



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 46-16 - AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.016 ACRE, MORE OR LESS, PERMANENT SANITARY SEWER EASEMENT AND A 0.001 ACRE, MORE OR LESS, TEMPORARY CONSTRUCTION EASEMENT FROM JAMES AND SUSAN HARNDEN, FROM THE PROPERTY LOCATED AT 5885 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 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.

James and Susan Harnden (the "Grantors") own property from which the City desires a permanent easement and a temporary easement. This property is located at 5885 Kilbannan Court, and is identified as Delaware County Parcel No. 60034408094000.

After engaging in amicable discussions, the City has come to an agreement with the Grantors to acquire the easements for \$2,000.00, which is the appraised value of the easements.

ACQUISITION

The City will be acquiring from the Grantors 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 0.016-acre permanent sanitary sewer easement and a 0.001-acre temporary construction easement.

RECOMMENDATION

Ordinance 46-16 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 Muirfield Village Golf Club (MVGC) and the Grantors. The MVGC

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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. 46-16

Passed _____, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.016 ACRE, MORE OR LESS, PERMANENT SANITARY SEWER EASEMENT AND A 0.001 ACRE, MORE OR LESS, TEMPORARY CONSTRUCTION EASEMENT FROM JAMES AND SUSAN HARNDEN, FROM THE PROPERTY LOCATED AT 5885 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 a temporary construction easement from Delaware County Parcel No. 60034408094000 owned by James and Susan Harnden (the "Grantors"), said easements more fully described in the attached Exhibits A and depicted in the attached Exhibits B; and

WHEREAS, the City and the Grantors participated in good faith discussions and have come to mutually agreeable terms for the acquisition of the necessary easements for the sum of \$2,000.00, which is the appraised value of the easements; and

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

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 0.016 acre, more or less, permanent sanitary sewer easement, and a 0.001 acre, more or less, temporary construction easement for one year commencing on the date construction begins, from James and Susan Harnden, for the sum of \$2,000.00, said easements located within Delaware County Parcel No. 60034408094000, 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
0.016 ACRES (705 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 part of Lot 336 as delineated in Muirfield Village Phase 7 as recorded in Plat Book 12 Page 17, also being a portion of those lands as conveyed to James M. & Susan Harnden as recorded in Deed Book 551 Page 403; being more particularly described as follows:

Commencing at the southwesterly corner of said Lot 336; thence,

Along the westerly line of said Lot 336, *North 31° 32' 48" East for a distance of 25.74'* to a point; said point being the **TRUE POINT OF BEGINNING**, and from said beginning point running thence,

Along the westerly line of said Lot 336, *North 31° 32' 48" East for a distance of 25.74'* to a point; thence,

South 44° 39' 45" East for a distance of 44.92' to a point along the southerly line of said Lot 336; thence,

Along the southerly line of said Lot 336, *North 87° 09' 11" West for a distance of 37.01'* to a point; thence,

North 44° 39' 45" West for a distance of 11.49' to the point of beginning, containing 0.016 acres (705 square feet) of land, more or less.

