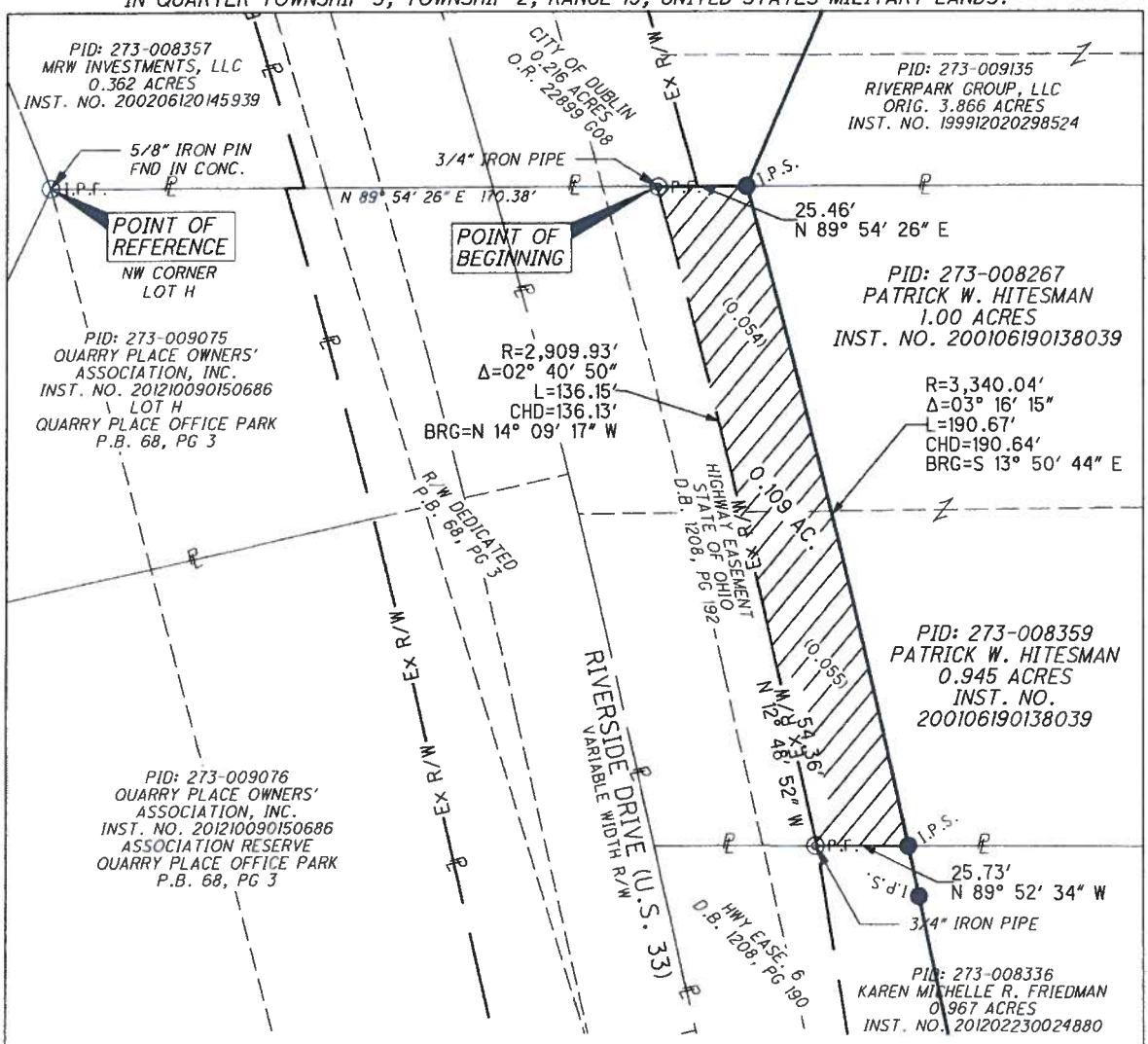
11/20/2014
Date

0-69-A
Reduce Assessed Acreage
0.054 acre ROW Easement
out of
(273)
8267
+
Reduce Assessed Acreage
0.055 acre ROW Easement
out of
(273)
8359

DESCRIPTION VERIFIED
DEAN C. RINGLE, P.E., P.S.
BY: AD
DATE: 20 Nov 14
FRANKLIN COUNTY ENGINEER

PROJ. NO: 2007.00175 DRAWN BY: BPB CHECKED BY: MTL PAGE 1 OF 1	AMERICAN STRUCTUREPOINT INC. 2550 CORPORATE EXCHANGE DR, STE 300 COLUMBUS, OH 43231 TEL 614.901.2235 FAX 614.901.2236 www.structurepoint.com	EXHIBIT "B" 0.109 ACRES BIKE PATH EASEMENT ACQUIRED FROM PATRICK W. HITESMAN DUBLIN, OHIO

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF DUBLIN, LOCATED IN QUARTER TOWNSHIP 3, TOWNSHIP 2, RANGE 19, UNITED STATES MILITARY LANDS.



