



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:** June 18, 2015  
**Initiated By:** Terry D. Foegler, Director of Strategic Initiatives & Special Projects  
Philip K. Hartmann, Assistant Law Director

**Re:** Ordinance 41-15

AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.385 ACRE, MORE OR LESS, FEE SIMPLE INTEREST; A 0.004 ACRE, MORE OR LESS, FEE SIMPLE INTEREST; AND A 0.320 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM PROPERTY LOCATED AT 6700 TULLER RIDGE DRIVE OWNED BY LSREF3 BRAVO (OHIO), LLC (FORMERLY G&I VI SYCAMORE RIDGE, LLC), TO CONNECT DALE AND TULLER RIDGE DRIVES, AND DECLARING AN EMERGENCY.

## BACKGROUND

The City of Dublin (the "City") has extended Dale Drive to the north to connect with Tuller Ridge Road (the "Project") in order to provide a critical north-south connection within the Bridge Street District, and to help provide traffic relief in association with the construction of the relocated Riverside Drive and the SR 161 roundabout projects.

The Project required that the City obtain two fee simple interests and a temporary easement from LSREF3 Bravo (Ohio), LLC (formerly G&I VI Sycamore Ridge, LLC) (the "Grantor"). The property is located at 6700 Tuller Ridge Drive, and is identified as Franklin County Parcel Number 273-009096.

The City has reached an amicable settlement with the Grantor. This Ordinance authorizes the settlement of the matter for One Hundred Seventy-Nine Thousand Dollars and Twenty Three Cents (\$120,079.23), subject to Council's approval.

## ACQUISITION

The City is acquiring two fee simple interests, and a temporary easement from Grantor, along the extension of Tuller Ridge Road and Dale Drive as depicted in the exhibits attached to this memorandum. The two fee simple interests are approximately 0.385 acres and 0.004 acres, respectively; and the temporary easement is approximately 0.320 acres.

## EVALUATION

The property was appraised by the Robert Weiler Company; the property interests were appraised at \$81,580. The parties agreed to settle the matter for \$120,079.23, based on the need for additional landscape screening for the adjacent rental housing after the take.

**RECOMMENDATION**

Staff and the Law Department recommend Council approve Ordinance 41-15 by emergency at the second reading/public hearing on July 1, 2015, as the construction of the Project is necessary for the public health, safety and welfare, and approval of the Ordinance will keep the Project moving forward.

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

**41-15**

Ordinance No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.385 ACRE, MORE OR LESS, FEE SIMPLE INTEREST; A 0.004 ACRE, MORE OR LESS, FEE SIMPLE INTEREST; AND A 0.320 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM PROPERTY LOCATED AT 6700 TULLER RIDGE DRIVE OWNED BY LSREF3 BRAVO (OHIO), LLC (FORMERLY G&I VI SYCAMORE RIDGE, LLC), TO CONNECT DALE AND TULLER RIDGE DRIVES, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Dublin (the "City") is preparing to extend Dale Drive to the north to connect with Tuller Ridge Road (the "Project"); and

**WHEREAS**, the Project requires that the City obtain two fee simple interests and a temporary easement from LSREF3 Bravo (Ohio), LLC (formerly G&I VI Sycamore Ridge, LLC) (the "Grantor"), as described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B," attached hereto, said property interest located in the City of Dublin, County of Franklin, State of Ohio; and

**WHEREAS**, the City and the Grantor participated in good faith discussions and have come to mutually agreeable terms for the acquisition of the necessary property interests for the sum of One Hundred Seventy-Nine Thousand Dollars and Twenty Three Cents (\$120,079.23); and

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

**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 0.385 acre, more or less, fee simple interest, a 0.004 acre, more or less, fee simple interest, and a 0.320 acre, more or less, temporary easement, said temporary easements for twelve (12) months, commencing on the date construction begins, from LSREF3 Bravo (Ohio), LLC (formerly G&I VI Sycamore Ridge, LLC), for the value of One Hundred Seventy-Nine Thousand Dollars and Twenty Three Cents (\$120,079.23), said property more fully described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B."