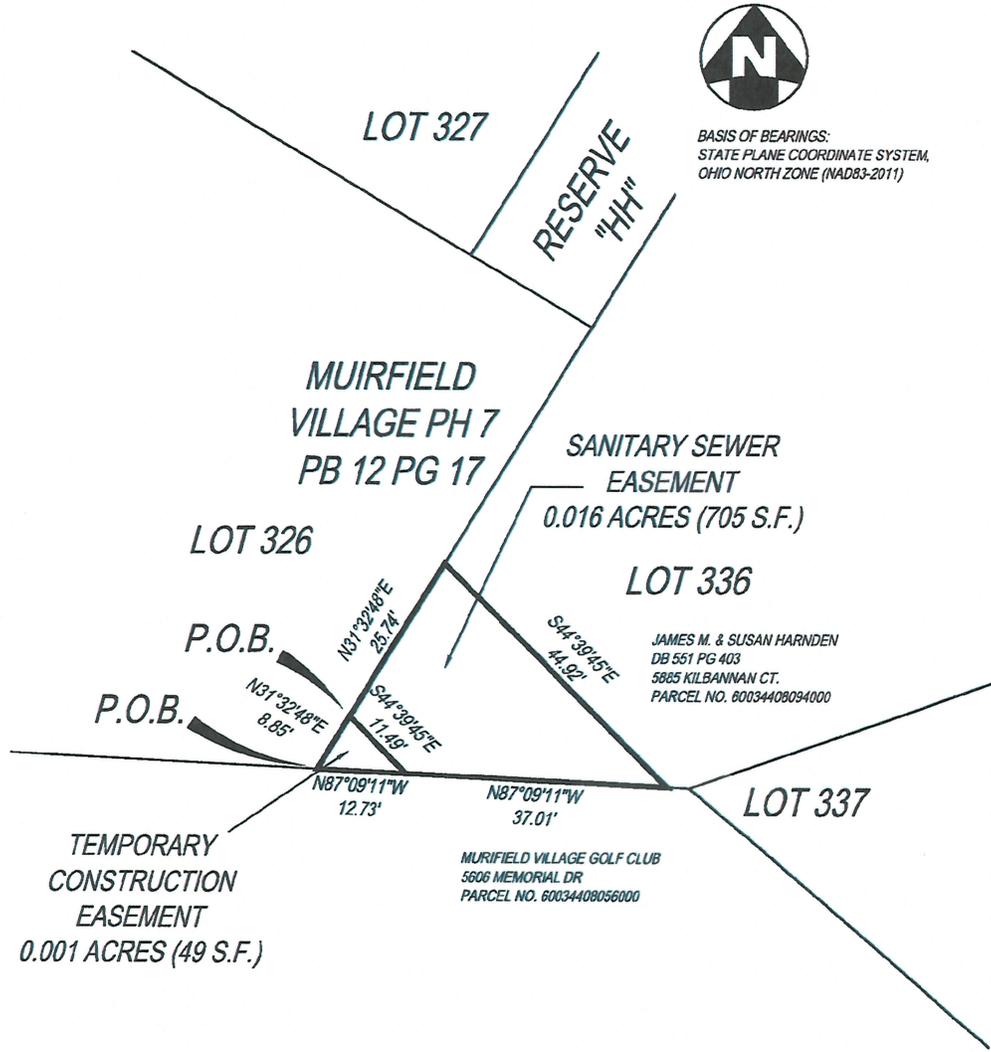
The basis of bearings for the herein-described courses is the State Plane Coordinate System, Ohio North Zone (NAD83-2011).



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

9/09/16

Date



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



Michael L. Keller

MICHAEL L. KELLER
OHIO PROFESSIONAL SURVEYOR NO. 7978

9/09/16
DATE

<p>THE KLEINGERS GROUP</p> <p>CIVIL ENGINEERING SURVEYING LANDSCAPE ARCHITECTURE www.kleingers.com</p> <p>350 Worthington Rd., Ste B Westerville, OH 43082 614.882.4311</p>	<p>SANITARY SEWER & TEMPORARY CONSTRUCTION EASEMENT</p> <p>LOT 336 MUIRFIELD VILLAGE PHASE 7</p> <p>VMS 2545, CITY OF DUBLIN, DELAWARE CO., OHIO</p>	PROJECT NO: 160094.000
		DATE: 9/08/16
		SCALE: 1"=20'
		<p>SHEET NO.</p> <p>1 OF 1</p>

**TEMPORARY CONSTRUCTION EASEMENT
0.001 ACRES (49 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 part of Lot 336 as delineated in Muirfield Village Phase 7 as recorded in Plat Book 12 Page 17, also being a portion of those lands as conveyed to James M. & Susan Harnden as recorded in Deed Book 551 Page 403; being more particularly described as follows:

Beginning at the southwesterly corner of said Lot 336, said point being the **TRUE POINT OF BEGINNING**, and from said beginning point running thence,

Along the westerly line of said Lot 336, *North 31° 32' 48" East for a distance of 8.85'* to a point; thence,

South 44° 39' 45" East for a distance of 11.49' to a point along the southerly line of said Lot 336; thence,

Along the southerly line of said Lot 336, *North 87° 09' 11" West for a distance of 12.73'* to the point of beginning, containing 0.001 acres (49 square feet) 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).

