



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 17, 2016
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 52-16
AN ORDINANCE TO APPROPRIATE A 0.078-ACRE, MORE OR LESS,
PERMANENT EASEMENT FROM 495 METRO PLACE LLC, LOCATED ON
METRO PLACE SOUTH, FOR THE PUBLIC PURPOSE OF CONSTRUCTING A
PUBLIC SHARED-USE PATH AND RELATED IMPROVEMENTS.

BACKGROUND

The City of Dublin (the "City") is preparing to construct the Smiley Park shared-use path project, which will include the construction of a shared-use path and related public improvements connecting to Smiley Park (the "Project"). The City is obtaining easements from various landowners to construct the Project.

This Project requires that the City acquire a permanent easement from 495 Metro Place LLC (the "Grantor") from the property located on Metro Place South, identified as Franklin County Parcel Number 273-004289.

City staff has been in discussions with the Grantor and hopes to reach an amicable agreement for the acquisition of the easement; however, this Ordinance authorizes the City Law Director's Office to file a complaint for appropriation in the event that negotiations are unsuccessful.

ACQUISITION

The appropriation consists of a 0.078-acre, more or less, permanent easement. The appraised fair market value of the permanent easement was determined to be \$4,700.

RECOMMENDATION

Staff recommends approval of Ordinance 52-16 at the second reading/public hearing on December 5 as approval of the Ordinance will keep the Project moving forward.

RECORD OF ORDINANCES

Ordinance No. 52-16

Passed _____, 20____

AN ORDINANCE TO APPROPRIATE A 0.078-ACRE, MORE OR LESS, PERMANENT EASEMENT FROM 495 METRO PLACE LLC, LOCATED ON METRO PLACE SOUTH, FOR THE PUBLIC PURPOSE OF CONSTRUCTING A PUBLIC SHARED-USE PATH AND RELATED IMPROVEMENTS.

WHEREAS, the City of Dublin (the "City") is preparing to construct the Smiley Park shared-use path project, which will include the construction of a shared-use path and related public improvements connecting to Smiley Park (the "Project"); and

WHEREAS, the Project requires that the City obtain a permanent easement from 495 Metro Place LLC as described in the attached Exhibit A and depicted in the attached Exhibit B, said property interest located in the City of Dublin, County of Franklin, State of Ohio.

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. Council considers it necessary and declares its authorization to appropriate, for the appraised value of \$4,700, for the public purpose of constructing a public shared-use path and related public improvements, a permanent easement, as described in the attached Exhibit A and depicted in the attached Exhibit B.

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 _____, 2016.