**Section 2.** This Council further hereby authorizes and directs the City Manager, the Director of Law, the Director of Finance, the Clerk of Council, or other appropriate officers of the City to prepare and sign all agreements and instruments and to take any other actions as may be appropriate to implement this Ordinance.

**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

**0.385 ACRE**

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Quarter Township 2, Township 2, Range 19, United States Military Lands, being out of that 15.459 acre tract conveyed as Parcel I to G&I VI Sycamore Ridge LLC by deed of record in Instrument Number 200803100036370 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at a magnetic nail set at the centerline intersection of Tuller Road and Tuller Ridge Drive (60 foot right-of-way width) of record in Plat Book 71, Page 60;

thence with the centerline of said Tuller Ridge Drive, the following courses and distances:

South 03°26'58" West, a distance of 40.00 feet to a point of curvature;

with the arc of said curve to the left, having a central angle of 09° 00'00", a radius of 500.00 feet, an arc length of 78.54 feet, a chord bearing and distance of South 01°03'02" East, 78.46 feet to a point of tangency;

South 05°33'02" East, a distance of 163.24 feet to a point of curvature;

with the arc of said curve to the right, having a central angle of 09°00'00", a radius of 500.00 feet, an arc length of 78.54 feet, a chord bearing and distance of South 01°03'02" East, 78.46 feet to a point of tangency;

South 03°26'58" West, a distance of 467.47 feet to a PK nail found at a point of curvature; and

with the arc of said curve to the left, having a central angle of 44°22'01", a radius of 625.00 feet, an arc length of 483.97 feet, a chord bearing and distance of South 18°44'03" East, 471.97 feet to a point;

thence South 49°04'56" West, across the right-of-way of said Tuller Ridge Drive, a distance of 30.00 feet to a 3/4 inch iron pipe capped "Bird and Bull" found in the southerly right-of-way line of said Tuller Ridge Drive, being a corner common to said 15.459 acre tract and that 0.821 acre tract conveyed to the City of Dublin, Ohio by deed of record in Instrument Number 201212310201439, the TRUE POINT OF BEGINNING;

thence with the northerly line of said 15.459 acre tract, with the southerly right-of-way line of said Tuller Ridge Drive, with the arc of a curve to the left, having a central angle of 36°50'27", a radius of 655.00 feet, an arc length of 421.16 feet, a chord bearing and distance of South 59°20'17" East, 413.94 feet to an iron pin set;

thence across said 15.459 acre tract, the following courses and distances:

North 77°45'31" West, a distance of 110.09 feet to an iron pin set at a point of curvature;

with the arc of said curve to the left, having a central angle of 08°15'03", a radius of 1767.50 feet, an arc length of 254.53 feet, a chord bearing and distance of North 81°53'03" West, 254.31 feet to an iron pin set; and

North 86°06'45" West, a distance of 6.36 feet to an iron pin set in the westerly line of said 15.459 acre tract, with the easterly line of said 0.821 acre tract;

thence North 03°38'07" East, with the line common to said 15.459 acre tract and said 0.821 acre tract, a distance of 151.73 feet to the TRUE POINT OF BEGINNING, and containing 0.385 acre, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

**0.385 ACRE**

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Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The Bearings shown hereon are based on the Ohio State Plane Coordinate System South Zone as per NAD83 (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 is based on an actual field survey performed by or under the direct supervision of Joshua M. Meyer, Registered Surveyor Number 8485 in April 2013 and April 2014.

**EVANS, MECHWART, HAMBLETON & TILTON, INC.**

**Joshua M. Meyer**  
**Professional Surveyor No. 8485**

**Date**

JMM  
0\_385 ac 20140589-VS-BNDY-03

0.004 ACRE

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Quarter Township 2, Township 2, Range 19, United States Military Lands, being out of that 15.459 acre tract conveyed as Parcel I to G&I VI Sycamore Ridge LLC by deed of record in Instrument Number 200803100036370 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at a magnetic nail set at the centerline intersection of Tuller Road and Tuller Ridge Drive (60 foot right-of-way width) of record in Plat Book 71, Page 60;

thence with the centerline of said Tuller Ridge Drive, the following courses and distances:

South 03°26'58" West, a distance of 40.00 feet to a point of curvature;

with the arc of said curve to the left, having a central angle of 09° 00'00", a radius of 500.00 feet, an arc length of 78.54 feet, a chord bearing and distance of South 01°03'02" East, 78.46 feet to a point of tangency;