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.

STATE OF OHIO
BRIAN P. BINGHAM
8438
REGISTERED
PROFESSIONAL SURVEYOR

BRIAN P. BINGHAM, P.S. NO. 8438
AMERICAN STRUCTUREPOINT, INC.

1/20/2014
DATE

CITY OF DUBLIN, OHIO
DESCRIPTION OF A 0.130 ACRE TEMPORARY EASEMENT
ACQUIRED FROM PATRICK W. HITESMAN

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 1.00 acre parcel and that 0.945 acre parcel, both as described in a deed to **Patrick W. Hitesman**, of record in Instrument Number 200106190138039, 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 a point on the existing east right-of-way line for said Riverside Drive as established by a highway easement designated as Parcel No. 7 in a deed to State of Ohio, of record in Deed Book 1208, page 192, being on the north line of said 0.945 acre parcel;

Thence **North 89 degrees 54 minutes 26 seconds East**, along the north line of said 1.00 acre parcel, a distance of **25.46 feet** to an iron pin set on the east line of a proposed bike path easement, being also on the south line of the River Ridge Office Condominium, of record in Condo Plat Book 56, page 43, said point being the **TRUE POINT OF BEGINNING** for this description;

Thence **North 89 degrees 54 minutes 26 seconds East**, along the north line of said 1.00 acre parcel, along the south line of said River Ridge Condominium, a distance of **16.89 feet** to a point;

Thence **South 10 degrees 23 minutes 12 seconds East**, across said 1.00 acre parcel, a distance of **15.05 feet** to a point;

Thence **South 52 degrees 59 minutes 17 seconds East**, across said 1.00 acre parcel, a distance of **92.83 feet** to a point;

Thence **South 05 degrees 05 minutes 56 seconds East**, a distance of **19.91 feet** to a point on the south line of said 1.00 acre parcel, being on the north line of said 0.945 acre parcel;

Thence **South 89 degrees 24 minutes 29 seconds West**, along the south line of said 1.00 acre parcel, along the north line of said 0.945 acre parcel, a distance of **56.20 feet** to a point;

Thence along the arc of a non-tangent curve to the right, across said 0.945 acre parcel, said curve having a radius of **3,355.04 feet**, a central angle of **01 degrees 38 minutes 55 seconds** and an arc length of **96.54 feet** to a point on the south line of said 0.945 acre parcel, being on the north line of a 0.967 acre parcel described in a deed to Karen Michelle R. Friedman, of record in Instrument Number 201202230024880, said curve being subtended by a long chord having a bearing of **South 12 degrees 58 minutes 43 seconds East** and a length of **96.54 feet**;

Thence **North 89 degrees 52 minutes 34 seconds West**, along the south line of said 0.945 acre parcel, along the north line of said 0.965 acre parcel, a distance of **15.35 feet** to a point on the east line of said proposed bike path easement;

Thence along the arc of a non-tangent curve to the left, across said 0.945 acre and said 1.00 acre parcels, along the east line of said proposed bike path easement, said curve having a radius of **3,340.04 feet**, a central angle of **03 degrees 16 minutes 15 seconds**, and an arc length of **190.67 feet** to the **TRUE POINT OF BEGINNING** for this description, said curve being subtended by a long chord having a bearing of **North 13 degrees 50 minutes 44 seconds West** and a length of **190.64 feet**;

The above description contains a total area of **0.130 acres** (including 0.000 acres within the present road occupied), of which 0.097 acres is within Franklin County Auditor's parcel number 273-008267 and 0.033 acres is within Franklin County Auditor's parcel number 273-008359.

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.

