



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: November 3, 2016

Initiated By: Paul A. Hammersmith, PE, Director of Engineering/City Engineer
Todd Garwick, PE, Senior Civil Engineer
Philip K. Hartmann, Assistant Law Director

Re: Ordinance 45-16 - AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.357 ACRE, MORE OR LESS, PERMANENT SANITARY SEWER EASEMENT; A 0.212 ACRE, MORE OR LESS, TEMPORARY CONSTRUCTION EASEMENT; A 0.018 ACRE, MORE OR LESS, TEMPORARY CONSTRUCTION EASEMENT; AND A 0.158 ACRE, MORE OR LESS, TEMPORARY CONSTRUCTION EASEMENT FROM MUIRFIELD VILLAGE GOLF CLUB, FROM THE PROPERTY LOCATED ADJACENT TO KILBANNAN COURT FOR THE PUBLIC PURPOSE OF CONSTRUCTING A SANITARY SEWER, AND DECLARING AN EMERGENCY.

BACKGROUND

The City of Dublin ("City") is preparing to construct and upsize the Deer Run sanitary sewer (the "Project"). The City is obtaining certain permanent sanitary sewer easement and temporary construction easements from various landowners to construct the sanitary sewer improvements. The sanitary sewer upsizing is necessary to address water-in-basement events at upstream locations of the Project and system deficiencies identified through hydraulic modeling of the Deer Run Sanitary Sewer tributary area.

Muirfield Village Golf Club (the "Grantor") owns property from which the City desires a permanent sanitary sewer easement and three temporary construction easements. This property is located behind several properties located on Kilbannan Court, and is identified as Delaware County Parcel No. 60034408056000.

After engaging in amicable discussions, the Grantor has agreed to donate the easements to the City at no cost.

ACQUISITION

The City will be acquiring from the Grantor only the easements necessary for purposes of the Project, as depicted in the legal descriptions and depictions attached to this memorandum. The acquisition includes a 0.357-acre permanent sanitary sewer easement; a 0.212-acre temporary construction easement; a 0.018-acre temporary construction easement; and a 0.158-acre temporary construction easement.

RECOMMENDATION

Ordinance 45-16 would authorize the City Manager to execute all necessary conveyance documents to formally acquire the necessary easements described above. Emergency action is recommended to allow this improvement to occur in a timely manner within the time constraints requested by the Grantor. The Grantor's construction time frame request was from late fall (October/ November), 2016 to spring (April), 2017. This request coincides with the end of the MVGC golfing season and prior to The Memorial Tournament, May 29-June 4, 2017. Additionally, it is desired to proceed quickly in order to remedy the water-in-basement occurrences to upstream residents.

RECORD OF ORDINANCES

Ordinance No. 45-16

Passed _____, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.357 ACRE, MORE OR LESS, PERMANENT SANITARY SEWER EASEMENT; A 0.212 ACRE, MORE OR LESS, TEMPORARY CONSTRUCTION EASEMENT; A 0.018 ACRE, MORE OR LESS, TEMPORARY CONSTRUCTION EASEMENT; AND A 0.158 ACRE, MORE OR LESS, TEMPORARY CONSTRUCTION EASEMENT FROM MUIRFIELD VILLAGE GOLF CLUB, FROM THE PROPERTY LOCATED ADJACENT TO KILBANNAN COURT FOR THE PUBLIC PURPOSE OF CONSTRUCTING A SANITARY SEWER, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Dublin (the "City") is preparing to construct and upsize the Deer Run sanitary sewer (the "Project"); and

WHEREAS, the Project requires that the City obtain a permanent sanitary sewer easement and three temporary construction easements from Delaware County Parcel No. 60034408056000 owned by Muirfield Village Golf Club (the "Grantor"), said easements more fully described in the attached Exhibits A and depicted in the attached Exhibits B; and

WHEREAS, the City and the Grantor participated in good faith discussions and Grantor has agreed to donate the easements to the City at no cost; and

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

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

Section 1. The City Manager is hereby authorized to execute all necessary conveyance documents to acquire a 0.357 acre, more or less, permanent sanitary sewer easement; a 0.212 acre, more or less, temporary construction easement; a 0.018 acre, more or less, temporary construction easement; and a 0.158 acre, more or less, temporary construction easement from Muirfield Village Golf Club, said easements located within Delaware County Parcel No. 60034408056000, and more fully described and depicted in the attached Exhibits A and B.

