



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 53-16

AN ORDINANCE TO APPROPRIATE A 0.180-ACRE, MORE OR LESS, PERMANENT EASEMENT FROM WESTPOINTE METRO LAKES SPE, LLC, LOCATED AT 485 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 Westpointe Metro Lakes SPE, LLC (the "Grantor") from the property located at 485 Metro Place South, identified as Franklin County Parcel Number 273-004290.

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 0.180-acre, more or less, permanent easement. The appraised fair market value of the permanent easement was determined to be \$10,800.

RECOMMENDATION

Staff recommends approval of Ordinance 53-16 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. 53-16

Passed _____, 20____

AN ORDINANCE TO APPROPRIATE A 0.180-ACRE, MORE OR LESS, PERMANENT EASEMENT FROM WESTPOINTE METRO LAKES SPE, LLC, LOCATED AT 485 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 Westpointe Metro Lakes SPE, 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 \$10,800, for the public purpose of constructing a public shared-use path and related public improvements, a 0.180-acre 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.

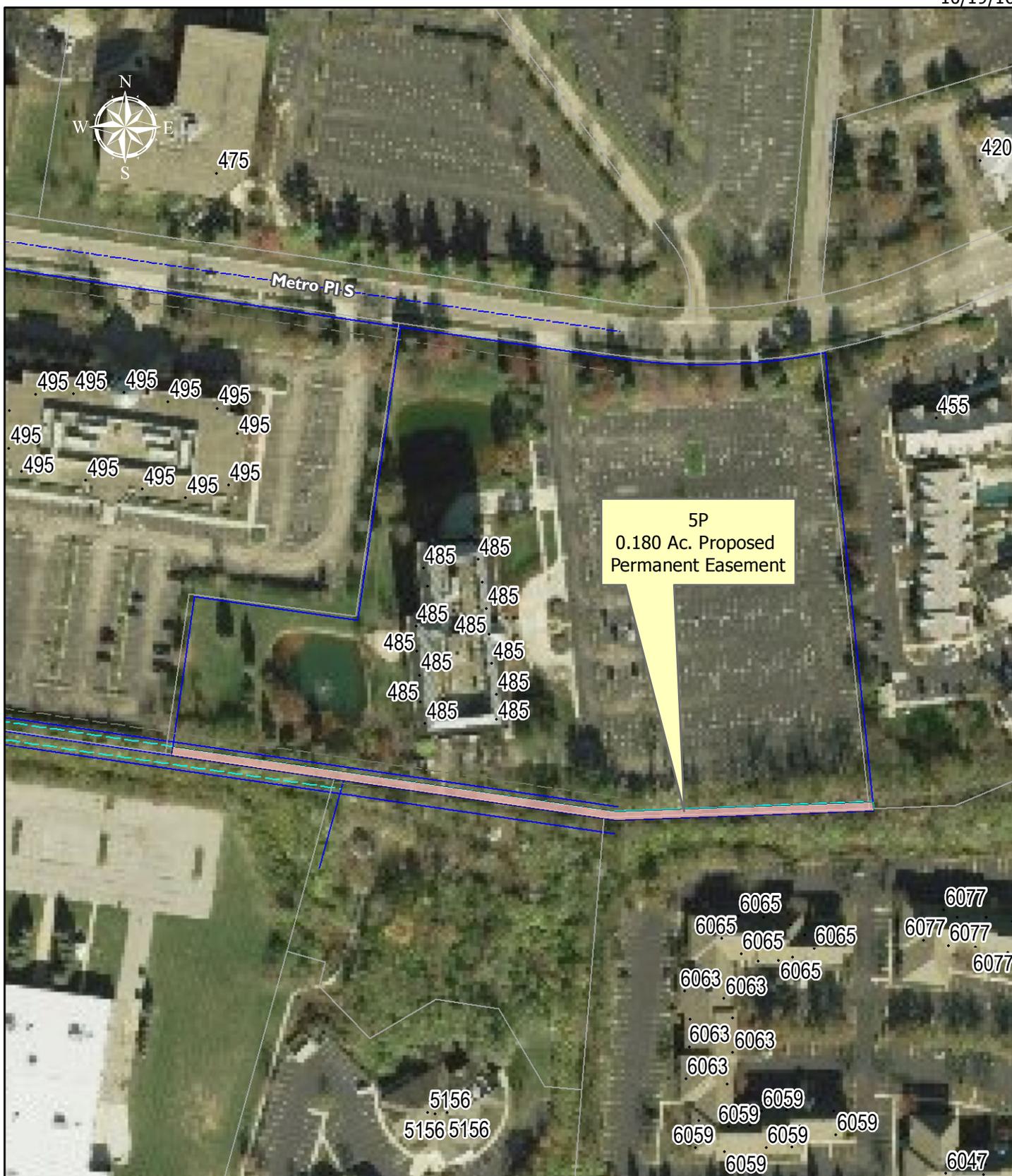
Mayor – Presiding Officer

ATTEST:

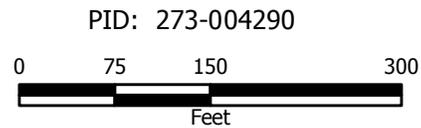
Clerk of Council

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

10/19/16



Westpointe Metro Lakes SPE, LLC
485 Metro Place South
Dublin, OH 43017



Parcel 5P
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 7.034 acre tract conveyed to **Westpointe Metro Lakes SPE, LLC** by Instrument #201105160062536, 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 located on the southwest corner of said 7.034 acre tract;

Thence, North 08°18'14" East, a distance of 10.00 feet along the west line of 7.037 acre tract to a point;

