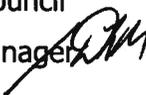




City of Dublin

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: April 9, 2015
Initiated By: Paul A. Hammersmith, PE, Director of Engineering/City Engineer
Kenneth B. Richardson, PE, PS, Senior Civil Engineer
Philip K. Hartmann, Assistant Law Director
Re: ORDINANCE 28-15 - AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.049 ACRE, MORE OR LESS, PERMANENT EASEMENT AND A 0.023 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM NOMAN I. MALIK AND JOSEPHINE SAMINA MALIK, FOR THE PROPERTY LOCATED AT 8640 HYLAND-CROY ROAD FOR THE CONSTRUCTION OF A SHARED-USE PATH CONNECTION.

BACKGROUND

The City of Dublin ("City") is preparing to construct a shared-use path connection along the east side of Hyland-Croy Road, north of Brand Road (the "Project"). The City is obtaining certain permanent property interests from various landowners to construct the path, as well as also acquiring temporary easements to perform minor grading and construction.

Noman I. Malik and Josephine Samina Malik (the "Grantors") own property from which the City desires a permanent easement and a temporary easement ("Property Interest"). This property is located at 8640 Hyland-Croy Road, Dublin, OH 43017 and is identified as Union County Parcel No. 39-00240590000.

After engaging in amicable discussions, the City has come to an agreement with the Grantors to acquire the property interest (detailed below) for the value of Three Thousand Five Hundred Fifty Dollars (\$3,550.00), pursuant to the terms outlined in this memorandum.

ACQUISITION

The City will be acquiring from the Grantors only the property interest necessary for purposes of the Project, as depicted in the legal description and depiction attached to this memorandum. The City will be acquiring the property interest for its appraised value. The property interests are detailed below:

Union County Parcel No. 39-00240590000

Property Interest Acquiring	Description	Appraised Value
Permanent Easement	0.049 acre ±	\$3,185.00
Temporary Easement	0.023 acre ±	\$150.00
Improvement Valuation	Dirt drive, field sod, etc.	\$215.00
TOTAL		\$3,550.00

RECOMMENDATION

Ordinance No. 28-15 would authorize the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interest described above.

Staff recommends Council approve Ordinance 28-15 at the second reading/public hearing on April 27, 2015.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

28-15

Ordinance No. _____

Passed _____, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.049 ACRE, MORE OR LESS, PERMANENT EASEMENT AND A 0.023 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM NOMAN I. MALIK AND JOSEPHINE SAMINA MALIK, FOR THE PROPERTY LOCATED AT 8640 HYLAND-CROY ROAD FOR THE CONSTRUCTION OF A SHARED-USE PATH CONNECTION.

WHEREAS, the City of Dublin (the "City") is preparing to construct a shared-use path connection Hyland-Croy Road (the "Project"); and

WHEREAS, said Project requires that the City obtain certain property interest within Union County Parcel No. 39-00240590000 owned by Noman I. Malik and Josephine Samina Malik (the "Grantors"), said property interest more fully described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," all attached hereto; and

WHEREAS, the City and the Grantors participated in good faith discussions and have come to mutually agreeable terms for the acquisition of the necessary property interest for the sum of Three Thousand Five Hundred Fifty Dollars (\$3,550.00); and

WHEREAS, the City desires to execute necessary conveyance documentation to complete the transaction between the City and the Grantors.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. The City Manager is hereby authorized to execute all necessary conveyance documentation to acquire a 0.049 acre, more or less, permanent easement, as well as a 0.023 acre, more or less, temporary easement for twelve (12) months, commencing on the date construction begins, from Noman I. Malik and Josephine Samina Malik, for the sum of Three Thousand Five Hundred Fifty Dollars (\$3,550.00), said property interest located within Union County Parcel No. 39-00240590000, and more fully described and depicted in the attached Exhibits "A" and "B."

Section 2. This Ordinance shall be effective upon the earliest date permitted by law.

Passed this _____ day of _____, 2015.

