



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 (0.018 acre ±)	273-008325 & 273-008366
Karen Michelle R. Friedman	Permanent Easement (0.100 acre ±)	273-008336

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

22-15

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 0.130 ACRE PERMANENT BIKE PATH EASEMENT
ACQUIRED FROM RIVERPARK GROUP, 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 3.866 acre parcel described in a deed to **Riverpark Group, LLC**, of record in Instrument Number 199912020298524, and a part of the common area for Units B thru E of the River Ridge Office Condominium, as shown in Condo Plat Book 56, page 43 and as declared in Official Record 22946 A01, 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, and passing at a distance of 170.75 feet a ¼ inch iron pipe found 0.13 feet offline to the south), a total distance of **181.79 feet** to a point on the existing east right-of-way line for said Riverside Drive, being the southeast corner of said 0.216 acre parcel, said point being the **TRUE POINT OF BEGINNING** for this description;

Thence along the arc of a curve to the left, across said original 3.866 acre parcel, along the existing east right-of-way line for said Riverside Drive and along the east line of said 0.216 acre parcel, said curve having a radius of **2,920.93 feet**, a central angle of **03 degrees 11 minutes 44 seconds**, and an arc length of **162.90 feet** to a point of tangency, said curve being subtended by a long chord having a bearing of **North 17 degrees 02 minutes 00 seconds West** and a length of **162.88 feet**;

Thence **North 18 degrees 37 minutes 52 seconds West**, continuing across said original 3.866 acre parcel, continuing along the existing east right-of-way line for said Riverside Drive and along the east line of said 0.216 acre parcel, a distance of **4.70 feet** to a point on the north line of said original 3.866 acre parcel, being the northeast corner of said 0.216 acre parcel, being on the south line of a 0.691 acre parcel described in a deed to City of Dublin, of record in Instrument Number 200606260124311, and being on the original south line of an original 14.040 acre parcel described in a deed to MR/TSARR Owner LLC, of record in Instrument Number 201112230168234;

Thence **South 86 degrees 56 minutes 59 seconds East**, along the north line of said original 3.866 acre parcel, along the south line of said 0.691 acre parcel and said original 14.040 acre parcel, a distance of **20.26 feet** to an iron pin set on the existing east right-of-way line for said Riverside Drive, being the southeast corner of said 0.691 acre parcel;

Thence **South 32 degrees 40 minutes 01 second East**, across said original 3.866 acre parcel, a distance of **123.95 feet** to an iron pin set;

Thence South 23 degrees 33 minutes 07 seconds West, continuing across said original 3.866 acre parcel, a distance of 59.73 feet to an iron pin set on the south line of said original 3.866 acre parcel, being on the north line of said 1.00 acre parcel;

Thence South 89 degrees 54 minutes 26 seconds West, along the south line of said original 3.866 acre parcel, along the north line of said 1.00 acre parcel, a distance of 14.05 feet to the TRUE POINT OF BEGINNING for this description.

The above description contains a total area of 0.130 acres (including 0.000 acres within the present road occupied), of which 0.107 is within Franklin County Auditor's parcel number 273-009134 and 0.023 acres out of the common area of Franklin County Auditor's parcel numbers 273-009135, 273-009136, 273-009137 and 273-009138.

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

0-64-A
Reduce Assess Average
0.107 acre Row Easement
out of
(273)
9134
+

T-75-A
Reduce Assess Average
0.023 acre Row Easement
out of
(273)
9135
thru-14
(273)
9138