Section 2. 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 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 easements is necessary for the advancement of this Project. The Ordinance shall therefore take effect immediately upon passage.

Passed this _____ day of _____, 2016.

Mayor – Presiding Officer

ATTEST:

Clerk of Council

SANITARY SEWER EASEMENT
0.357 ACRES

Situated in the City of Dublin, County of Delaware, State of Ohio; also being a part of Virginia Military Survey No. 2545; also being a portion of those lands as conveyed to Muirfield Village Golf Club as described in Deed Book 494 Page 631; being more particularly described as follows:

Commencing at a the southwesterly corner of Lot 336 as delineated in Muirfield Village Phase 7 as recorded in Plat Book 12 Page 17; thence,

Along a portion of a northerly line of said lands of Muirfield Village Golf Club and along a portion of the southerly line of said Lot 336, *South 87° 09' 11" East for a distance of 12.73'* to a point, said point being the **TRUE POINT OF BEGINNING**, and from said beginning point running thence,

Along a portion of a northerly line of said lands of Muirfield Golf Village and along a portion of the southerly line of said Lot 336, *South 87° 09' 11" East for a distance of 37.01'* to a point; thence,

South 44° 39' 45" East for a distance of 279.61' to a point; thence,

South 63° 05' 48" East for a distance of 161.44' to a point; thence,

South 48° 38' 30" East for a distance of 142.35' to a point; thence,

South 21° 05' 33" East for a distance of 54.05' to a point; thence,

North 48° 38' 30" West for a distance of 187.10' to a point; thence,

North 63° 05' 48" West for a distance of 162.33' to a point; thence,

North 44° 39' 45" West for a distance of 310.95' to the point of beginning, containing 0.357 acres of land, more or less.

The basis of bearings for the herein-described courses is the State Plane Coordinate System, Ohio North Zone (NAD83-2011).