Mayor – Presiding Officer

ATTEST:

Clerk of Council

Parcel 3P
Exhibit A
Permanent Easement
for
Shared-Use Path, Utilities, Storm Drainage, and Grading
0.049 acres

Situated in the State of Ohio, County of Union, City of Dublin, being a part of Virginia Military Survey Number 2925, and a part of a 8.000 acre tract conveyed to Noman I. and Josephine Samina Malik by Official Record 340, Page 640, all records herein are from the Recorder's Office, Union County, Ohio unless otherwise noted and being more particularly described as follows:

Beginning at the intersection of the east Right of Way of Hyland Croy Road (60 foot) and the south line of said 8.000 acre tract;

Thence, North 12°18'59" West, a distance of 110.34 feet, along the east Right of Way of Hyland Croy Road, to the north line of said 8.000 acre tract;

Thence, North 82°36'01" East, a distance of 15.00 feet, along the north line of said 8.000 acre tract to a point;

Thence, crossing said 8.000 acre tract the following seven courses:

1. Thence, South 18°55'37" East, a distance of 44.11 feet to a point;
2. Thence, North 79°04'49" East, a distance of 5.00 feet to a point;
3. Thence, South 10°55'11" East, a distance of 10.00 feet to a point;
4. Thence, South 79°04'49" West, a distance of 5.00 feet to a point;
5. Thence, South 10°55'11" East, a distance of 47.36 feet to a point;
6. Thence, North 84°12'29" East, a distance of 5.00 feet to a point;
7. Thence, South 10°55'11" East, a distance of 10.00 feet to the south line of said 8.000 acre tract;

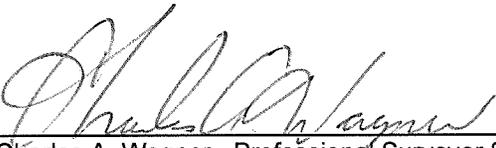
Thence, South 84°12'29" West, a distance of 23.50 feet, along the south line of said 8.000 acre tract to the **Point of Beginning**, containing 0.049 acres, more or less, subject to legal highways, easements, leases and restriction of record and of records in the respective utility offices.

The bearings described herein are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (2011). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network.

The described tract is a part of Auditor's Tax Parcel Number 3900240590000 and is based on Official Record 340, Page 640.

I hereby certify this description was based field survey conducted by CW Design Group, LLC under my guidance in June 2014 and to the best of my knowledge depicts the boundary lines.

CW Design Group, LLC

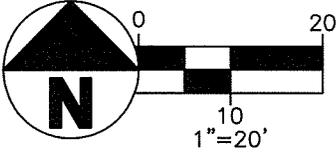


Charles A. Wagner - Professional Surveyor 8091

01/06/2015

Date





HYLAND CROY ROAD (60')

POINT OF BEGINNING

3P
0.049 ACRES

NOMAN I. & JOSEPHINE
SAMINA MALIK
OR 340, PG 640
8.000 ACRES
3900240590000

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N79°04'49"E	5.00
L2	S10°55'11"E	10.00
L3	S79°04'49"W	5.00
L4	N84°12'29"E	5.00
L5	S10°55'11"E	10.00

BARBARA STROBLE &
LANEY STROBLE
OR 1015, PG 559
5.784 ACRES
1700240600000

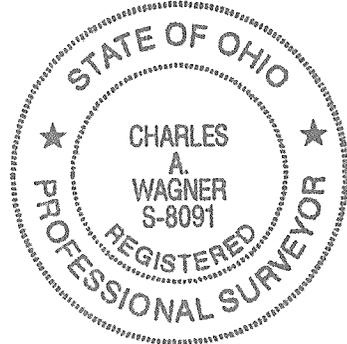
VIRGINIA MILITARY NUMBER 2925
CITY OF DUBLIN
COUNTY OF UNION
STATE OF OHIO

BASIS OF BEARINGS

THE BEARINGS SHOWN ON THIS PLAT ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD83 (2011).

HEREBY CERTIFY THIS PLAT WAS BASED FIELD SURVEY CONDUCTED BY CW DESIGN GROUP, LLC UNDER MY GUIDANCE IN JULY & AUGUST 2014 AND TO THE BEST OF MY KNOWLEDGE DEPICTS THE BOUNDARY LINES.

Charles A. Wagner 01/06/2015
CHARLES A. WAGNER, PS-8091 DATE
CW DESIGN GROUP, LLC



[cw design group] D:\CWDG\Project\2013\130026\Drawing\Parcel03P.dwg January 06, 2015 1:47pm

CW Design Group
ENGINEERS | SURVEYORS
PHONE: 614-846-9279
972 Linkfield Drive
Worthington, Ohio 43085

PARCEL 3P
PERMANENT EASEMENT
FOR SHARED-USE PATH, UTILITIES, STORM
DRAINAGE, AND GRADING

13-0026

01/06/2015

Parcel 3T
Exhibit A
Temporary Easement
for
Shared-Use Path, Utilities, Storm Drainage, and Grading
0.023 acres

