



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 77-15 - AN ORDINANCE TO APPROPRIATE A 0.013 ACRE, MORE OR LESS, PERMANENT EASEMENT, AND A 0.007 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM KEVIN D. MULLINS AND JOCELYN MULLINS, FROM THE PROPERTY LOCATED AT 8600 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 connection path adjacent to Hyland-Croy 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.

Kevin D. Mullins and Jocelyn Mullins (the "Grantors") own property from which the City desires a permanent easement and a temporary easement. This property is located at 8600 Hyland-Croy Road, Plain City, OH 43064 and is identified as Union County Parcel No. 39-00240370000.

The City is hopeful that an amicable resolution can be reached with the Grantors; however, this Ordinance authorizes the Law Director's office to file a complaint for appropriation in the court of common pleas in the event that negotiations are unsuccessful.

ACQUISITION

The appropriation consists of a 0.013 acre, more or less, permanent easement; and a 0.007 acre, more or less, temporary easement. The acquisition consists of only the interests that are necessary for the purposes of the Project. The appraised fair market value of the property interests was determined to be \$1,275.00.

RECOMMENDATION

The Law Department recommends approval of Ordinance 77-15 at the second reading/public hearing on November 2, 2015 as the approval of the Ordinance will authorize the Law Director's office to initiate an eminent domain action and keep the Project moving forward.

RECORD OF ORDINANCES

Ordinance No. 77-15 Passed _____, 20____

AN ORDINANCE TO APPROPRIATE A 0.013 ACRE, MORE OR LESS, PERMANENT EASEMENT, AND A 0.007 ACRE, MORE OR LESS, TEMPORARY EASEMENT FROM KEVIN D. MULLINS AND JOCELYN MULLINS, FROM THE PROPERTY LOCATED AT 8600 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 adjacent to Hyland-Croy Road (the "Project"); and

WHEREAS, the Project requires that the City obtain a permanent easement and a temporary easement from Kevin D. Mullins and Jocelyn Mullins, 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 Union, State of Ohio.

NOW, THEREFORE, BE IT ORDAINED 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 authorization to appropriate, for the appraised value of \$1,275.00, for the public purpose of constructing a shared-use path, 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 Law Director's office is hereby authorized to file a petition for appropriation in the county Court of Common Pleas should it become necessary.

Section 3. 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 4. 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 1P
Exhibit A
Permanent Easement
for
Shared-Use Path, Utilities, Storm Drainage, and Grading
0.013 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 5.678 acre tract conveyed to Kevin D. and Jocelyn Mullins by Official Record 117, Page 182, 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 5.678 acre tract;

Thence, North 12°18'59" West, a distance of 30.20 feet, along the east Right of Way Hyland Croy to the north line of said 5.678 acre tract;

Thence, North 84°12'29" East, a distance of 18.50 feet, along the north line of said 5.678 acre to a point;

Thence, South 12°18'59" East, a distance of 30.20 feet, crossing said 5.678 acre tract to the south line of said 5.678 acre tract;

Thence, South 84°12'29" West, a distance of 18.50 feet, along the south line of said 5.678 acre tract to the **Point of Beginning**, containing 0.013 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 3900240370000 and is based on Official Record 117, Page 182.

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

09/08/2014
Date



Parcel 1T
Exhibit A
Temporary Easement
for
Shared-Use Path, Utilities, Storm Drainage, and Grading
0.007 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 5.678 acre tract conveyed to Kevin D. and Jocelyn Mullins by Official Record 117, Page 182, all records herein are from the Recorder's Office, Union County, Ohio unless otherwise noted and being more particularly described as follows:

Beginning for Reference at the intersection of the east Right of Way of Hyland Croy Road (60 foot) and the south line of said 5.678 acre tract;

Thence, North 84°12'29" East, a distance of 18.50 feet, along the south line of said 5.678 acre tract to the **True Point of Beginning**;

Thence, North 12°18'59" West, a distance of 30.20 feet, crossing said 5.678 acre tract to the north line of said 5.678 acre tract;

Thence, North 84°12'29" East, a distance of 10.00 feet, along the north line of said 5.678 to a point;

Thence, South 12°18'59" East, a distance of 30.20 feet, crossing said 5.678 acre tract to the south line of said 5.678 acre tract;

Thence, South 84°12'29" West, a distance of 10.00 feet, along the south line of said 5.678 acre tract to the **Point of Beginning**, containing 0.007 acres, more or less, subject to legal highways, easements, leases and restriction of record and of records in the respective utility offices.

