



**To:** Members of Dublin City Council  
**From:** Dana L. McDaniel, City Manager *DLM*  
**Date:** February 5, 2015  
**Initiated By:** Megan O'Callaghan, PE, Public Service Director  
 Philip K. Hartmann, Assistant Law Director  
**Re:** Res. 17-15 through 22-15 - State Route 161 and Riverside Drive Intersection  
 Improvement Resolutions of Intent to Appropriate

**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
- River's Edge One
- Riverpark Group, LLC

The City is hopeful that an amicable resolution may be reached with the property owners; however, this Resolution begins the eminent domain process in the event that negotiations are unsuccessful.

**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                   | Auditor Parcel ID Number(s) |
|----------------------------|--------------------------------------|-----------------------------|
| Four Fives, LLC            | Temporary Easement<br>(0.018 acre ±) | 273-008325 & 273-008366     |
| Karen Michelle R. Friedman | Permanent Easement<br>(0.100 acre ±) | 273-008336                  |

|                             |                                                                                  |                                                              |
|-----------------------------|----------------------------------------------------------------------------------|--------------------------------------------------------------|
|                             | Temporary Easement<br>(0.096 acre ±)                                             |                                                              |
| <b>Patrick W. Hitesman</b>  | Permanent Easement<br>(0.109 acre ±)<br><br>Temporary Easement<br>(0.130 acre ±) | 273-008267 & 273-008359                                      |
| <b>MR/TSARR Owner, LLC</b>  | Temporary Easement<br>(0.082 acre ±)                                             | 273-008269-80                                                |
| <b>Riverpark Group, LLC</b> | Permanent Easement<br>(0.130 acre ±)<br><br>Temporary Easement<br>(0.036 acre ±) | 273-009134, 273-009135, 273-009136, 273-009137, & 273-009138 |
| <b>River's Edge One</b>     | Temporary Easement<br>(0.011 acre ±)                                             | 273-008970 & 273-008326                                      |

**RECOMMENDATION**

Staff recommends approval of Resolution Nos. 17-15 through 22-15 as the construction of the Project is necessary for public welfare and safety, and approval of the Resolutions will keep the Project moving forward.



# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

**19-15**

Resolution No. \_\_\_\_\_

Passed \_\_\_\_\_, 20\_\_\_\_

**A RESOLUTION OF INTENT TO APPROPRIATE 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.**

**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 RESOLVED** 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 intention to appropriate, 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 Manager is hereby authorized to cause written notice of the passage of this Resolution to be served upon the owner and persons in possession or having an interest of record in the property described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," and this notice shall be served according to law.

**Section 3.** This Resolution shall take effect and be in force from and after the earliest date permitted by law.

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 3/4 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



