



**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. 60-22

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 273-000125-00 FROM ALAN P. SZUTER AND MARY L. SZUTER, 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 273-000125-00, owned by Alan P. Szuter and Mary L. Szuter ("Grantors"), as described in the attached Exhibit A and depicted in the attached Exhibit B:

- 11-U: a 0.002-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 \$1,450.00; 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 273-000125-00, from Alan P. Szuter and Mary L. Szuter, for \$1,450.00.

**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





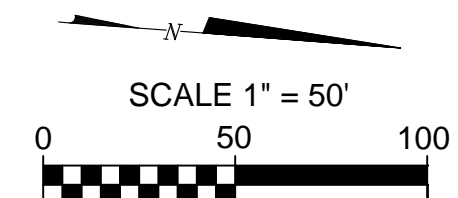
## LEGEND

- PROPOSED PERPETUAL PUBLIC UTILITY EASEMENT
- PROPOSED TEMPORARY CONSTRUCTION EASEMENT
- 63 SOUTH HIGH  
9-U - .069 AC
- BOLYARD  
10-U - .001AC
- SZUTER  
11-U - .002 AC
- HOSPELHOLDINGS  
12-U - .001 AC
- 91 S HIGH  
13-U - .002 AC
- WAGES  
14-U - .001 AC
- CRONE  
15-U - .002 AC
- U CREW HOLDINGS  
16-U1 - .023 AC
- U CREW HOLDINGS  
16-U2 - .002AC
- MOFFITT  
17-U - .002 AC
- PICKERING  
18-U - .001 AC
- TOBEREN  
19-U - .006 AC

DATE: 09-13-22



LOCATION MAP  
PARCELS 9 - 19  
SOUTH HIGH STREET UTILITY BURIAL - PHASE 1  
CIP 19-030  
DUBLIN, OHIO 43016





**EXHIBIT A**  
**PARCEL 11-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 Lot 5 of the Civic Addition to the Town of Dublin, Plat Book 21, Page 27, and being part of the lands conveyed to Alan P. Szuter and Mary L. Szuter by deed of record in Instrument Number 200709060157814, as recorded in the Franklin County Recorder's Office, and being more particularly described as follows:

**Beginning** at the grantor's northeasterly corner, the northeasterly corner of said Lot 5, the southeasterly corner of Lot 3 and being in the westerly line of Mill Lane (22 feet wide);

Thence along the grantor's easterly line, the easterly line of Lot 5 and the westerly line of Mill Lane **South 80° 03' 32" East** for a distance of **11.09 feet** to a point;


Thence across the grantor's property and said Lot 5, **South 81° 56' 28" West** for a distance of **7.00 feet** to a point;

Thence continuing across the grantor's property and Lot 5, **North 08° 03' 32" West** for a distance of **11.93 feet** to a point in the grantor's northerly line, the northerly line of Lot 5 and the southerly line of Lot 3;

Thence along the grantor's northerly line, the northerly line of Lot 5 and the southerly line of Lot 3, **North 88° 51' 32" East** for a distance of **7.05 feet** to the **True Point of Beginning**, containing **0.002 acres (80.57 Sq.Ft.)**, more or less, all of which is within Auditor's Parcel Number 273-000125.

The bearings are based on the westerly right of way of Mill Lane being North 08° 03' 32" West as referenced to the Ohio State Plane Coordinate System, South Zone, NAD83 (2011 NSRS Adjustment).