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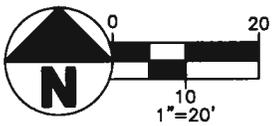


Charles A. Wagner - Professional Surveyor 8091

09/08/2014

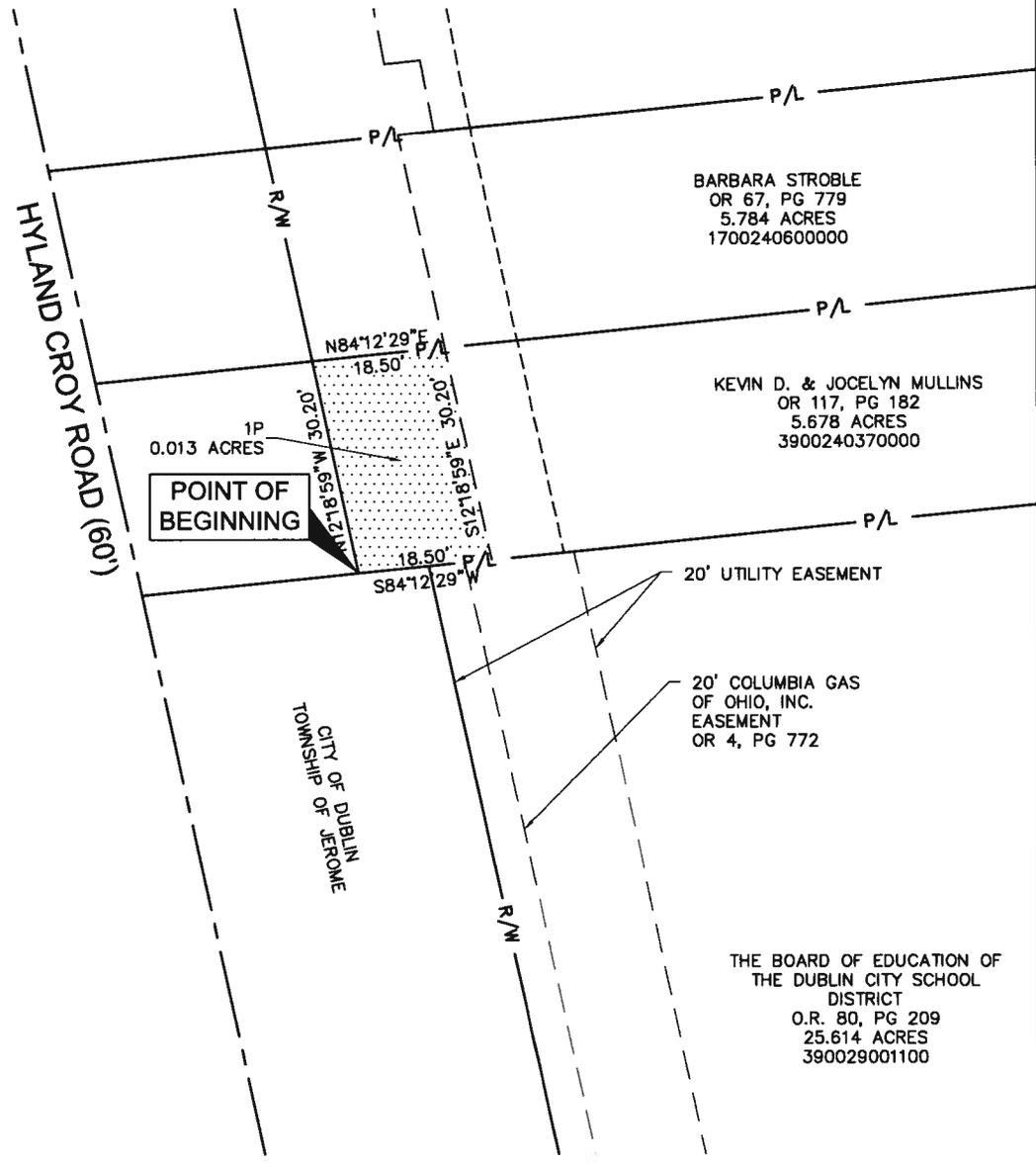
Date





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

EXHIBIT B



BARBARA STROBLE
OR 67, PG 779
5.784 ACRES
1700240600000

KEVIN D. & JOCELYN MULLINS
OR 117, PG 182
5.678 ACRES
3900240370000

20' UTILITY EASEMENT

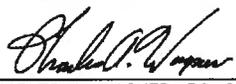
20' COLUMBIA GAS
OF OHIO, INC.
EASEMENT
OR 4, PG 772