Situated in the State of Ohio, County of Union, City of Dublin, being a part of Virginia Military Survey Number 2925, and a part of a 8.000 acre tract conveyed to Noman I. and Josephine Samina Malik by Official Record 340, Page 640, all records herein are from the Recorder's Office, Union County, Ohio unless otherwise noted and being more particularly described as follows:

Beg Beginning for Reference at the intersection of the east Right of Way of Hyland Croy Road (60 foot) and the south line of said 8.000 acre tract;

Thence, North 84°12'29" East, a distance of 23.50 feet along the south line of said 8.000 acre tract to the **True Point of Beginning**;

Thence, crossing said 8.000 acre tract the following seven courses:

1. Thence, North 10°55'11" West, a distance of 10.00 feet to a point;
2. Thence, South 84°12'29" West, a distance of 5.00 feet to a point;
3. Thence, North 10°55'11" West, a distance of 47.36 feet to a point;
4. Thence, North 79°04'49" East, a distance of 5.00 feet to a point;
5. Thence, North 10°55'11" West, a distance of 10.00 feet to a point;
6. Thence, South 79°04'49" West, a distance of 5.00 feet to a point;
7. Thence, North 18°55'37" West, a distance of 44.11 feet to a point to the north line of said 8.000 acre tract;

Thence, North 82°36'01" East, a distance of 10.00 feet, along the north line of said 8.000 acre tract;

Thence, crossing said 8.000 acre tract the following two courses:

1. Thence, South 18°55'37" East, a distance of 43.95 feet to a point;
2. Thence, South 10°55'11" East, a distance of 67.79 feet, to the south line of said 8.000 acre tract;

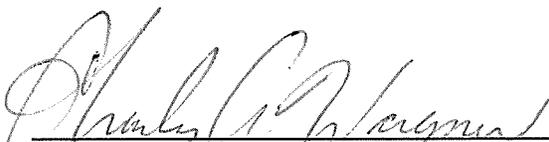
Thence, South 84°12'29" West, a distance of 5.00 feet, along the south line of said 8.000 acre tract to the **Point of Beginning**, containing 0.023 acres, more or less, subject to legal highways, easements, leases and restriction of record and of records in the respective utility offices.

The bearings described herein are based on the Ohio State Plane Coordinate System, North Zone, NAD83 (2011). Said bearings originated from a field traverse which was referenced to said coordinate system by GPS observations and observations of selected stations in the Ohio Department of Transportation Virtual Reference Station Network.