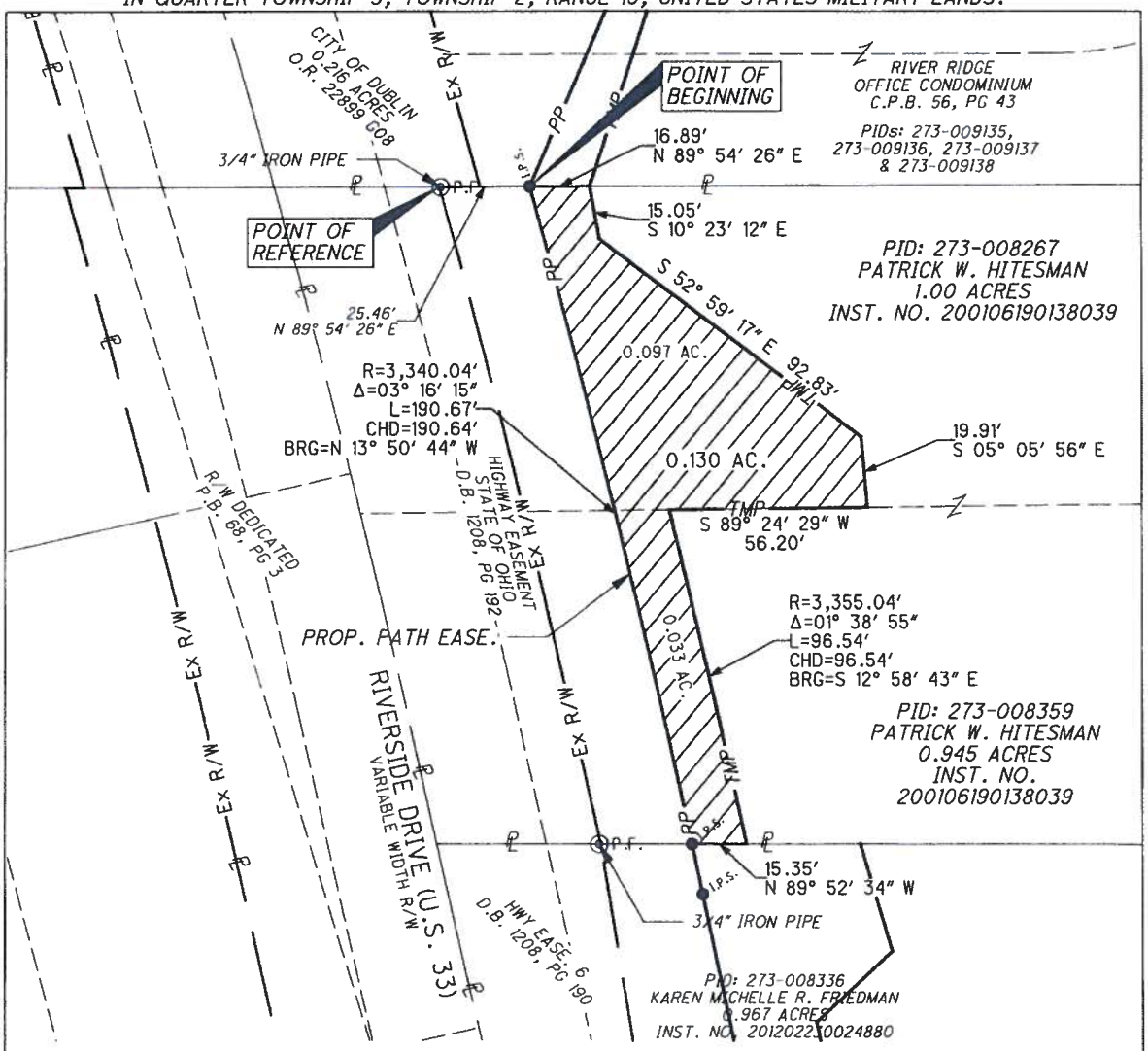
Brian P. Bingham
Registered Professional Surveyor No. 8438

STATE OF OHIO
BRIAN P. BINGHAM
8438
REGISTERED
PROFESSIONAL SURVEYOR

11/24/2014
Date

PROJ. NO: 2007.00175 DRAWN BY: BPB CHECKED BY: MTL PAGE 1 OF 1	AMERICAN STRUCTUREPOINT INC. 2550 CORPORATE EXCHANGE DR, STE 300 COLUMBUS, OH 43231 TEL 614.901.2235 FAX 614.901.2236 www.structurepoint.com	EXHIBIT "B" 0.130 ACRES TEMPORARY EASEMENT ACQUIRED FROM PATRICK W. HITESMAN DUBLIN, OHIO

SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF DUBLIN, LOCATED IN QUARTER TOWNSHIP 3, TOWNSHIP 2, RANGE 19, UNITED STATES MILITARY LANDS.



40' 0' 40'

Scale: 1" = 40'

N

LEGEND

- I.P.F. IRON PIN FOUND
- P.F. IRON PIPE FOUND
- I.P.S. 5/8" IRON PIN SET W/ "STRUCTUREPOINT-PS 8438" CAP

BASIS OF BEARING:

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STATE OF OHIO
BRIAN P. BINGHAM
8438
REGISTERED
PROFESSIONAL SURVEYOR

11/24/2014

BRIAN P. BINGHAM, P.S. NO. 8438 — DATE
AMERICAN STRUCTUREPOINT, INC.