



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:

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. 20-15

Passed _____, 20____

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF A 0.018 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM FOUR FIVES, LLC, FOR THE PROPERTY LOCATED AT 6300 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 Four Fives, LLC, 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 Nine Hundred Eighty Eight dollars (\$988.00), 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 0.018 ACRE TEMPORARY EASEMENT
ACQUIRED FROM FOUR FIVES, LLC**

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 8.230 acre parcel described in a deed to **Four Fives, LLC**, of record in Instrument Number 200610060200990, 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 north line of said original 8.230 acre parcel, being on the south line of a 0.967 acre parcel described in a deed to Karen Michelle R. Friedman, of record in Instrument Number 201202230024880, being on the existing east right-of-way line for Riverside Drive (U.S. 33), being the northeast corner of a 0.492 acre parcel described in a deed to City of Dublin, of record in Instrument Number 200707030116047, and being the northwest corner of an existing bike path easement described in a deed to City of Dublin, of record in Instrument Number 200707030116052;

Thence **South 89 degrees 07 minutes 14 seconds East**, along the north line of said original 8.230 acre parcel, along the south line of said 0.967 acre parcel and along the north line of said existing bike path easement, a distance of **15.70 feet** to the northeast corner of said existing bike path easement, said point being the **TRUE POINT OF BEGINNING** for this description;

Thence **South 89 degrees 07 minutes 14 seconds East**, continuing along the north line of said original 8.230 acre parcel and the south line of said 0.967 acre parcel, a distance of **28.64 feet** to a point;

Thence **South 17 degrees 06 minutes 19 seconds West**, across said original 8.230 acre parcel, a distance of **56.99 feet** to a point on the east line of said existing bike path easement;

Thence **North 12 degrees 12 minutes 31 seconds West**, continuing across said original 8.230 acre parcel, along the east line of said existing bike path easement, a distance of **56.18 feet** to the **TRUE POINT OF BEGINNING** for this description.

The above description contains a total area of **0.018 acres** (including 0.000 acres within the present road occupied) within Franklin County Auditor's parcel number 273-008325.

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

PROJ. NO: 2007.00175
 DRAWN BY: BPB
 CHECKED BY: MTL
 PAGE 1 OF 1

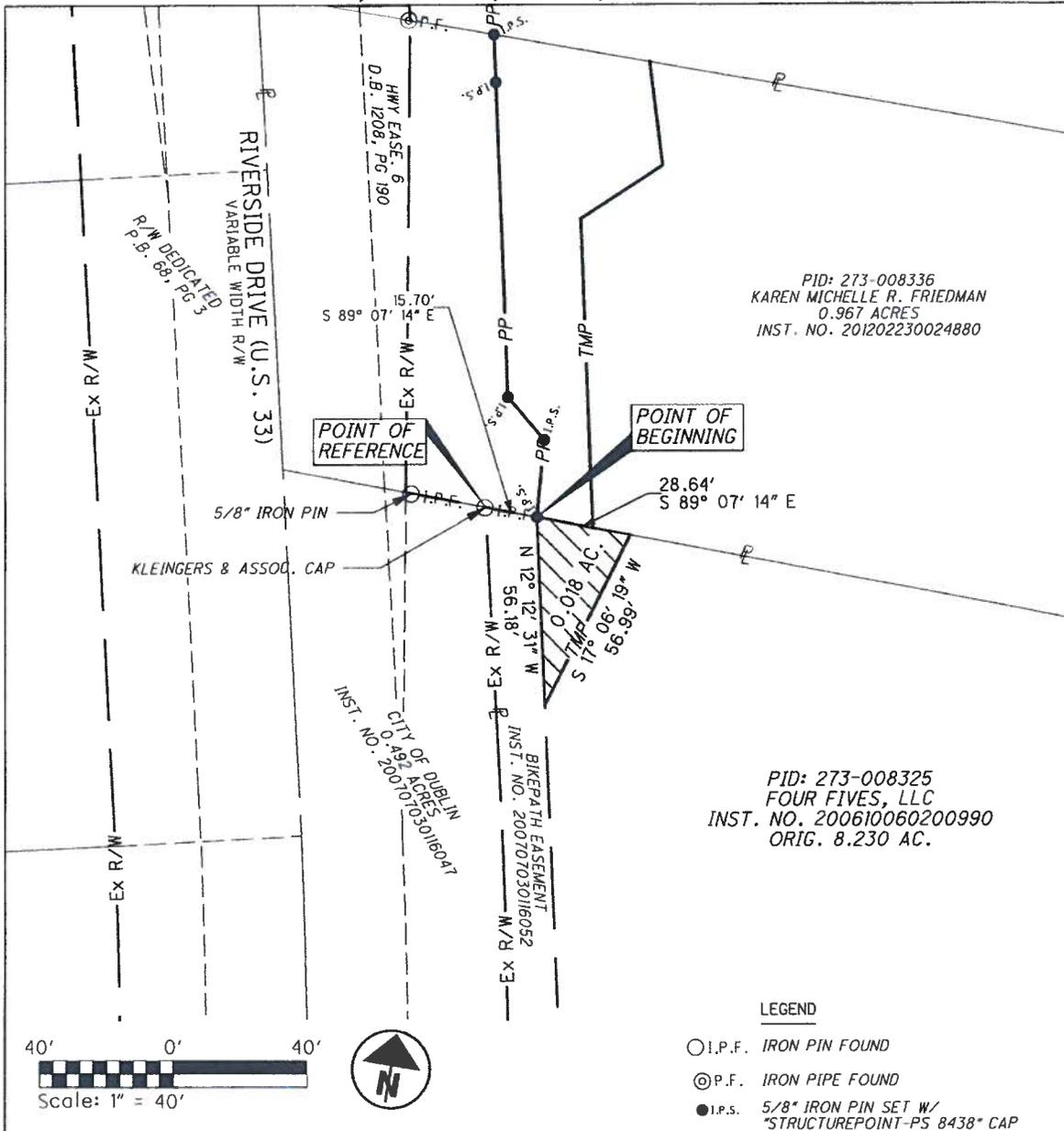


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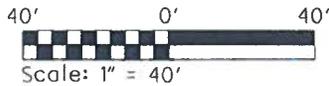
EXHIBIT "B"
0.018 ACRES
TEMPORARY EASEMENT
ACQUIRED FROM
FOUR FIVES, LLC
DUBLIN, OHIO

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.



PID: 273-008336
 KAREN MICHELLE R. FRIEDMAN
 0.967 ACRES
 INST. NO. 201202230024880

PID: 273-008325
 FOUR FIVES, LLC
 INST. NO. 200610060200990
 ORIG. 8.230 AC.



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

