



**Office of the City Manager**

5555 Perimeter Drive • Dublin, OH 43017  
Phone: 614.410.4400

# Memo

**To:** Members of Dublin City Council

**From:** Megan D. O'Callaghan, City Manager

**Date:** November 1, 2022

**Initiated By:** Robert E. Ranc, Jr., Deputy City Manager/Chief Operating Officer  
Paul A. Hammersmith, P.E., Director of Engineering/City Engineer  
Brian D. Gable, P.E., Deputy Director of Engineering – Design & Construction  
Chris Huber, P.E., Civil Engineer II  
Philip K. Hartmann, Assistant Law Director

**Re:** Ordinances 58-22 through 61-22  
Acquisition of Easements for the South High Street Utility Burial – Phase 1  
Project (19-030-CIP)

## SUMMARY

As part of the Downtown Historic District beautification efforts, the City will be relocating the existing overhead utility lines along South High Street through the South High Street Utility Burial - Phase 1 Project (the "Project"), by installing underground electric (AEP) and telecommunication (Spectrum, AT&T, Breezeline, and Dublink) utilities to service the affected parcels. The Project consists of two phases as requested by AEP. The Phase 1 Project area includes Franklin Street south of West Bridge Street and the west side of South High Street between West Bridge Street and Short Street. The Phase 2 area includes the east side of South High Street and Blacksmith Lane between West Bridge Street and Short Street (see location map on page 4 of this memo). At the completion of the Project, all overhead utility lines and poles along South High Street will be removed between West Bridge Street and Short Street.

Presently, this Project is anticipated to be complete by the summer of 2023. The Phase 1 underground improvements are scheduled to be performed in advance of the Franklin Street Improvements Project, which includes road reconstruction, sidewalks, curb ramps, and street trees on Franklin Street between Sells Alley and Waterford Drive.

The City engaged MS Consultants, Inc. as the acquisition agent for the Project. In that role, MS Consultants has been the point of contact, in addition to City staff, with the property owners on the Project. Presently, the City has reached agreement with 15 of the 23 affected parcels, with five (5) additional City of Dublin parcels requiring utility easements as well. The City has participated in good faith discussions with all 23 property owners and hopes to arrive at mutually agreeable terms with all property owners by the end of November 2022.

## Acquisitions

City staff worked to minimize the size of needed acquisitions to reduce impacts to individual parcels as much as possible. A Good Faith Offer Letter, the appraisal report and associated information were provided to all property owners in July 2022. The property acquisitions are from both residential and commercial properties located within the Project area and consist of the

following property interests from each of the named property owners, as depicted in the exhibits attached:

<b>Property Owner(s)</b>	<b>Parcel Number</b>	<b>Property Interests and Acreage</b>	<b>Auditor Parcel ID Number(s)</b>	<b>Acquisition Cost</b>
Ord. 58-22 HAL STUART MUELLER AND ARLENE GAUDENS MUELLER (141 Franklin Street)	1-U	0.001-acre permanent/perpetual public utility easement	273-000140-00	\$610
Ord. 59-22 STEPHANIE ALLESPACH AND MARK O. ALLESPACH, CO- TRUSTEES OF "THE ALLESPACH CONVERTIBLE INVESTMENT PROPERTY TRUST", DATED DECEMBER 13, 2011 (55 South High Street)	8-U	0.006-acre permanent/perpetual public utility easement	273-000093-00 and 273-000094-00	\$12,600
Ord. 60-22 ALAN P. SZUTER AND MARY L. SZUTER (80 Franklin Street)	11-U	0.002-acre permanent/perpetual public utility easement	273-000125-00	\$1,450
Ord. 61-22 SHANNON MARIE CRONE (94 Franklin Street)	15-U	0.002-acre permanent/perpetual public utility easement	273-000129-00	\$1,200

These Ordinances authorize the City Manager to execute and accept on behalf of the City all necessary conveyance documents to formally acquire the necessary property interests from each property owner.

#### **RECOMMENDATION**

Staff recommends adoption of Ordinances 58-22, 59-22, 60-22, and 61-22 at the second reading/public hearing on November 14, 2022, as these ordinances authorize the City Manager to execute all necessary conveyance and contract documents to formally accept the necessary property interests described above.