11/20/2014  
Date

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



PROJ. NO: 2007.00175

DRAWN BY: BPB

CHECKED BY: MTL

PAGE 1 OF 1



AMERICAN  
**STRUCTUREPOINT**  
INC

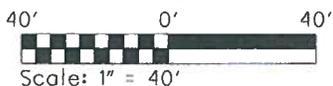
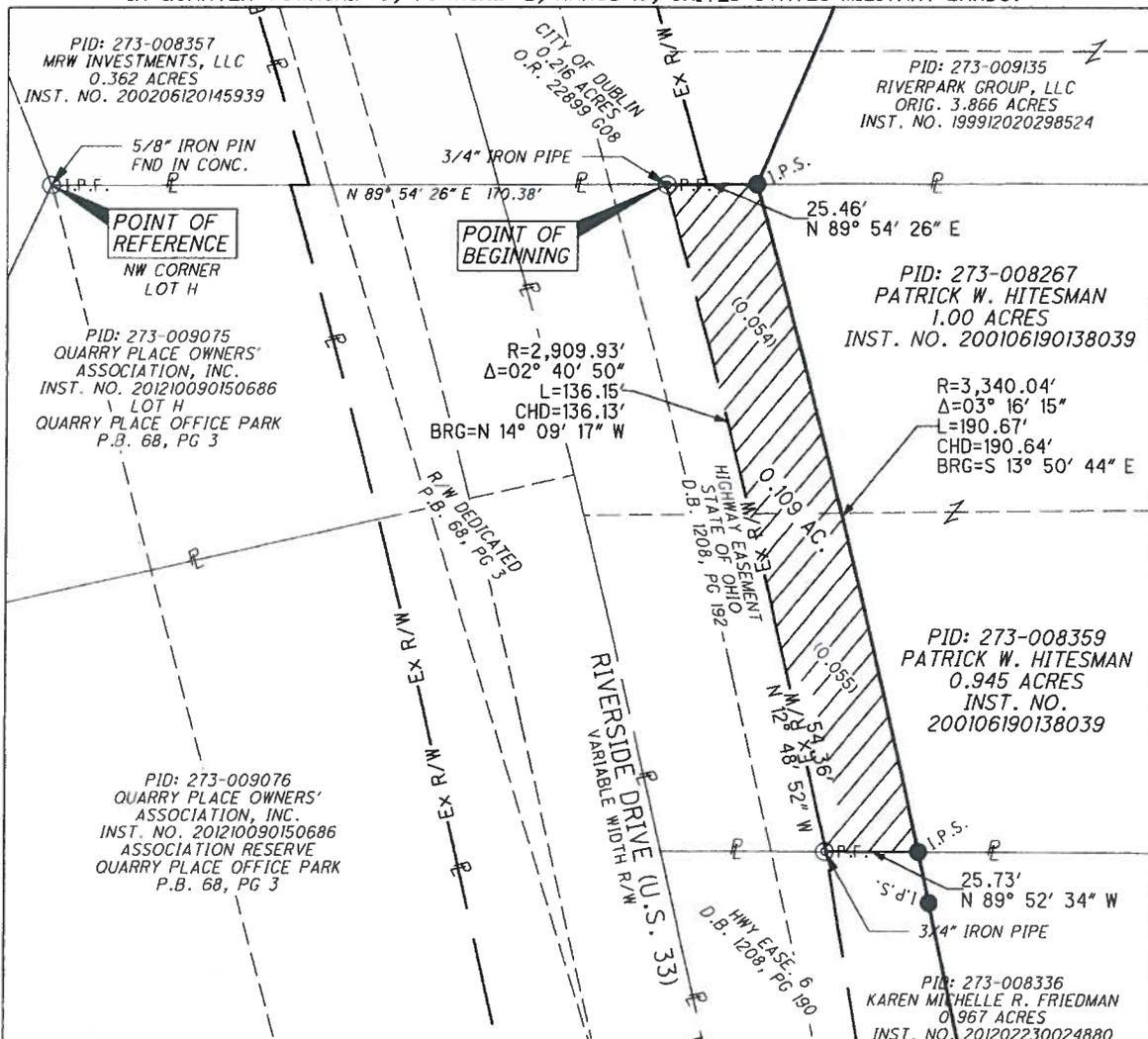
2550 CORPORATE EXCHANGE DR, STE 300  
COLUMBUS, OH 43231  
TEL 614.801.2235 FAX 614.801.2238  
www.structurepoint.com

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.



LEGEND

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

**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.

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.

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American Structurepoint, Inc.

  
Brian P. Bingham  
Registered Professional Surveyor No. 8438



11/24/2014  
Date

PROJ. NO: 2007.00175

DRAWN BY: BPB

CHECKED BY: MTL

PAGE 1 OF 1



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STRUCTUREPOINT  
INC.