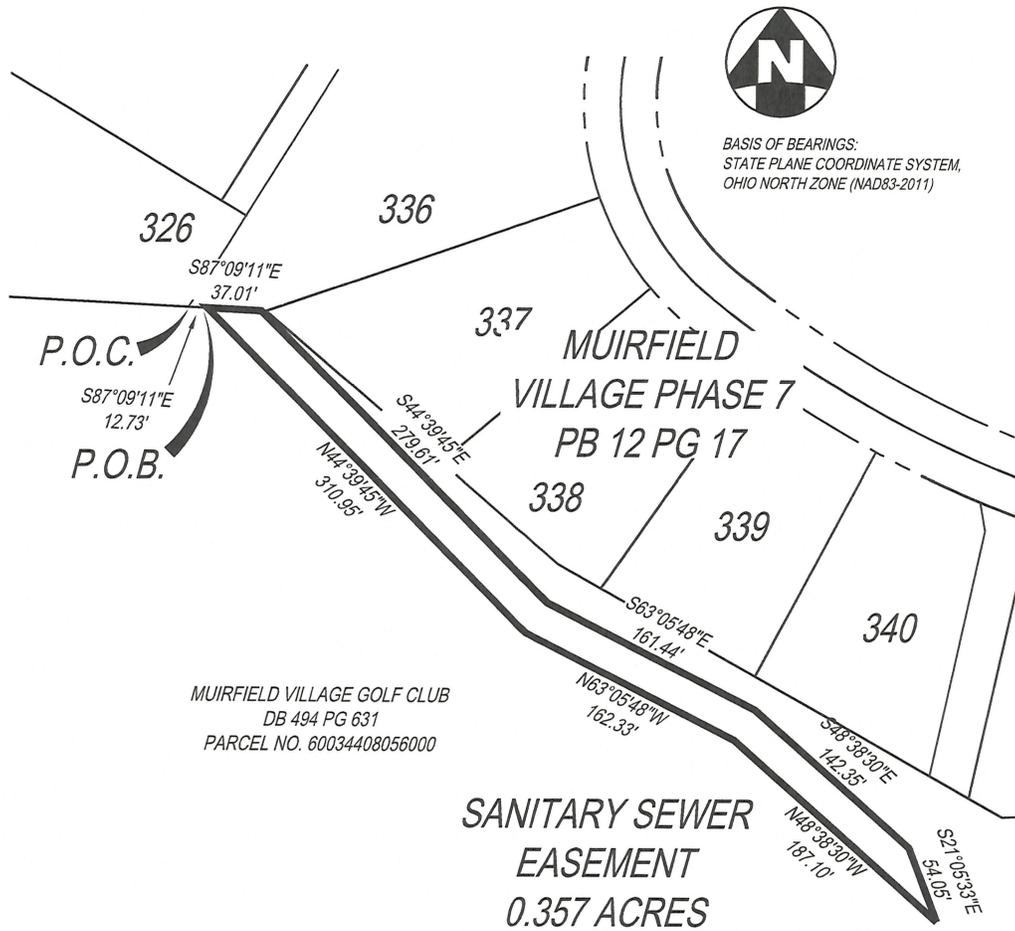


Michael L. Keller

Michael L. Keller
Professional Surveyor, Ohio License No. 7978

9/09/16

Date



Michael L. Keller

MICHAEL L. KELLER
OHIO PROFESSIONAL SURVEYOR NO. 7978

9/09/16
DATE

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| <p>THE KLEINGERS GROUP</p> <p>CIVIL ENGINEERING SURVEYING LANDSCAPE ARCHITECTURE www.kleingers.com 350 Worthington Rd, Ste B Westerville, OH 43082 614.882.4311</p> | <p>SANITARY SEWER EASEMENT LANDS OF MUIRFIELD VILLAGE GOLF CLUB VMS 2545 CITY OF DUBLIN, DELAWARE CO., OHIO</p> | PROJECT NO: 160094.000 |
| | | DATE: 9/08/16 |
| | | SCALE: 1"=100' |
| | | SHEET NO. 1 OF 1 |

**TEMPORARY CONSTRUCTION EASEMENT
0.212 ACRES**

Situated in the City of Dublin, County of Delaware, State of Ohio; also being a part of Virginia Military Survey No. 2545; also being a portion of those lands as conveyed to Muirfield Village Golf Club as described in Deed Book 494 Page 631; being more particularly described as follows:

Commencing at a northerly corner of said lands of Muirfield Village Golf Club, said point also being the southeasterly corner of Lot 336 as delineated in Muirfield Village Phase 7 as recorded in Plat Book 12 Page 17; thence,

Along a portion of a northerly line of said lands of Muirfield Village Golf Club and along a portion of the southerly line of said Lot 336, *North 87° 09' 11" West for a distance of 40.22'* to a point, said point being the **TRUE POINT OF BEGINNING**, and from said beginning point running thence,

South 44° 39' 45" East for a distance of 310.95' to a point; thence,

South 63° 05' 48" East for a distance of 162.33' to a point, thence,

South 48° 38' 30" East for a distance of 187.10' to a point, thence,

South 21° 05' 33" East for a distance of 251.70' to a point, thence,

South 11° 25' 15" East for a distance of 10.85' to a point, thence,

South 78° 34' 45" West for a distance of 10.00' to a point, thence,

North 11° 25' 15" West for a distance of 10.00' to a point, thence,

North 21° 05' 33" West for a distance of 248.41' to a point, thence,

North 48° 38' 30" West for a distance of 183.38' to a point, thence,

North 63° 05' 48" West for a distance of 162.68' to a point, thence,

North 44° 39' 45" West for a distance of 323.49' to a point along a northerly line of said lands of Muirfield Golf Village, thence,

South 87° 09' 11" East for a distance of 14.80' to the point of beginning, containing 0.212 acres of land, more or less.