THE BOARD OF EDUCATION OF
THE DUBLIN CITY SCHOOL
DISTRICT
O.R. 80, PG 209
25.614 ACRES
390029001100

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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, PS-8091
CW DESIGN GROUP, LLC
DATE 09/08/2014

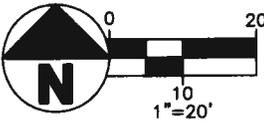


CW Design Group
ENGINEERS | SURVEYORS
PHONE: 614-846-9279
972 Linkfield Drive
Worthington, Ohio 43085

PARCEL 1P
PERMANENT EASEMENT
FOR SHARED-USE PATH, UTILITIES, STORM
DRAINAGE, AND GRADING

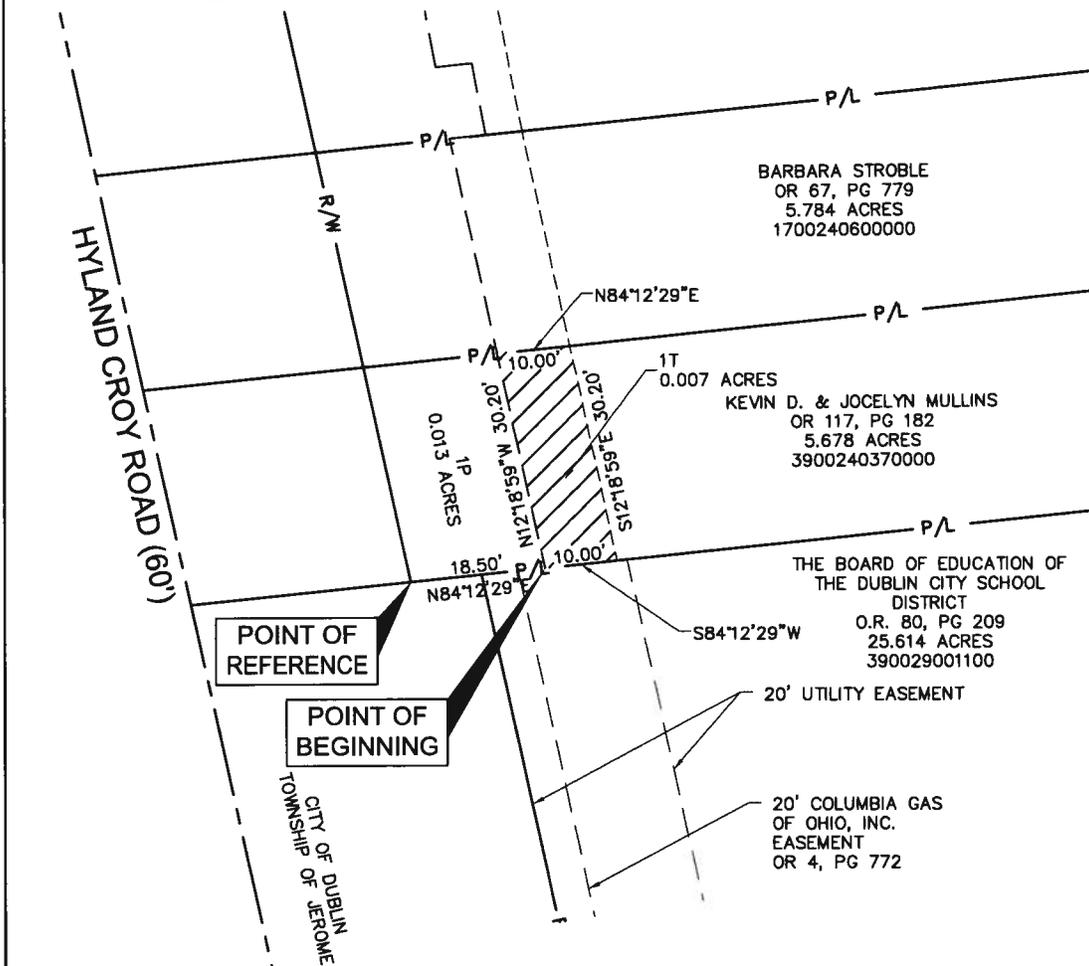
13-0026

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

EXHIBIT B



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Charles A. Wagner
 CHARLES A. WAGNER, PS-8091 DATE 09/08/2014
 CW DESIGN GROUP, LLC