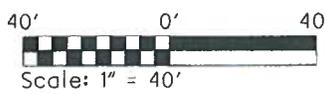
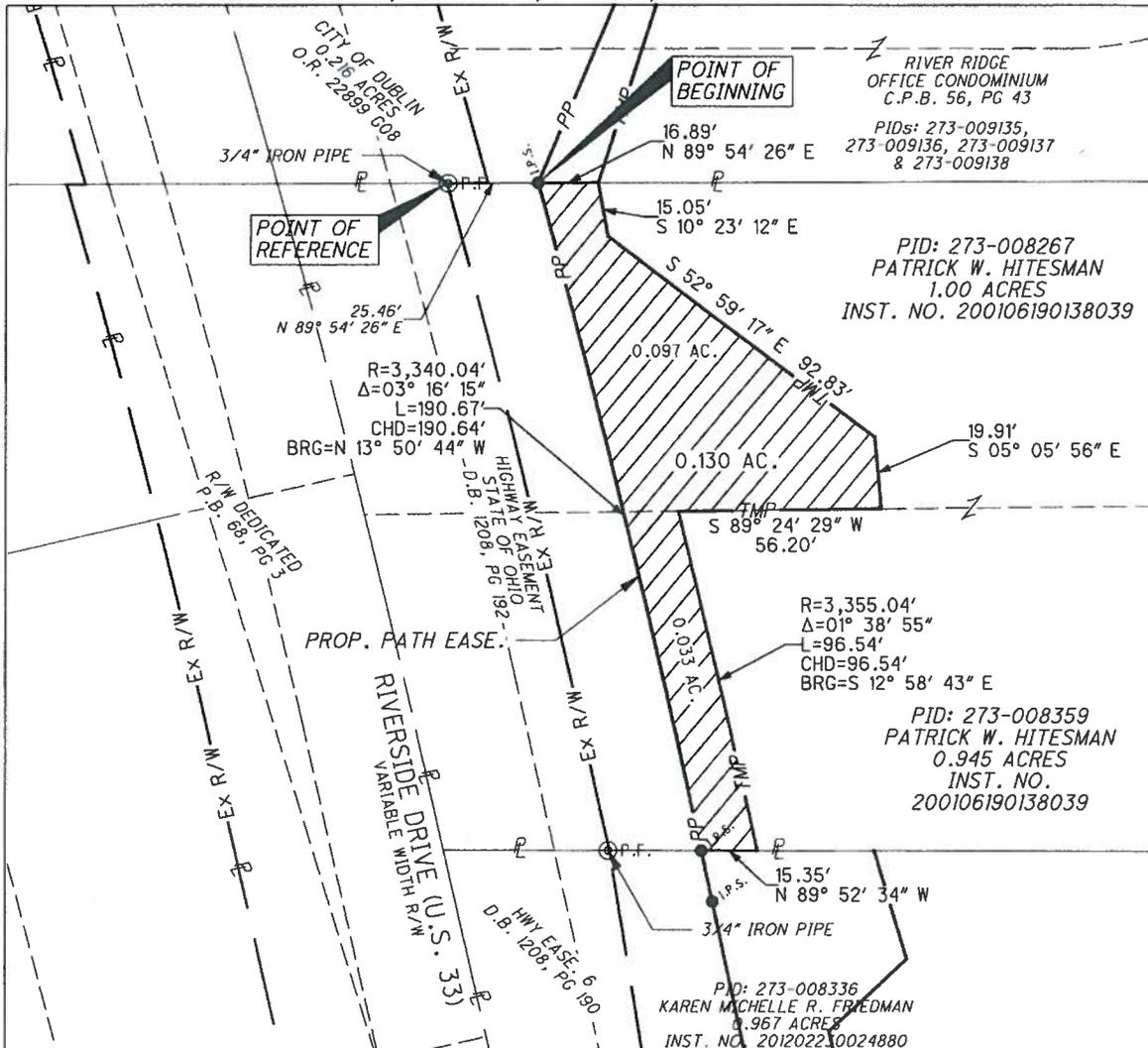
2550 CORPORATE EXCHANGE DR., STE 300  
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EXHIBIT "B"

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.



- LEGEND**
- I.P.F. IRON PIN FOUND
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