



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:** October 22, 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 74-15 - AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.031 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM REALTY INCOME PROPERTIES 8, LLC, FOR THE PROPERTY LOCATED AT 6000 PERIMETER DRIVE FOR THE CONSTRUCTION OF A SHARED-USE PATH.

## BACKGROUND

The City of Dublin ("City") is preparing to construct a shared-use path adjacent to Discovery Boulevard and continuing onto Wall Street (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.

Realty Income Properties 8, LLC (the "Grantor") owns property from which the City desires a temporary easement. This property is located at 6000 Perimeter Drive, and is identified as Franklin County Parcel No. 273-004083.

After engaging in amicable discussions, the City has come to an agreement with the Grantor to acquire the temporary easement for its appraised value of \$1,275.00.

## ACQUISITION

The City will be acquiring from the Grantor only the property interest necessary for purposes of the Project, as depicted in the legal description and depiction attached to this memorandum.

## RECOMMENDATION

Ordinance No. 74-15 would authorize the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interest described above.

Staff recommends that Council approve Ordinance 74-15 at the second reading/public hearing on November 2, 2015.

# RECORD OF ORDINANCES

Ordinance No. 74-15

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

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.031 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM REALTY INCOME PROPERTIES 8, LLC, FOR THE PROPERTY LOCATED AT 6000 PERIMETER DRIVE FOR THE CONSTRUCTION OF A SHARED-USE PATH.**

**WHEREAS**, the City of Dublin (the "City") is preparing to construct a shared-use path adjacent to Discovery Boulevard and adjacent to Wall Street (the "Project"); and

**WHEREAS**, said Project requires that the City obtain certain property interest from Franklin County Parcel No. 273-004083 owned by Realty Income Properties 8, LLC (the "Grantor"), said property interest more fully described in the attached Exhibit "A" and depicted in the attached Exhibit "B"; 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 interest for the sum of \$1,275.00; 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 0.031 acre, more or less, temporary easement for 18 months, commencing on the date construction begins, from Realty Income Properties 8, LLC, for the sum of \$1,275.00, said property interest located within Franklin County Parcel No. 273-004083, and more fully described and depicted in the attached Exhibits "A" and "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 take any other actions as may be appropriate to implement this Ordinance.

**Section 3.** This Ordinance shall take effect upon the earliest date permitted by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor – Presiding Officer

ATTEST:

\_\_\_\_\_  
Clerk of Council

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

Situated in the State of Ohio, County of Franklin, City of Dublin, being a part of the Virginia Military Survey number 2999 and being a part of a 13.456 acre tract conveyed to Realty Income Properties 8 , LLC by Instrument Number 201104060045975, all records herein are from the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

**Beginning** at the point of tangency between the easterly Right of Way of Discovery Boulevard (Plat Book 66, Page 97 and the southerly Right of Way of Wall Street (Plat Book 72, Page 79);

Thence, crossing said 13.456 acre tract the following three courses:

1. South 28°22'44" West, a distance of 24.27 feet to a point;
2. South 11°06'13" East, a distance of 72.11 feet to a point;
3. South 78°17'41" West, a distance of 15.00 feet to the east Right of Way of said Discovery Boulevard;

Thence, with a curve to the right, a radius of 2020.00 feet, a length of 61.38 feet, a chord distance of 61.38 feet and a course bearing of North 11°15'37" West, along the easterly Right of Way of said Discovery Boulevard to a point;

Thence, with a curve to the right, a radius of 30.00 feet, a length of 47.35 feet, a chord distance of 42.59 feet and a chord bearing of North 34°49'34" East, along the easterly Right of Way of said Discovery Boulevard and the southerly Right of Way of said Wall Street to the **Point of Beginning**, containing 0.031 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. Note that parcel is located in South Zone, however, the overall project is in North Zone and used for the Construction Documents.

The described tract is a part of Auditor's Tax Parcel Number 273-004083-00 and is based on Instrument Number 201104060045975.