Thence crossing said 7.034 acre tract the following two courses:

1. Thence, South 81°42'32" East, a distance of 499.09 feet to a point;
2. Thence, North 87°55'02" East, a distance of 284.61 feet to the east line of said 7.037 acre tract;

Thence, South 06°02'42" East, a distance of 10.02 feet along the east line and to the south line of said 7.037 acre tract;

Thence along the south line of said 7.037 acre tract the following two courses:

1. Thence, South 87°55'02" West, a distance of 286.21 feet to a point;
2. Thence, North 81°42'32" West, a distance of 500.00 feet to the **Point of Beginning** containing **0.180 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 273-004290-00 and is based on Instrument #201105160062536.

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.

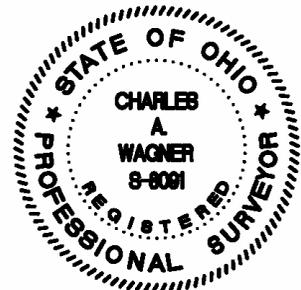
CW Design Group, LLC

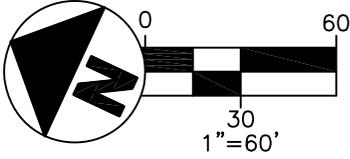


Charles A. Wagner - Professional Surveyor 8091

08/09/2016

Date





CITY OF DUBLIN
 COUNTY OF FRANKLIN
 STATE OF OHIO

EXHIBIT B

S06°02'42"E 10.02'

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

PROPOSED PERMANENT
 EASEMENT - 0.180 ACRES

CITY OF DUBLIN OHIO
 INSTRUMENT #200201310029044
 1.899 ACRES
 273-010858-00

S81°42'32"E 499.09'
 P/L
 N81°42'32"W 500.00'

©I.P.F.

POINT OF
 BEGINNING

N8°18'14"E
 10.00'

©I.P.F.

COLUMBUS 2, LLC
 INSTRUMENT #20110230136118
 10.000 ACRES
 273-001936-00

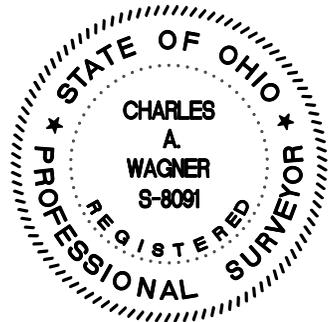
BASIS OF BEARINGS

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.

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

08/09/2016
 DATE



[cw design group] D:\CWDG\Project\2015\150021\Drawing\Parcel05P.dwg August 09, 2016 5:00pm

CW Design Group
 ENGINEERS | SURVEYORS

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

PARCEL 5P
 PERMENANT EASEMENT FOR
 SHARED-USE PATH, UTILITIES,
 STORM DRAINAGE AND GRADING

15-0021