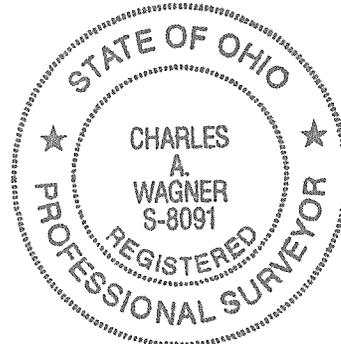
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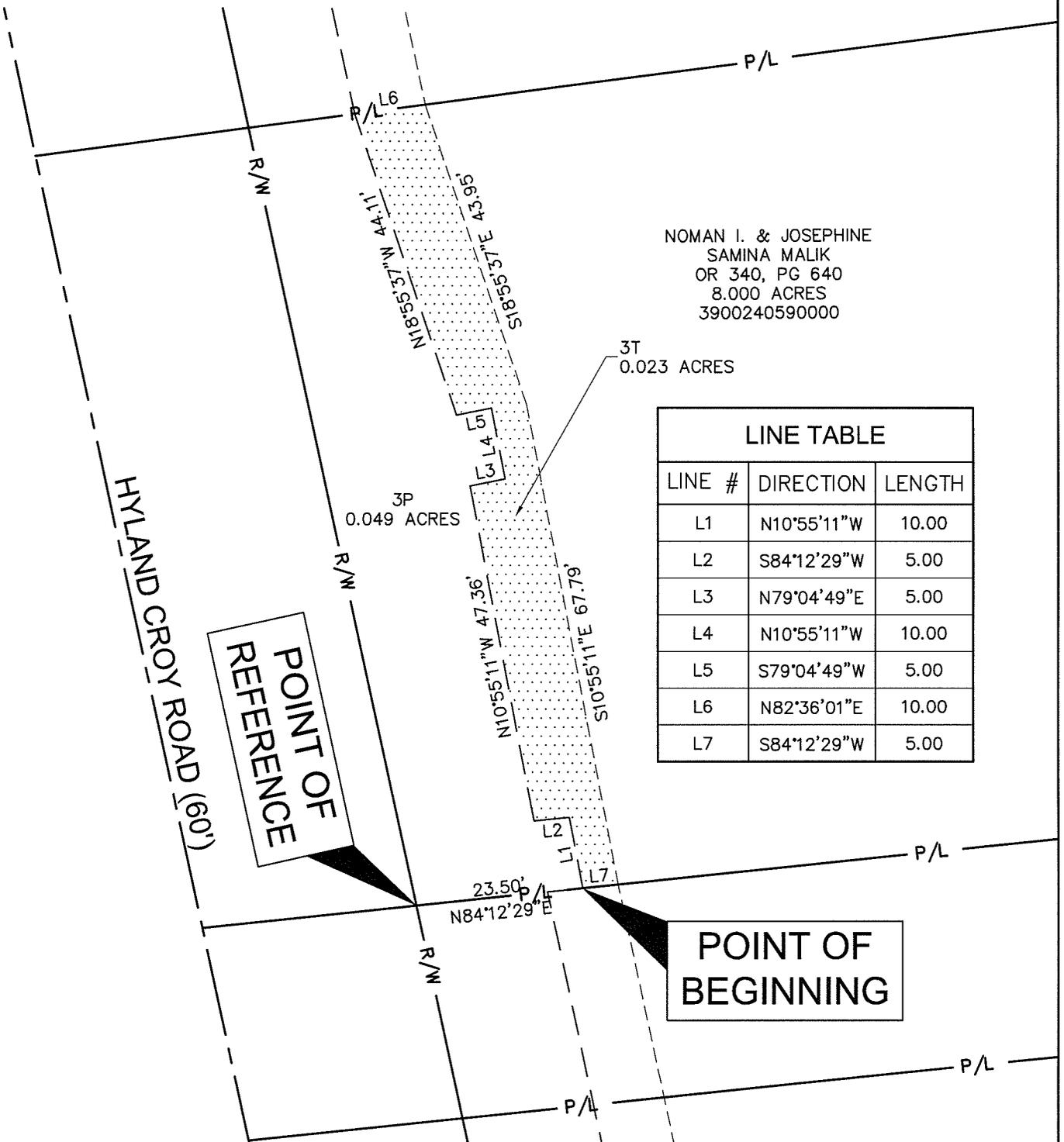
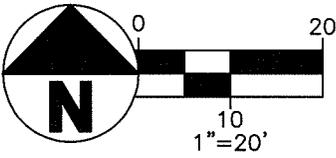
I hereby certify this description was based field survey conducted by CW Design Group, LLC under my guidance in June 2014 and to the best of my knowledge depicts the boundary lines.

CW Design Group, LLC


Charles A. Wagner - Professional Surveyor 8091

01/06/2015
Date





NOMAN I. & JOSEPHINE
 SAMINA MALIK
 OR 340, PG 640
 8.000 ACRES
 3900240590000

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N10°55'11"W	10.00
L2	S84°12'29"W	5.00
L3	N79°04'49"E	5.00
L4	N10°55'11"W	10.00
L5	S79°04'49"W	5.00
L6	N82°36'01"E	10.00
L7	S84°12'29"W	5.00

POINT OF BEGINNING

POINT OF REFERENCE

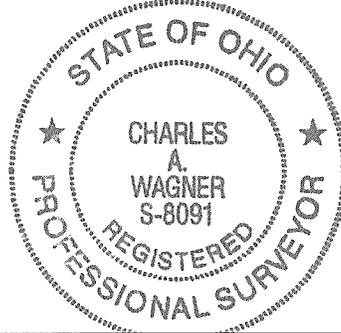
BASIS OF BEARINGS

THE BEARINGS SHOWN ON THIS PLAT ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD83 (2011).

HEREBY CERTIFY THIS PLAT WAS BASED FIELD SURVEY CONDUCTED BY CW DESIGN GROUP, LLC UNDER MY GUIDANCE IN JULY & AUGUST 2014 AND TO THE BEST OF MY KNOWLEDGE DEPICTS THE BOUNDARY LINES.