The basis of bearings for the herein-described courses is the State Plane Coordinate System, Ohio North Zone (NAD83-2011).

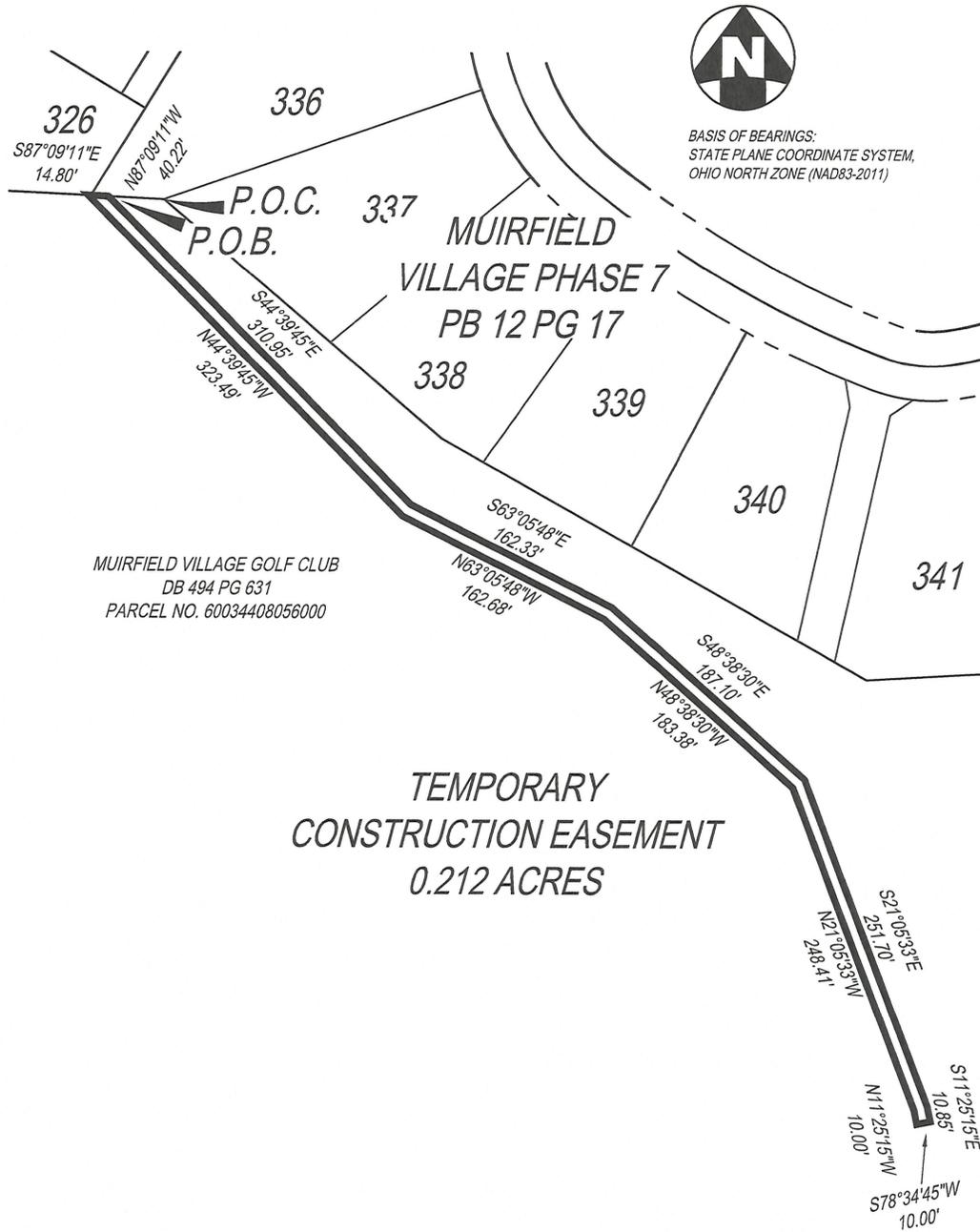


A handwritten signature in cursive script that reads "Michael L. Keller".

