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. 21-15 *Passed* _____, 20____

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF A 0.082 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM MR/TSARR OWNER, LLC, FOR THE PROPERTY LOCATED AT 4305-4335 W. DUBLIN GRANVILLE ROAD, 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 MR/TSARR Owner, 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 Five Thousand Six Hundred Eighty Eight dollars ($5,688.00), 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 0.082 ACRE TEMPORARY EASEMENT
ACQUIRED FROM MR/TSARR OWNER 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 14.040 acre parcel described in a deed to **MR/TSARR Owner LLC**, of record in Instrument Number 201112230168234, 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:

BEGINNING at the northeast corner of a 0.691 acre parcel described in a deed to City of Dublin, of record in Instrument Number 200606260124311, being on the north line of said original 14.040 acre parcel, being on the existing east right-of-way line for Riverside Drive (U.S. 33), and being on the south line of a 2.37 acre parcel described in a deed to City of Dublin, Ohio, of record in Instrument Number 201401100003943;

Thence **South 86 degrees 55 minutes 09 seconds East**, along the north line of said original 14.040 acre parcel, along the south line of said 2.37 acre parcel, a distance of **29.41 feet** to a point;

Thence **South 19 degrees 01 minutes 35 seconds West**, across said original 14.040 acre parcel, a distance of **26.18 feet** to a point;

Thence **South 17 degrees 39 minutes 36 seconds East**, continuing across said original 14.040 acre parcel, a distance of **373.01 feet** to a point on the south line of said original 14.040 acre parcel, being on the north line of that original 3.866 acre parcel described in a deed to Riverpark Group, LLC, of record in Instrument Number 199912020298524;

Thence **North 86 degrees 56 minutes 59 seconds West**, along the south line of said original 14.040 acre parcel, along the north line of said original 3.866 acre parcel, a distance of **5.38 feet** to the existing east right-of-way line for said Riverside Drive, being the southeast corner of said 0.691 acre parcel;

Thence **North 18 degrees 37 minutes 56 seconds West**, across said original 14.040 acre parcel, along the existing east right-of-way line for said Riverside Drive, along the east line of said 0.691 acre parcel, a distance of **402.57 feet** to the **POINT OF BEGINNING** for this description.

The above description contains a total area of **0.082 acres** (including 0.000 acres within the present road occupied) within Franklin County Auditor's parcel number 273-008269.

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.

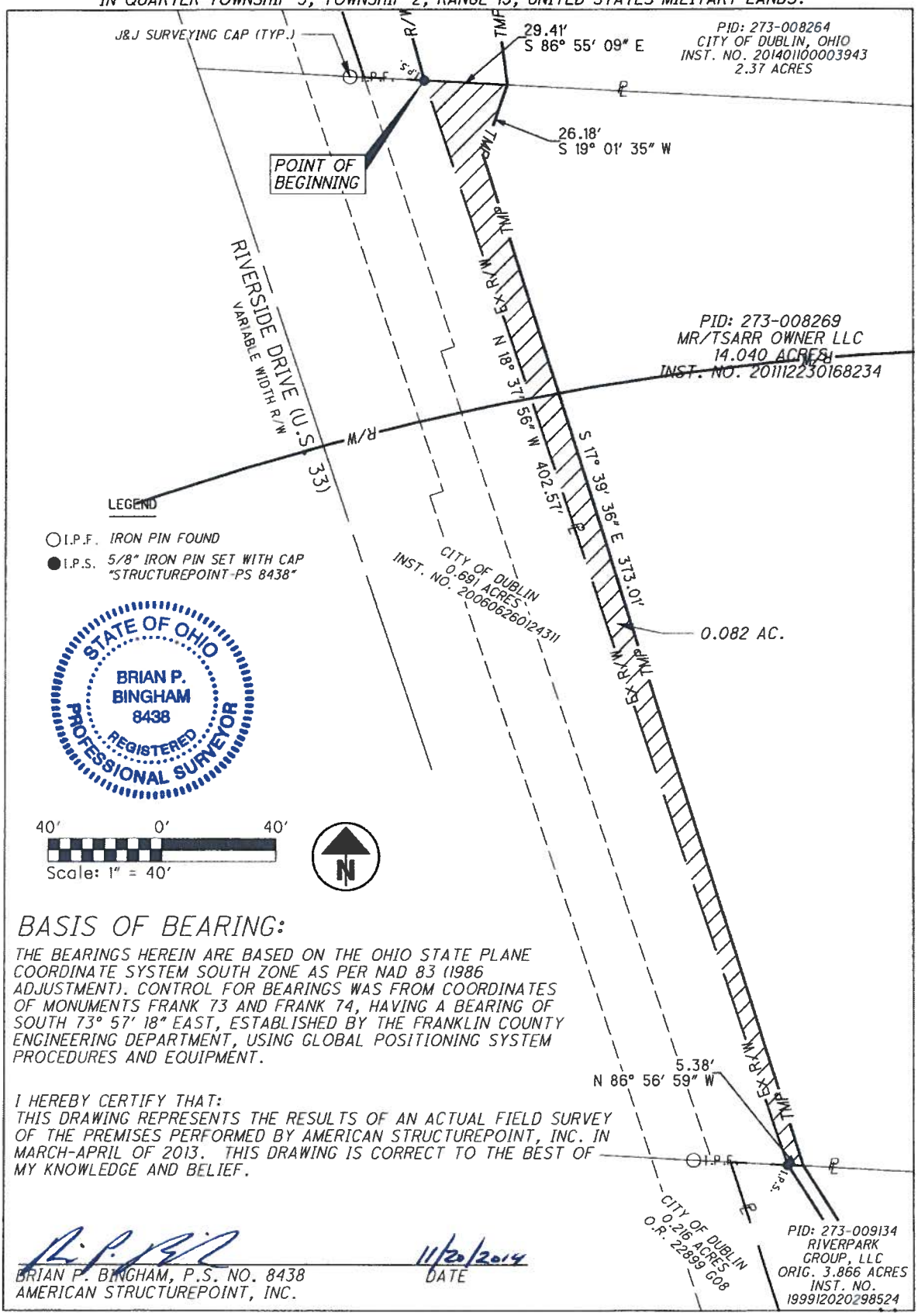
STATE OF OHIO
BRIAN P. BINGHAM
8438
REGISTERED
PROFESSIONAL SURVEYOR

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	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" 0.082 ACRES TEMPORARY EASEMENT ACQUIRED FROM MR/TSARR OWNER 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.



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

11/20/2014
DATE