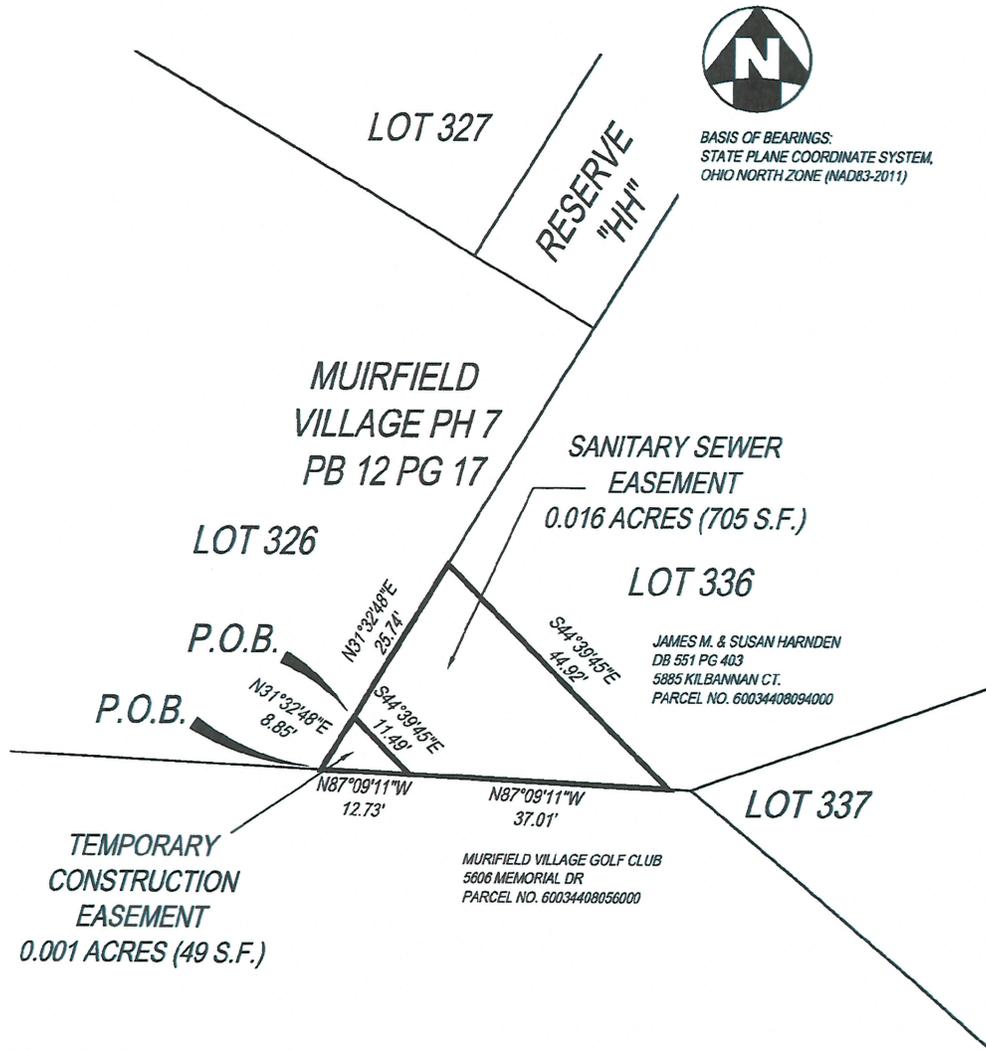


Michael L. Keller

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Professional Surveyor, Ohio License No. 7978