Michael L. Keller
Professional Surveyor, Ohio License No. 7978

9/09/16

Date



Michael L. Keller

MICHAEL L. KELLER
OHIO PROFESSIONAL SURVEYOR NO. 7978

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| | | DATE: 9/08/16 |
| | | SCALE: 1"=100' |
| | | SHEET NO. |
| | | 1 OF 1 |

**TEMPORARY CONSTRUCTION EASEMENT
0.018 ACRES (792 S.F.)**

Situated in the City of Dublin, County of Delaware, State of Ohio; also being a part of Virginia Military Survey No. 2545; also being a portion of those lands as conveyed to Muirfield Village Golf Club as described in Deed Book 494 Page 631; being more particularly described as follows:

Beginning at a northerly corner of said lands of Muirfield Village Golf Club, said point also being the southeasterly corner of Lot 336 and the westerly-most corner of Lot 337 as delineated in Muirfield Village Phase 7 as recorded in Plat Book 12 Page 17, said point also being the **TRUE POINT OF BEGINNING**, and from said beginning point running thence,

Along a common line between said lands of Muirfield Village Golf Club and said Lot 337, *South 49° 21' 56" East for a distance of 115.00'* to a point; thence,

South 45° 20' 15" West for a distance of 11.60' to a point; thence,

North 44° 39' 45" West for a distance of 116.98' to a point along the southerly line of said Lot 336 and along a northerly line of said lands of Muirfield Village Golf Club; thence,

South 87° 09' 11" East for a distance of 3.21' to the point of beginning, containing 0.018 acres (792 square feet), more or less.

The basis of bearings for the herein-described courses is the State Plane Coordinate System, Ohio North Zone (NAD83-2011).



Michael L. Keller

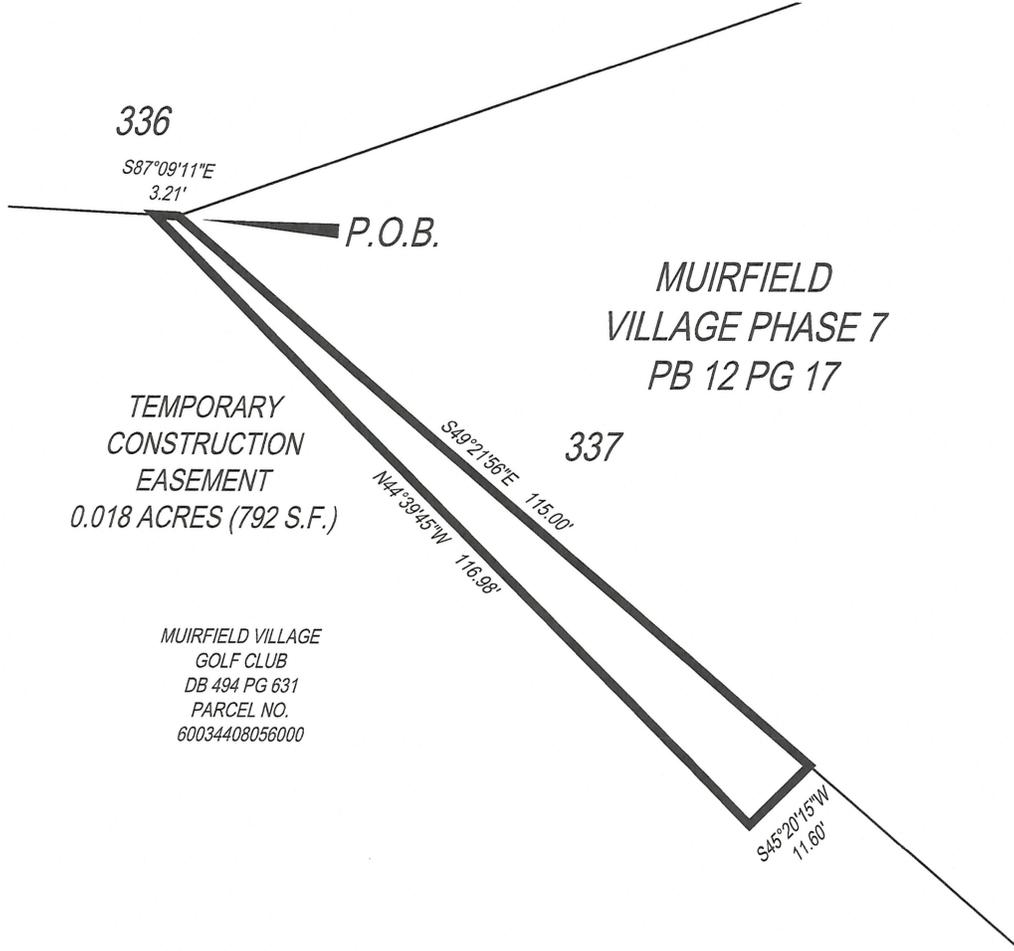
Michael L. Keller
Professional Surveyor, Ohio License No. 7978