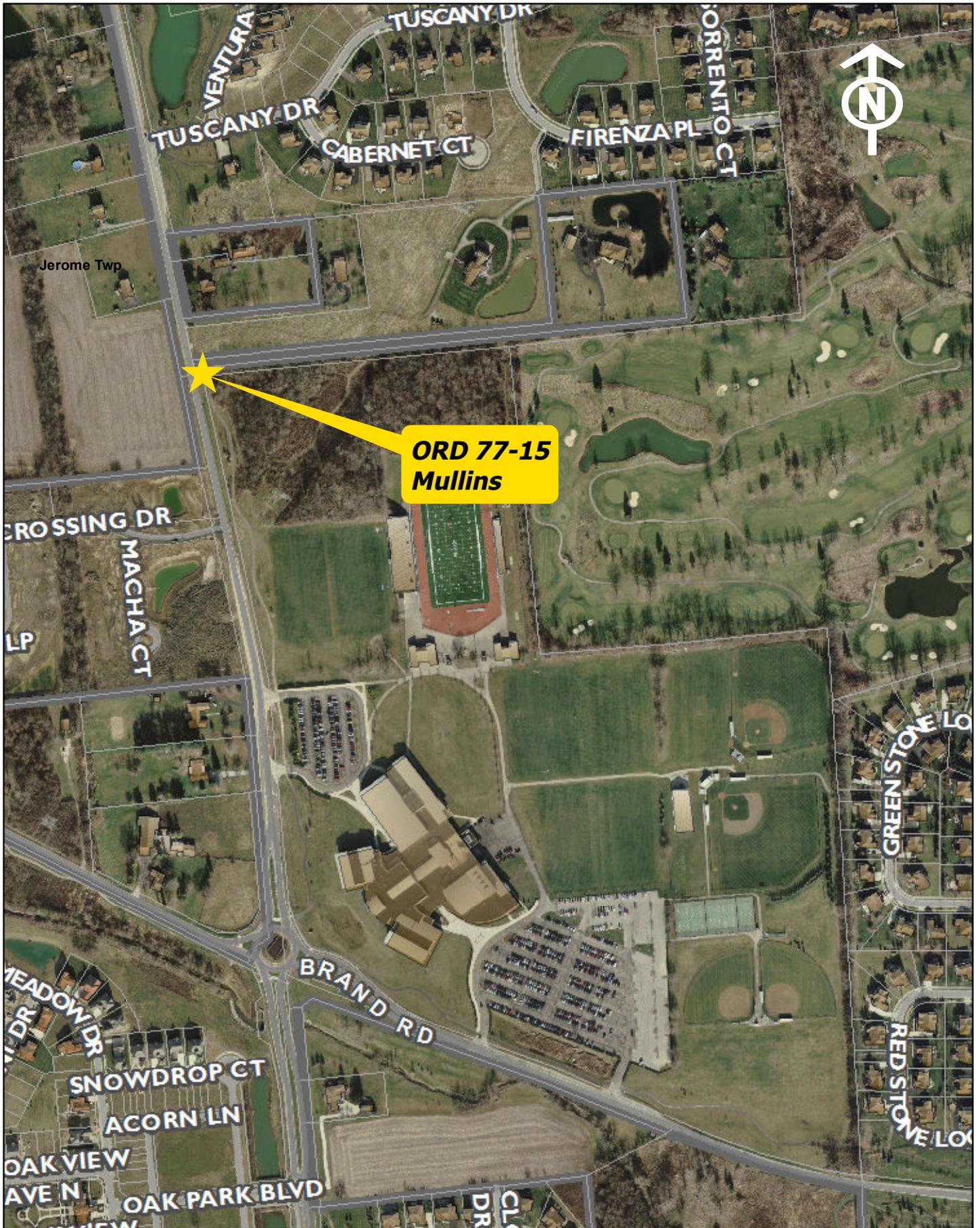


CW Design Group
 ENGINEERS | SURVEYORS
 PHONE: 614-846-9279
 972 Linkfield Drive
 Worthington, Ohio 43085

PARCEL 1T
TEMPORARY EASEMENT
 FOR SHARED-USE PATH, UTILITIES, STORM DRAINAGE, AND GRADING

13-0026

 09/08/2014



Jerome Twp

**ORD 77-15
Mullins**

Location Map