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

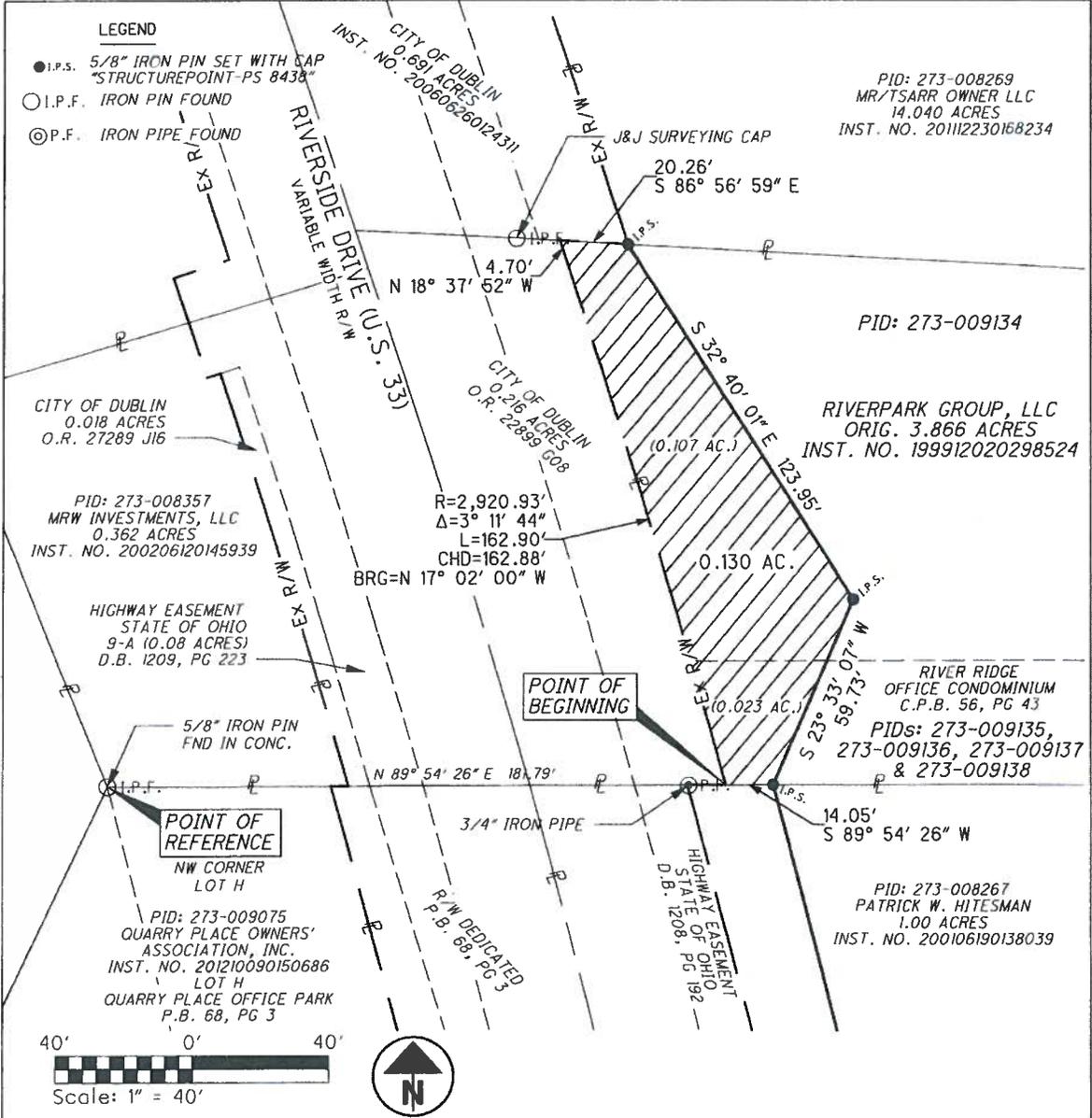


AMERICAN
STRUCTUREPOINT
 INC.

2650 CORPORATE EXCHANGE DR, STE. 300
 COLUMBUS, OH 43231
 TEL 614.901.2235 FAX 614.901.2236
 www.structurepoint.com

EXHIBIT "B"
0.130 ACRES
BIKE PATH EASEMENT
ACQUIRED FROM
RIVERPARK GROUP
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
 BRIAN P. BINGHAM, P.S. NO. 8438
 AMERICAN STRUCTUREPOINT, INC.