9/09/16

Date



BASIS OF BEARINGS:
STATE PLANE COORDINATE SYSTEM,
OHIO NORTH ZONE (NAD83-2011)



TEMPORARY
CONSTRUCTION
EASEMENT
0.018 ACRES (792 S.F.)

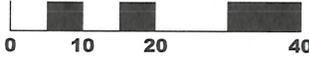
MUIRFIELD VILLAGE
GOLF CLUB
DB 494 PG 631
PARCEL NO.
60034408056000



Michael L. Keller

MICHAEL L. KELLER
OHIO PROFESSIONAL SURVEYOR NO. 7978

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| | | DATE: 9/08/16 |
| | | SCALE: 1"=20'  SHEET NO. <p>1 OF 1</p> |

**TEMPORARY CONSTRUCTION EASEMENT
0.158 ACRES**

Situated in the City of Dublin, County of Delaware, State of Ohio; also being a part of Virginia Military Survey No. 2545; also being a portion of those lands as conveyed to Muirfield Village Golf Club as described in Deed Book 494 Page 631; being more particularly described as follows:

Commencing at a point along a northerly line of said lands of Muirfield Village Golf Club, said point also being the southwesterly corner of Reserve "GG" and the southeasterly corner of Lot 340 as delineated in Muirfield Village Phase 7 as recorded in Plat Book 12 Page 17; thence,

Along a northerly line of said lands of Muirfield Village Golf Club and along the southerly line of Reserve "GG", *South 60° 43' 38" East for a distance of 6.94'*; said point being the **TRUE POINT OF BEGINNING**, and from said point running thence,

Along a northerly line of said lands of Muirfield Village Golf Club and along the southerly line of Reserve "GG" and then along a southwesterly line of Lot 341 of said Muirfield Vallage Phase 7, *South 60° 43' 38" East for a distance of 50.91'* to a point; thence,

Along a northerly line of said lands of Muirfield Village Golf Club and along a southerly line of said Lot 341, *North 86° 45' 24" East for a distance of 14.67'* to a point; thence,

South 24° 41' 44" East for a distance of 28.46' to a point; thence,

South 13° 48' 01" West for a distance of 57.03' to a point; thence,

South 27° 39' 21" West for a distance of 53.85' to a point; thence,

North 21° 05' 33" West for a distance of 116.80' to a point; thence,

North 12° 24' 48" East for a distance of 45.08' to the point of beginning, containing 0.158 acres of land, more or less.

The basis of bearings for the herein-described courses is the State Plane Coordinate System, Ohio North Zone (NAD83-2011).