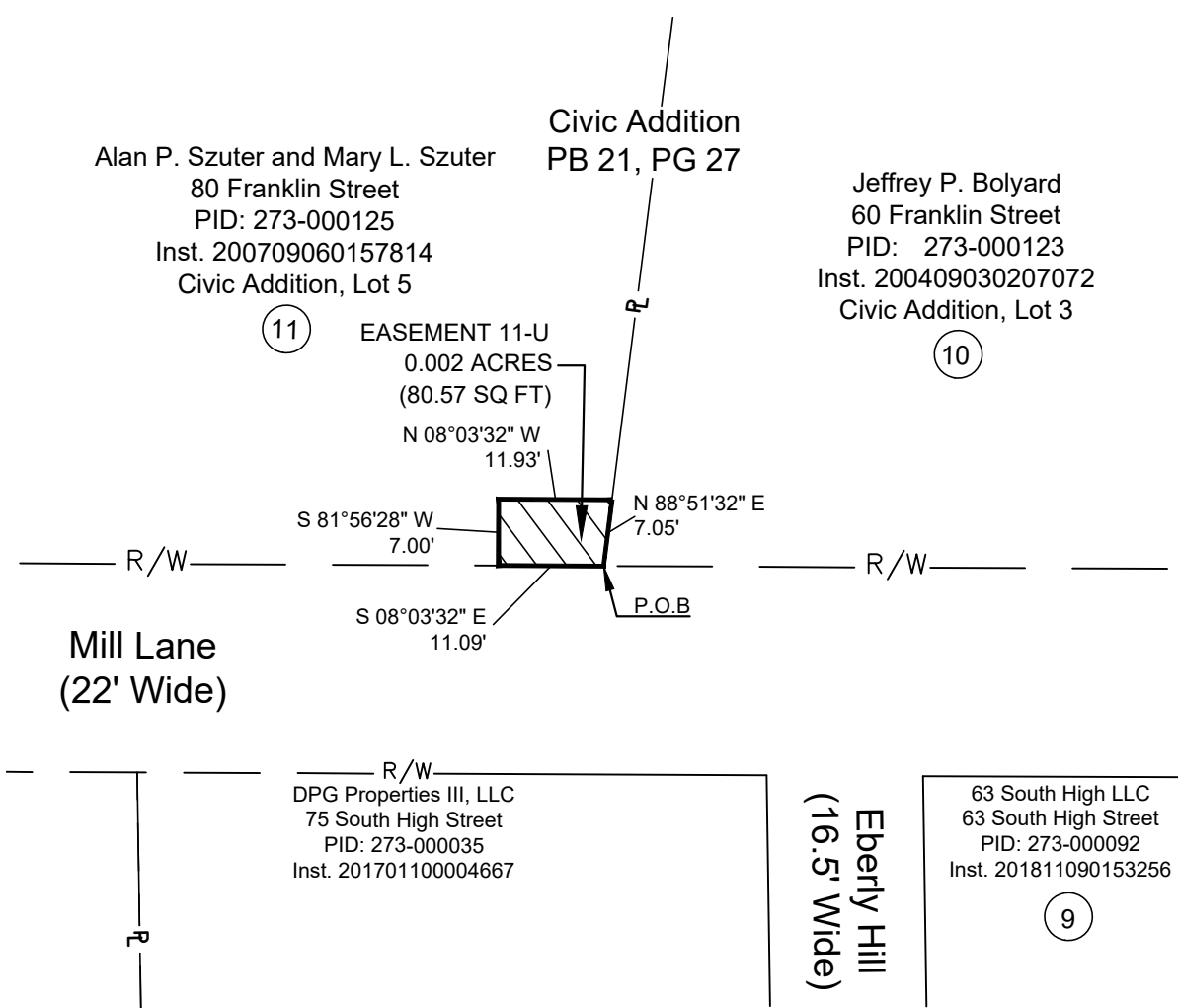
Subject to any easements, restrictions, covenants, ordinances or agreements of record.

  
\_\_\_\_\_  
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. 2452,  
and being part of Lot 5 in the Civic Addition, Plat Book 21, Page 27,  
as recorded in the Franklin County Recorder's Office.



**LEGEND**

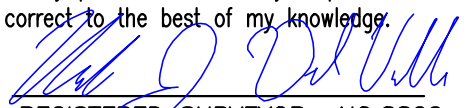
 EASEMENT 11-U  
0.002 ACRE  
(80.57 SQ FT)

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.

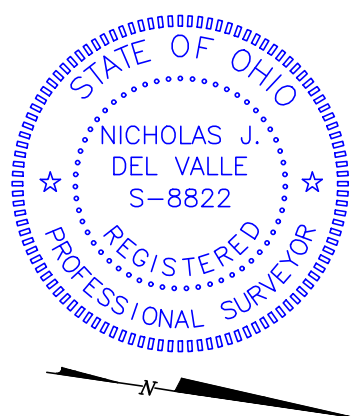
The bearing of S 08°03'32" E on the westerly right of way of  
Mill Lane is referenced to the State Plane Coordinate  
System, Ohio South Zone NAD 83 (NSRS 2011).  
Said bearings are based upon positional solutions derived  
from RTK GPS observations using the Ohio Department of  
Transportation Virtual 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



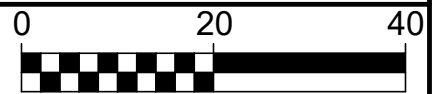
Korda/Nemeth Engineering, Inc - Consulting Engineers  
1650 Watermark Drive, Suite 200 - Columbus, Ohio 43215-7010  
COLUMBUS, OHIO 43215-7010  
TEL: 614-487-1650 FAX: 614-487-8981  
WEB: www.korda.com

EXHIBIT B  
PARCEL 11-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