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Date



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



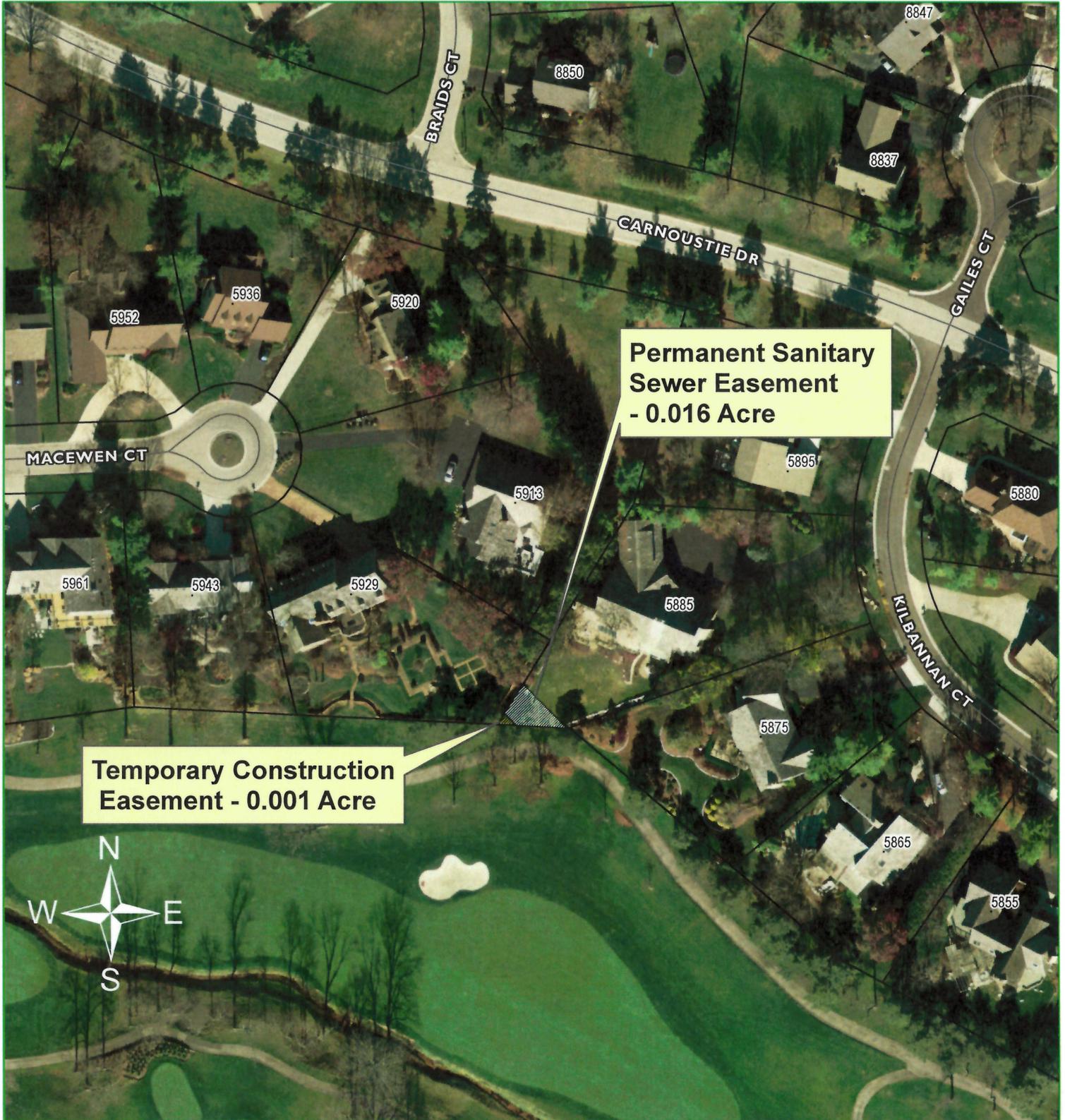
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Permanent Sanitary Sewer and Temporary Construction Easement

10/31/16



Jim and Susan Harnden
5885 Kilbannan Court
Dublin, OH 43017

PID: 60034408094000

100 50 0 100 Feet

1 inch = 100 feet