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

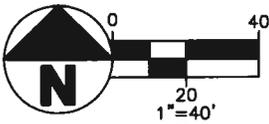
CW Design Group, LLC



Charles A. Wagner - Professional Surveyor 8091

06/19/2015  
Date





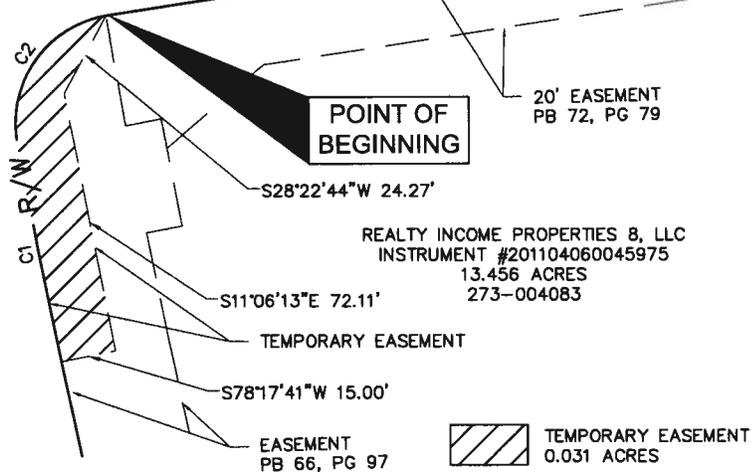
VIRGINIA MILITARY SURVEY NO. 2999  
 CITY OF DUBLIN  
 COUNTY OF FRANKLIN  
 STATE OF OHIO

EXHIBIT B

RUMA INVESTMENT CO  
 OR 18377, PG 118  
 1.432 ACRES  
 273-004535

DISCOVERY BOULEVARD  
 DEDICATED BY PB 66, PG 97  
 R/W

WALL STREET  
 DEDICATED BY PB 72 PG 79  
 R/W



REALTY INCOME PROPERTIES B, LLC  
 INSTRUMENT #201104060045975  
 13.456 ACRES  
 273-004083

TEMPORARY EASEMENT

EASEMENT  
 PB 66, PG 97

TEMPORARY EASEMENT  
 0.031 ACRES

CURVE TABLE

CURVE	ARC LENGTH	RADIUS	CHORD DIRECTION	CHORD LENGTH	DELTA
C1	61.38	2020.00	N11°15'37"W	61.37	001°44'27"
C2	47.35	30.00	N34°49'34"E	42.59	090°25'55"

BASIS OF BEARINGS

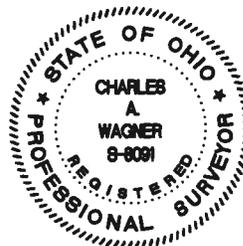
THE BEARINGS SHOWN ON THIS PLAT ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD83 (2011). NOTE THAT PARCEL IS LOCATED IN SOUTH ZONE, HOWEVER, THE OVERALL PROJECT IS IN THE NORTH ZONE AND USED FOR CONSTRUCTION DOCUMENTS.

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

*Charles A. Wagner*

06/19/2015

CHARLES A. WAGNER, PS-8091  
 CW DESIGN GROUP, LLC

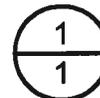


CW Design Group  
 ENGINEERS SURVEYORS

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



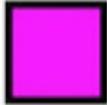
[cw design group] D:\CWDC\Project\2013\130026\Drawing\Discovery-Parcel03T.dwg June 19, 2015 2:14pm