South 05°33'02" East, a distance of 163.24 feet to a point of curvature;

with the arc of said curve to the right, having a central angle of 09°00'00", a radius of 500.00 feet, an arc length of 78.54 feet, an arc length of South 01°03'02" East, 78.46 feet to a point of tangency;

South 03°26'58" West, a distance of 467.47 feet to a PK nail found at a point of curvature; and

with the arc of said curve to the left, having a central angle of 44°22'01", a radius of 625.00 feet, an arc length of 483.97 feet, a chord bearing and distance of South 18°44'03" East, 471.97 feet to a point;

thence South 49°04'56" West, across the right-of-way of said Tuller Ridge Drive, a distance of 30.00 feet to a 3/4 inch iron pipe capped "Bird and Bull" found in the southerly right-of-way line of said Tuller Ridge Drive, being a corner common to said 15.459 acre tract and that 0.821 acre tract conveyed to the City of Dublin, Ohio by deed of record in Instrument Number 201212310201439;

thence South 03°38'07" West, with the westerly line of said 15.459 acre tract, with the easterly line of said 0.821 acre tract, a distance of 485.36 feet to an iron pin set at the TRUE POINT OF BEGINNING;

thence across said 15.459 acre tract, with the arc of a curve to the left, having a central angle of 09°31'05", a radius of 472.34 feet, an arc length of 78.46 feet, a chord bearing and distance of South 01°08'45" East, 78.37 feet to an iron pin set;

thence South 05°44'51" East, continuing across said 15.459 acre tract, a distance of 3.46 feet to an iron pin set in the southerly line of said 15.459 acre tract, in the northerly line of that 6.202 acre tract conveyed to Dale Holding, Co. of Columbus, LLC by deed of record in Instrument Number 200504120068206;

thence North 86°21'53" West, with the southerly line of said 15.459 acre tract and with the northerly line of said original 6.202 acre tract, a distance of 7.10 feet to an iron pin set in the easterly line of said 0.821 acre tract;

thence North 03°38'07" East, with the easterly line of said 0.821 acre tract, a distance of 81.52 feet to the TRUE POINT OF BEGINNING, and containing 0.004 acre of land, more or less.

0.004 ACRE

-2-

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMITT INC.

The Bearings shown hereon are based on the Ohio State Plane Coordinate System South Zone as per NAD83 (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 is based on an actual field survey performed by or under the direct supervision of Joshua M. Meyer, Registered Surveyor Number 8485 in April 2013 and April 2014.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

Joshua M. Meyer  
Professional Surveyor No. 8485

Date



**TEMPORARY CONSTRUCTION EASEMENT  
0.320 ACRE**

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Quarter Township 2, Township 2, Range 19, United States Military Lands, being across that 15.459 acre tract conveyed as Parcel 1 to G&I VI Sycamore Ridge LLC by deed of record in Instrument Number 200803100036370 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being described as follows:

Beginning, for reference, at a northwesterly corner of said 15.459 acre tract, a northeasterly corner of that 0.821 acre tract conveyed to The City of Dublin, Ohio by deed of record in Instrument Number 201212310201439, being the southerly right-of-way line of Tuller Ridge Drive (60 foot right-of-way width) of record in Plat Book 71, Page 60;

thence South 03° 38' 07" West, with the westerly line of said 15.459 acre tract, a distance of 151.73 feet to the TRUE POINT OF BEGINNING;

thence across said 15.459 acre tract, the following courses and distances:

South 86° 06' 45" East, a distance of 6.36 feet to a point;

with the arc of a curve to the right, having a central angle of 08° 15' 03", a radius of 1767.50 feet, an arc length of 254.53 feet, a chord bearing and distance of South 81° 53' 03" East, 254.31 feet to a point;

South 77° 45' 31" East, a distance of 80.34 feet to a point on the southerly right-of-way line of said Tuller Ridge Drive;

South 14° 45' 43" West, a distance of 4.33 feet to a point;

North 80° 20' 21" West, a distance of 215.52 feet to a point;

South 87° 34' 26" West, a distance of 73.00 feet to a point;