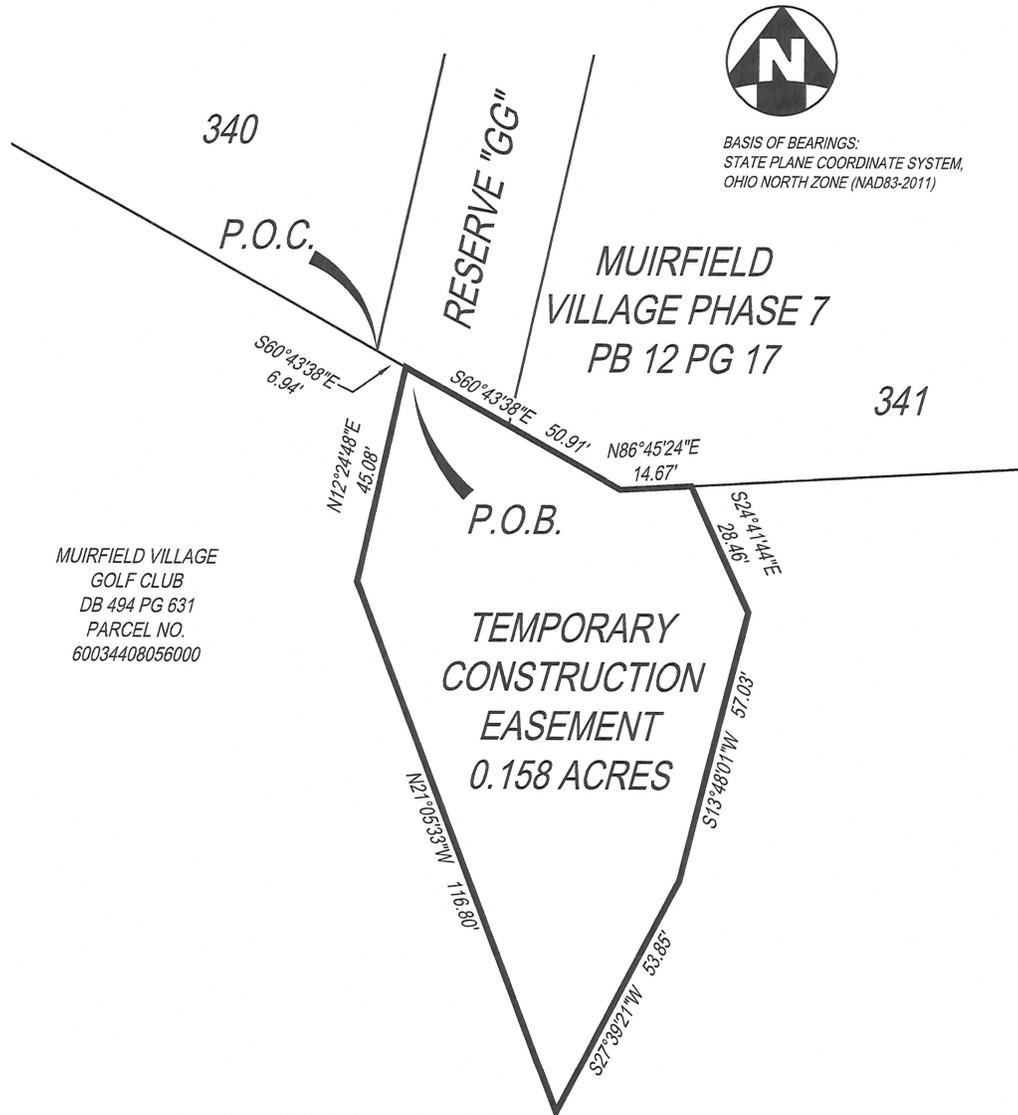


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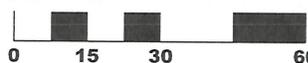


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| | | DATE: 9/08/16 |
| | | SCALE: 1"=30' |
| | | SHEET NO. |



1 OF 1

Permanent Sanitary Sewer and Temporary Construction Easement

10/31/16



Muirfield Village Golf Club
5750 Memorial Drive
Dublin, OH 43017

PID: 60034408056000



1 inch = 100 feet