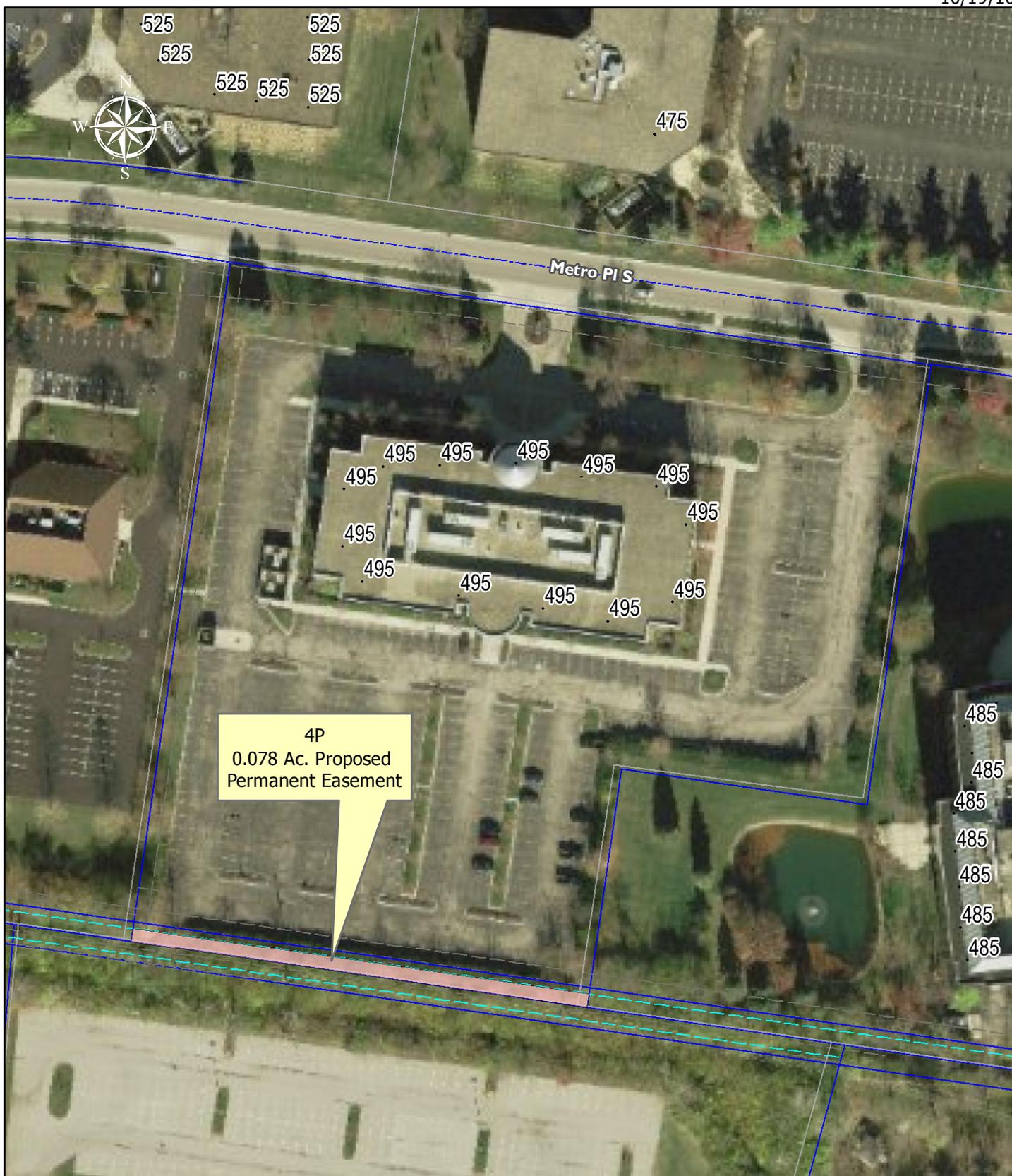
Mayor – Presiding Officer

ATTEST:

Clerk of Council

Permanent Easement for Shared-Use Path, Utilities, Storm Drainage and Grading

10/19/16



Parcel 4P
Exhibit A
Permanent Easement
for
Shared-Use Path, Utilities, Storm Drainage, and Grading

Situated in the State of Ohio, County of Franklin, City of Dublin, and being a part of a 5.382 acre tract conveyed to **495 Metro Place LLC** by Instrument #200807140107611, all records herein are from the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning at a 5/8" diameter pin with a cap that reads "7911PS" on the southwest corner of said 5.382 acre tract;

Thence, North 08°18'14" East, a distance of 10.00 feet along the west line of said 5.382 acre tract to a point;

Thence, South 81°42'32" East, a distance of 341.43 feet crossing and to the east line of said 5.382 acre tract;

Thence, South 08°18'14" West, a distance of 10.00 feet along the east line and to the south line of said 5.382 acre tract;

Thence, North 81°42'32" West, a distance of 341.43 feet along the south line of said 5.382 acre tract to the **Point of Beginning** containing **0.078 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, South 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 273-004289-00 and is based on Instrument #200807140107611.

I hereby certify this description was based field survey conducted by CW Design Group, LLC under my guidance in May 2016 and to the best of my knowledge depicts the boundary lines.

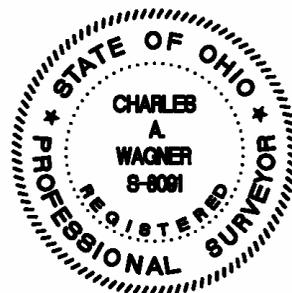
CW Design Group, LLC

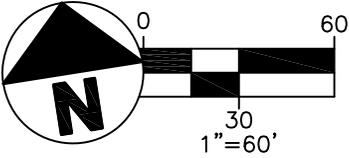


Charles A. Wagner - Professional Surveyor 8091

08/09/2016

Date





CITY OF DUBLIN
 COUNTY OF DELAWARE
 STATE OF OHIO

495 METRO PLACE, LLC
 INSTRUMENT #200807140107611
 5.382 ACRES
 273-004289-00

535 METRO PLACE SOUTH LLC
 INSTRUMENT #201505280069493
 LOT 8
 273-001701-00

WESTPOINTE METRO LAKES SPE, LLC
 INSTRUMENT #201105160062536
 7.034 ACRES
 273-004290-00

25'X20' OHIO BELL TELEPHONE
 COMPANY EASEMENT
 INSTRUMENT #199705090088993

10' OHIO BELL TELEPHONE
 COMPANY EASEMENT
 INSTRUMENT #199705090088993

PROPOSED PERMANENT
 EASEMENT - 0.078 ACRES

PINNEY ROAD (30' PRIVATE)

S81°42'32"E 341.43'

N81°42'32"W 341.43'

N08°18'14"E 10.00'

POINT OF
 BEGINNING

10' COLUMBIA GAS EASEMENT
 DB 3117, PG 168

COLUMBUS 2, LLC
 INSTRUMENT #201110250136118
 10.000 ACRES
 273-001936-00

10' COLUMBUS AND SOUTHERN
 OHIO ELECTRIC COMPANY
 VOL 1908, PG 469

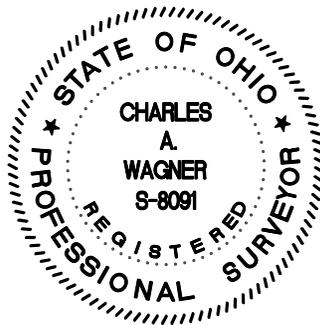
BASIS OF BEARINGS

THE BEARINGS SHOWN ON THIS PLAT ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD83 (2011).

HEREBY CERTIFY THIS PLAT WAS BASED FIELD SURVEY CONDUCTED BY CW DESIGN GROUP, LLC UNDER MY GUIDANCE IN MAY 2016 AND TO THE BEST OF MY KNOWLEDGE DEPICTS THE BOUNDARY LINES.

08/09/2016

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



[cw design group] D:\CWDG\Project\2015\150021\Drawing\Parcel04P.dwg August 09, 2016 4:59pm

CW Design Group
 ENGINEERS | SURVEYORS

PHONE: 614-846-9279
 972 Linkfield Drive
 Worthington, Ohio 43085

PARCEL 4P
 PERMENANT EASEMENT FOR
 SHARED-USE PATH, UTILITIES,
 STORM DRAINAGE AND GRADING

15-0021