## Project Location Map





RECORD OF ORDINANCES

Ordinance No. 58-22

Passed , 20

**AUTHORIZING THE CITY MANAGER TO EXECUTE AND ACCEPT NECESSARY CONVEYANCE DOCUMENTS AND CONTRACTS TO ACQUIRE AN EASEMENT FROM THE PROPERTY LOCATED ON FRANKLIN STREET, IDENTIFIED AS FRANKLIN COUNTY PARCEL NUMBER 273-000140-00 FROM HAL STUART MUELLER AND ARLENE GAUDENS MUELLER, FOR THE PUBLIC PURPOSE OF CARRYING OUT THE SOUTH HIGH STREET UTILITY BURIAL PROJECT 19-030-CIP**

**WHEREAS**, the City of Dublin ("City") is engaged in a substantial utility project along South High Street which includes the burial of existing overhead electrical facilities, project 19-030-CIP ("Project"); and

**WHEREAS**, the Project requires that the City obtain the following property interest from the parcel identified as Franklin County Parcel Number 273-000140-00, owned by Hal Stuart Mueller and Arlene Gaudens Mueller ("Grantors"), as described in the attached Exhibit A and depicted in the attached Exhibit B:

- 1-U: a 0.001-acre perpetual easement for the construction, operation and maintenance of public and private utilities, above and beneath the ground and where necessary, for the construction, operation and maintenance of service connections to all adjacent lots and lands; 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 property interest for the sum of \$610.00; and

**WHEREAS**, the City desires to execute and accept necessary 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 and accept all necessary documents to acquire the easement from the property located on Franklin Street, identified as Franklin County Parcel Number 273-000140-00, from Hal Stuart Mueller and Arlene Gaudens Mueller, for \$610.00.

**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 without further legislation being required.

**Section 3.** This Ordinance shall take effect in accordance with 4.04(b) of the Dublin Revised Charter.

Passed this 14<sup>th</sup> day of November, 2022.

\_\_\_\_\_  
Mayor – Presiding Officer

ATTEST:

\_\_\_\_\_  
Clerk of Council





LEGEND

PROPOSED PERPETUAL PUBLIC UTILITY EASEMENT

PROPOSED TEMPORARY CONSTRUCTION EASEMENT

MULLER  
1-U - .001 AC

JOHNSON, BALDWIN, HALL  
2-U - .002 AC

MIDANI  
3-U - .001 AC



**EXHIBIT A**  
**PARCEL 1-U**

**SOUTH HIGH STREET UTILITY BURIAL - PHASE 1**

**PERPETUAL EASEMENT FOR THE CONSTRUCTION, OPERATION AND  
MAINTENANCE OF PUBLIC AND PRIVATE UTILITIES, ABOVE AND BENEATH  
THE GROUND AND WHERE NECESSARY, FOR THE CONSTRUCTION,  
OPERATION AND MAINTENANCE OF SERVICE CONNECTIONS TO ALL  
ADJACENT LOTS AND LANDS.**

Being situated in the State of Ohio, County of Franklin, City of Dublin, Virginia Military Survey No. 2452, and being part of the lands conveyed to Hal Stuart Mueller and Arlene Gaudens Mueller by deed of record in Instrument Number 201507160096835, as recorded in the Franklin County Recorder's Office, and being more particularly described as follows:

**Beginning** at the grantor's northwesterly corner, the northeasterly corner of Lot 15 of Waterford Village Phase I, Plat Book 51, Page 10, the southwesterly corner of Lot 16 of the Civic Addition, Plat Book 21, Page 27, and the southeasterly corner of lands conveyed to the Village of Dublin by deed of record in Deed Book 3510, Page 982;

Thence along the grantor's northerly line and the southerly line of Lot 16, **North 89° 41' 40" East** for a distance of **5.00 feet** to a point;

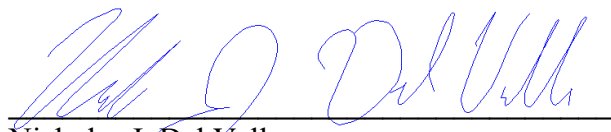
Thence leaving the southerly line of Lot 16, across the grantor's property, **South 08° 30' 08" East** for a distance of **5.00 feet** to a point;

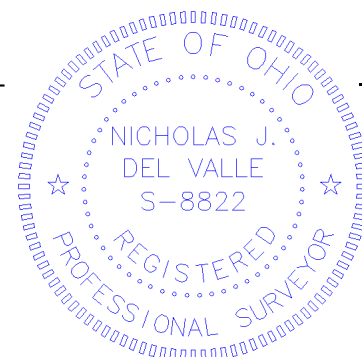
Thence continuing across the grantor's property, **South 81° 29' 52" West** for a distance of **4.95 feet** to a point on the grantor's westerly line and the easterly line of Lot 15;

Thence along the grantor's westerly line and the easterly line of Lot 15, **North 08° 30' 20" West** for a distance of **5.71 feet** to the **True Point of Beginning**, containing **0.001 acres (26.51 Sq. Ft.)**, more or less, all of which is within Auditor's Parcel Number 273-000140.