11/20/2014
 DATE

**CITY OF DUBLIN, OHIO
DESCRIPTION OF A 0.036 ACRE TEMPORARY EASEMENT
ACQUIRED FROM RIVERPARK GROUP, 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 3.866 acre parcel described in a deed to **Riverpark Group, LLC**, of record in Instrument Number 199912020298524, and a part of the common area for Units B thru E of the River Ridge Office Condominium, as shown in Condo Plat Book 56, page 43 and as declared in Official Record 22946 A01, 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 River Ridge Office Condominium, being the southeast corner of a 0.216 acre parcel described in a deed to City of Dublin, of record in Official Record 22899 G08, being on the existing east right-of-way line for Riverside Drive (U.S. 33), and being on the north line of that 1.00 acre parcel described in a deed to Patrick W. Hitesman, of record in Instrument Number 200106190138039;

Thence **North 89 degrees 54 minutes 26 seconds East**, along the south line of said River Ridge Condominium, along the north line of said 1.00 acre parcel, a distance **14.05 feet** to an iron pin set on the east line of a proposed bike path easement, said point being the **TRUE POINT OF BEGINNING** for this description;

Thence **North 23 degrees 33 minutes 07 seconds East**, across said River Ridge Condominium and said 3.866 acre parcel, along the east line of said proposed bike path easement, a distance of **59.73 feet** to an iron pin set;

Thence **North 32 degrees 40 minutes 01 second West**, continuing across said 3.866 acre parcel, continuing along the east line of said proposed bike path easement, a distance of **123.95 feet** to an iron pin set on the north line of said 3.866 acre parcel, being on the south line of an original 14.040 acre parcel described in a deed to MR/TSARR Owner LLC, of record in Instrument Number 201112230168234, and being at the southeast corner of a 0.691 acre parcel described to City of Dublin, of record in Instrument Number 200606260124311;

Thence **South 86 degrees 56 minutes 59 seconds East**, along the north line of said 3.866 acre parcel, along the south line of said original 14.040 acre parcel, a distance of **5.38 feet** to a point;

Thence **South 35 degrees 21 minutes 00 seconds East**, across said 3.866 acre parcel, a distance of **88.21 feet** to a point;

Thence **South 27 degrees 40 minutes 42 seconds East**, continuing across said 3.866 acre parcel, a distance of **42.63 feet** to a point;

Thence **South 18 degrees 21 minutes 28 seconds West**, continuing across said 3.866 acre parcel, across said River Ridge Condominium, a distance of **51.71 feet** to a point on the south line of said River Ridge Condominium, being on the north line of said 1.00 acre parcel;

Thence **South 89 degrees 54 minutes 26 seconds West**, along the south line of said River Ridge Condominium, along the north line of said 1.00 acre parcel, a distance of **16.89 feet** to the **TRUE POINT OF BEGINNING** for this description.

The above description contains a total area of **0.036 acres** (including 0.000 acres within the present road occupied), of which 0.023 is within Franklin County Auditor's parcel number 273-009134 and 0.013 acres out of the common area of Franklin County Auditor's parcel numbers 273-009135, 273-009136, 273-009137 and 273-009138.

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



11/24/2014
Date

PROJ. NO: 2007.00175

DRAWN BY: BFP

CHECKED BY: MTL

PAGE 1 OF 1



AMERICAN STRUCTUREPOINT INC.