Charles A. Wagner
 CHARLES A. WAGNER, PS-8091 DATE 01/06/2015
 CW DESIGN GROUP, LLC

VIRGINIA MILITARY NUMBER 2925
 CITY OF DUBLIN
 COUNTY OF UNION
 STATE OF OHIO



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CW Design Group
 ENGINEERS | SURVEYORS
 PHONE: 614-846-9279
 972 Linkfield Drive
 Worthington, Ohio 43085

PARCEL 3T
 TEMPORARY EASEMENT
 FOR SHARED-USE PATH, UTILITIES, STORM
 DRAINAGE, AND GRADING

13-0026

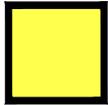
 01/06/2015



5800 Shier-Rings Road • Dublin, Ohio 43016-1236
 Phone (614)410-4600 • Fax (614)410-4699

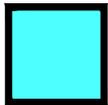
HYLAND-CROY ROAD
 SHARED-USE PATH
 NOMAN I. & JOSEPHINE MALIK
 8640 FIRENZA PL.
 DUBLIN, OHIO 43017

LEGEND



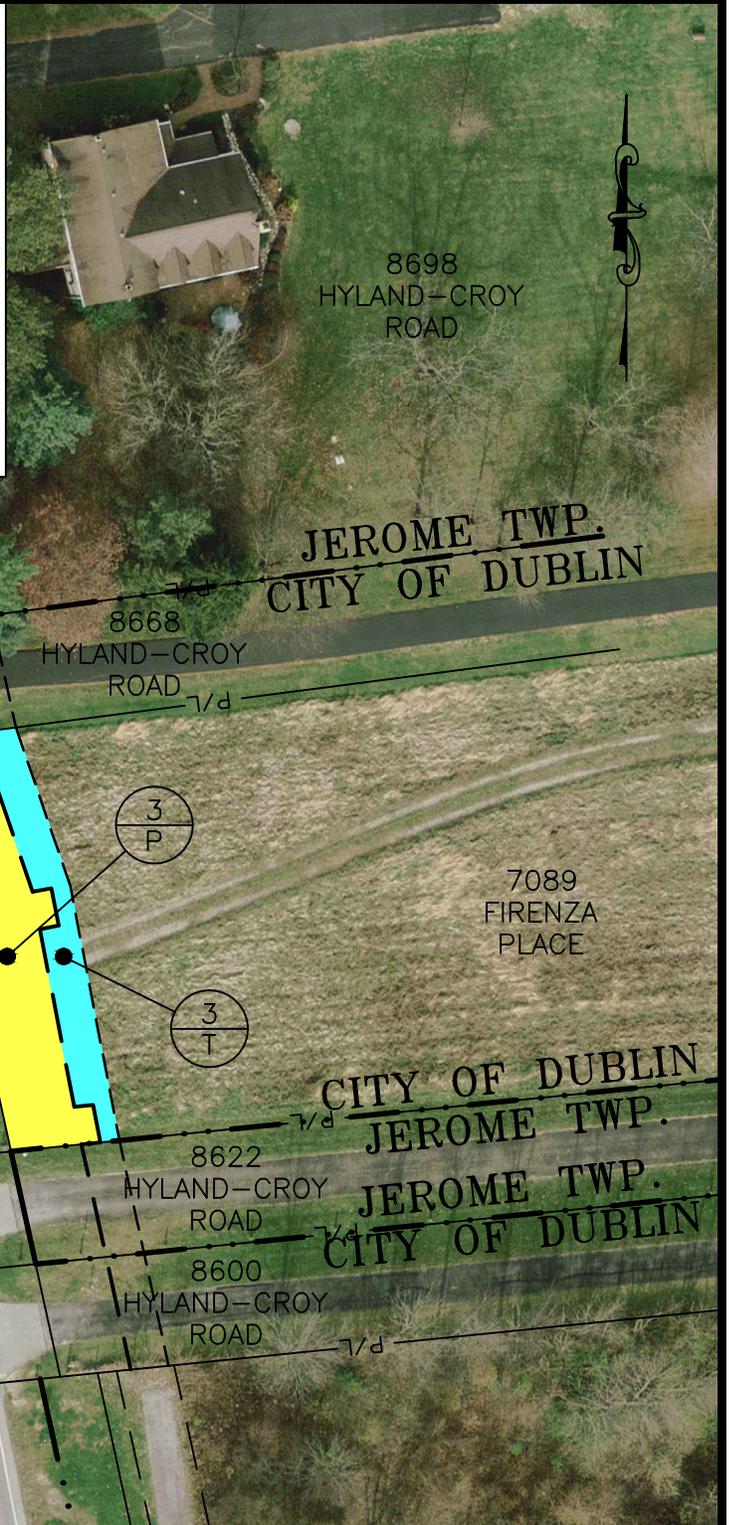
PROPOSED PERMANENT
 EASEMENT

3-P: 0.049 Ac.



PROPOSED TEMPORARY
 EASEMENT

3-T: 0.023 Ac.



DRAWN	CHECKED	DATE	JOB NO.
MSS	-	03/25/15	14-019-CIP