The bearings are based on the easterly line of Lot 15 of Waterford Village Phase I, Plat Book 51, Page 10, being North 08° 30' 20" West as referenced to the Ohio State Plane Coordinate System, South Zone, NAD83 (2011 NSRS Adjustment).

Subject to any easements, restrictions, covenants, ordinances or agreements of record.

  
\_\_\_\_\_  
Nicholas J. Del Valle  
Professional Surveyor, Ohio License No. 8822  
Korda/Nemeth Engineering, Inc.



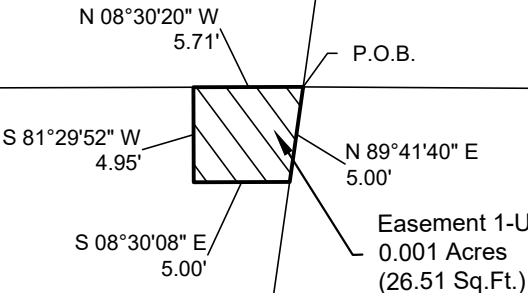
\_\_\_\_\_  
May 26, 2022  
Date

Situated in the State of Ohio, County of Franklin, City of Dublin, Virginia Military Survey No. 2542, locate in 1.087 acre tract conveyed to Hal Stuart Mueller and Arlene Gaudens Mueller by deed of record in Instrument Number 201507160096835, as recorded in the Franklin County Recorder's Office.

Lot 15  
Waterford Village  
Phase I  
(PB 51, PG 10)

Patrick Scanlin &  
Marsha R. Scanlin  
132 Stoneface Lane  
PID: 273-000812  
Inst. 200301290029323

Village of Dublin  
PID: 273-011235  
DB 3510, PG 982



Hal Stuart Mueller &  
Arlene Gaudens Mueller  
141 Franklin Street  
PID: 273-000140  
Inst. 201507160096835

Amy Jo Hall  
123 Franklin Street  
PID: 273-000136  
Inst. 198707220151310

Lot 16  
Civic Addition  
(PB 21, PG 27)

**LEGEND**



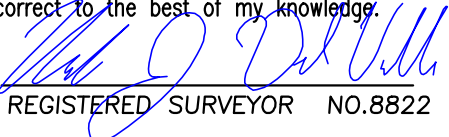
EASEMENT 1-U  
0.001 ACRE  
26.51 Sq. Ft.

PERPETUAL EASEMENT FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF PUBLIC AND PRIVATE UTILITIES, ABOVE AND BENEATH THE GROUND AND WHERE NECESSARY, FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF SERVICE CONNECTIONS TO ALL ADJACENT LOTS AND LANDS.

The bearing of N 08°30'20" W on the easterly line of Lot 15 of Waterford Village, Phase I (PB 51, PG 10) is referenced to the State Plane Coordinate System, Ohio South Zone NAD 83 (NSRS 2011). Said bearings are based upon positional solutions derived from RTK GPS observations using the Ohio Department of Transportation Virtual Reference System Equipment.

CERTIFICATION:

I hereby certify that this plat is a true and correct representation of a survey performed under my responsible direction and supervision and is correct to the best of my knowledge.

  
REGISTERED SURVEYOR NO.8822

6/7/2022  
DATE



Korda/Nemeth Engineering, Inc - Consulting Engineers  
1650 Watermark Drive, Suite 200 - Columbus, Ohio 43215-7010  
COLUMBUS, OHIO 43215-7010  
TEL: 614-487-1650 FAX: 614-487-8981  
WEB: www.korda.com

EXHIBIT B  
PARCEL 1-U  
SOUTH HIGH STREET  
UTILITY BURIAL -  
PHASE 1

19-030-CIP

JOB NO. 2020-4011

DATE: 6-7-22



SCALE IN FEET

SHEET 1 of 1