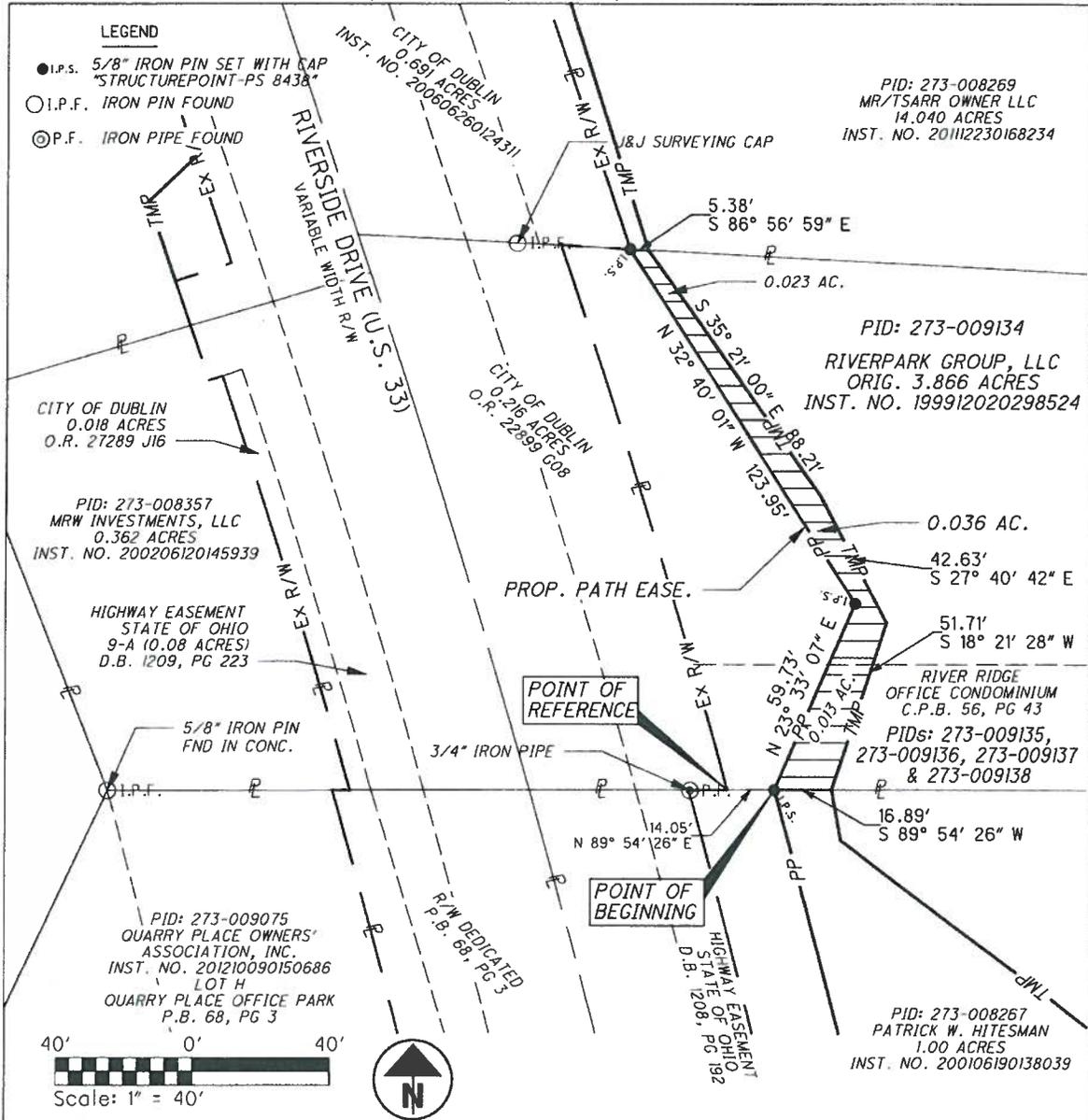
2550 CORPORATE EXCHANGE DR, STE 300 COLUMBUS, OH 43231 TEL 614.901.2235 FAX 614.901.2236 www.structurepoint.com

EXHIBIT "B"

0.036 ACRES TEMPORARY EASEMENT ACQUIRED FROM RIVERPARK GROUP

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.

11/24/2014 DATE