



City of Dublin

Office of the City Manager

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Memo

To: Members of Dublin City Council

From: Dana L. McDaniel, City Manager 

Date: October 22, 2015

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

Re: Ordinance 78-15

AN ORDINANCE TO APPROPRIATE A 0.62 ACRE, MORE OR LESS, PARCEL; AND A 1.186 ACRE, MORE OR LESS, PARCEL FROM BET INVESTMENTS I, LLC AND RIVERVIEW STREET INVESTMENTS, LTD., RESPECTIVELY, FOR THE PROPERTY LOCATED ALONG THE EAST SIDE OF NORTH RIVERVIEW STREET, FOR THE PUBLIC PURPOSE OF PROVIDING AND PRESERVING NEEDED RIVER FRONTING PARK LAND ALONG THE SCIOTO RIVER IN AND AROUND THE DUBLIN HISTORIC DISTRICT.

BACKGROUND

As authorized in the recently approved Five-Year Capital Improvement Plan, the City of Dublin (the "City") is preparing to implement its plans to preserve and provide needed public park land along both sides of the Scioto River in and around the Dublin Historic District (the "Project").

This Project requires the City to acquire property from BET Investments I, LLC, and Riverview Street Investments, Ltd. (the "Grantors") from the properties located along the east side of North Riverview Street, identified as Franklin County Parcel Numbers 273-005565 and 273-005564, respectively (see attached Exhibit). The City has acquired the remainder of the properties needed to implement the planned Phase 1 river park improvements.

The City hopes to reach an amicable agreement 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 0.62 acre, more or less, parcel, and a 1.186 acre, more or less, parcel. The appraised fair market value of the two parcels was determined to be \$320,000.

RECOMMENDATION

The Law Department recommends approval of Ordinance 78-15 at the second reading/public hearing on November 2, 2015 as 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

78-15

Ordinance No. _____

Passed _____, 20____

AN ORDINANCE TO APPROPRIATE A 0.62 ACRE, MORE OR LESS, PARCEL; AND A 1.186 ACRE, MORE OR LESS, PARCEL FROM BET INVESTMENTS I, LLC AND RIVERVIEW STREET INVESTMENTS, LTD., RESPECTIVELY, FOR THE PROPERTY LOCATED ALONG THE EAST SIDE OF NORTH RIVERVIEW STREET, FOR THE PUBLIC PURPOSE OF PROVIDING AND PRESERVING NEEDED RIVER FRONTING PARK LAND ALONG THE SCIOTO RIVER IN AND AROUND THE DUBLIN HISTORIC DISTRICT.

WHEREAS, the City of Dublin (the "City") is preparing to implement its plans for park land along both sides of the Scioto River in and around the Dublin Historic District (the "Project"); and

WHEREAS, the Project requires that the City obtain two parcels in fee simple from BET Investments I, LLC and Riverview Street Investments, Ltd., as depicted in the attached Exhibit "A", said property interest located in the City of Dublin, County of Franklin, State of Ohio; and

WHEREAS, the City has acquired the needed properties located immediately north and south of these two parcels for this public purpose, and the two parcels represent the only property needed in order for the City to begin implementation of the planned park improvements.

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 two parcels in fee simple, as depicted in the attached Exhibit "A" for the appraised value of \$320,000.00, for the public purpose of providing and preserving needed river fronting park land in and around the Dublin Historic District to better serve the residents of the City of Dublin.

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 in accordance with 4.04(b) of the Dublin Revised Charter.

Passed this _____ day of _____, 2015.

Mayor – Presiding Officer

ATTEST:

Clerk of Council



Exhibit A