North 85° 19' 31" West, a distance of 26.57 feet to a point;

South 03° 38' 07" West, a distance of 314.19 feet to a point; and

South 02° 52' 07" East, a distance of 80.70 feet to a point in the northerly line of that 6.202 acre tract conveyed to Dale Holding Co. of Columbus, LLC by deed of record in Instrument Number 200504120068206;

thence North 86° 21' 53" West, with the northerly line of said 6.202 acre tract, a distance of 27.05 feet to a point;

thence North 05° 44' 51" West, across said 15.459 acre tract, a distance of 3.46 feet to a point;

thence continuing across said 15.459 acre tract, with the arc of said curve to the right, having a central angle of 09° 31' 05", a radius of 472.34 feet, an arc length of 78.46 feet, a chord bearing and distance of North 01° 08' 45" West, 78.37 feet to a point in the easterly line of said 0.821 acre tract;

thence North 03° 38' 07" East, with the easterly line of said 0.821 acre tract, a distance of 333.63 feet to the TRUE POINT OF BEGINNING, and containing 0.320 acre of land, more or less.

EVANS, MECHWART, HAMBLTON & TILTON, INC.

Joshua M. Meyer  
Professional Surveyor No. 8485

Date

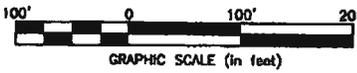
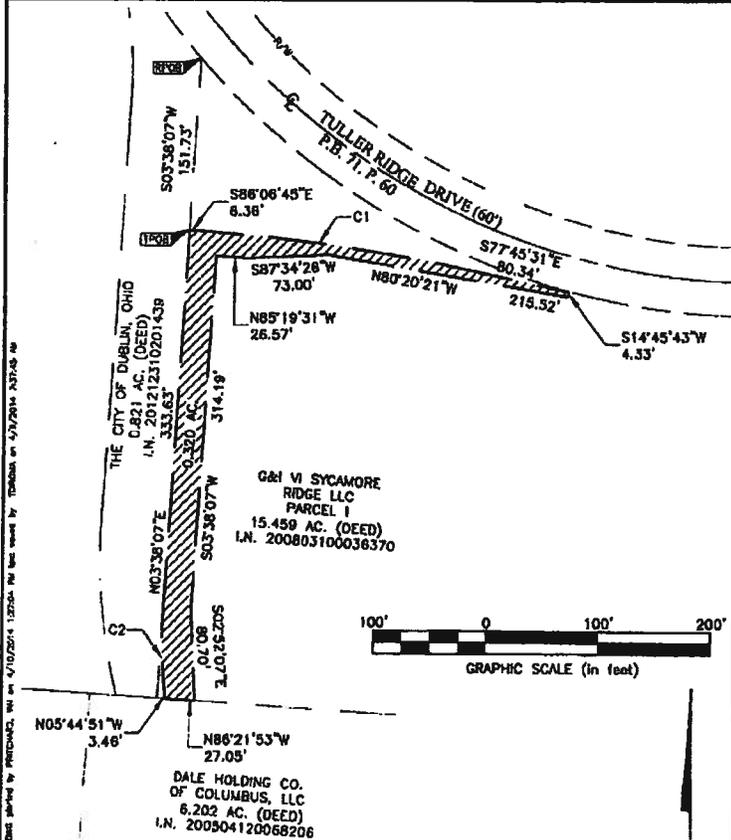


**TEMPORARY CONSTRUCTION EASEMENT**  
**QUARTER TOWNSHIP 2, TOWNSHIP 2, RANGE 19**  
**UNITED STATES MILITARY LANDS**  
**CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO**

Date: April 10, 2014

Job No. 2014-0589

Scale: 1" = 100'



I certify that the above information is true and correct to the best of my knowledge and belief. My commission expires on 07/2014. 127504-01

CURVE TABLE					
CURVE NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD DISTANCE
C1	8°15'03"	1767.50'	254.53'	S 81°53'03" E	254.31'
C2	9°31'05"	472.34'	78.46'	N 01°08'45" W	78.37'

By \_\_\_\_\_ Date \_\_\_\_\_  
 Joshua M. Meyer  
 Professional Surveyor No. 8485