DISCOVERY BOULEVARD/  
WALL STREET  
SHARED-USE PATH  
DUBLIN, OHIO 43017

5800 Shier-Rings Road • Dublin, Ohio 43016-1238  
Phone (614)410-4800 • Fax (614)410-4899

LEGEND

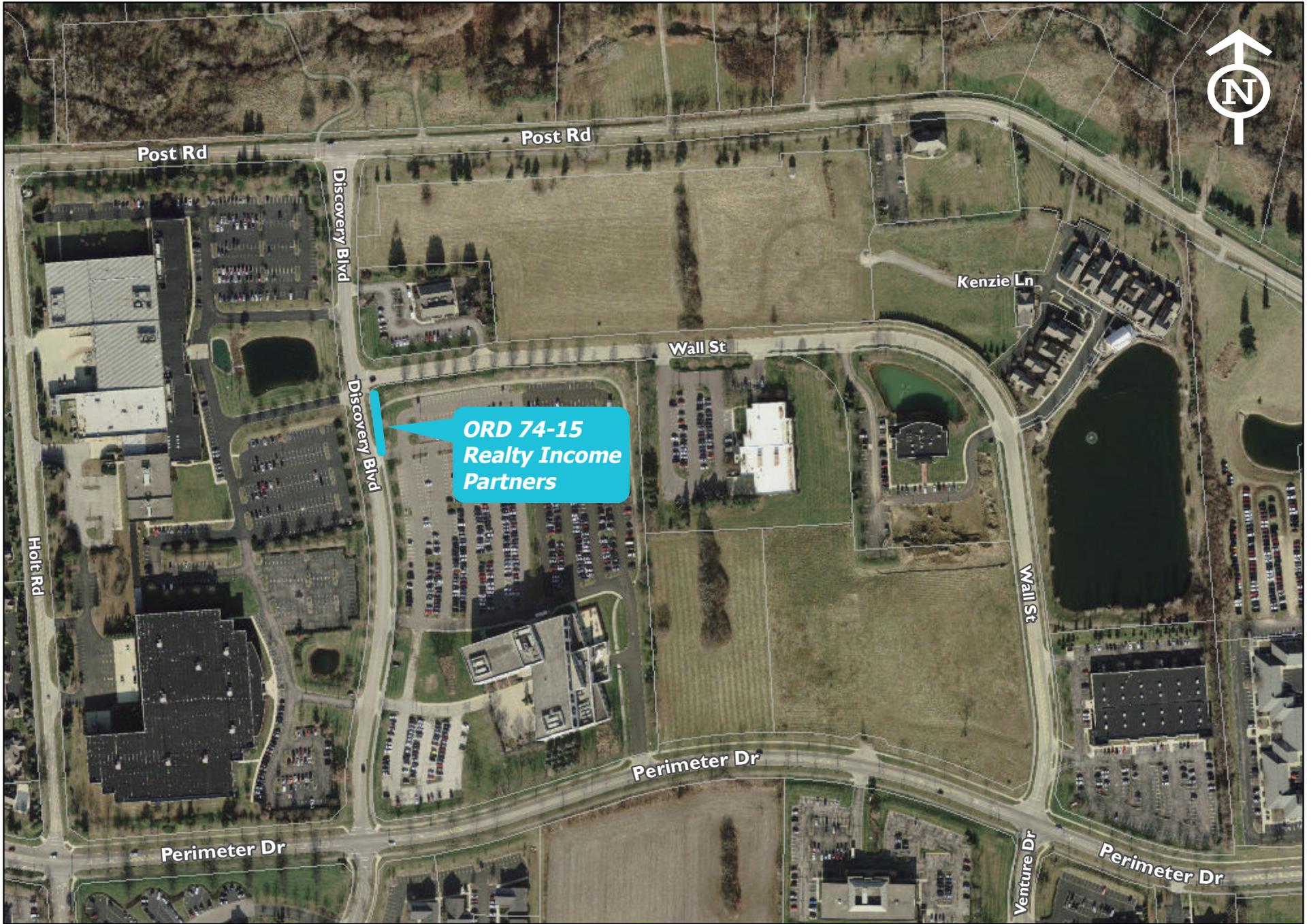


PROPOSED TEMPORARY  
EASEMENT  
T: 0.031 Ac.



DRAWN	CHECKED	DATE
MBH	KBR	06/18/15





**Location Map**