




To: Members of Dublin City Council

From: Dana L. McDaniel, City Manager 

Date: October 6, 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 38-16 - AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.224 ACRE, MORE OR LESS, PERMANENT EASEMENT, AND A 0.111 ACRE, MORE OR LESS, TEMPORARY EASEMENT, FROM 535 METRO PLACE SOUTH, LLC, FOR THE PROPERTY LOCATED AT 535 S. METRO PLACE FOR THE PUBLIC PURPOSE OF CONSTRUCTING A 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 through Smiley Park (the "Project"). The City is obtaining easements from various landowners to construct the Project.

535 Metro Place South, LLC (the "Grantor") owns property from which the City needs a permanent easement and a temporary easement. The property is located at 535 S. Metro Place, which is just west of Frantz Road.

After engaging in amicable discussions, the parties have come to mutually agreeable terms for the acquisition of the easements for \$56,950.00, which is approximately 10% over the appraised value.

ACQUISITION

The City will be acquiring from the Grantor only the easements necessary for purposes of the Project, as depicted in the legal descriptions and depiction attached to this memorandum. The acquisition includes a 0.224 acre permanent easement and a 0.111 acre temporary easement.

RECOMMENDATION

Ordinance 38-16 would authorize the City Manager to execute all necessary conveyance documents to formally acquire the necessary easements described above. Staff recommends that Council approve Ordinance 38-16 at the second reading/public hearing on October 24, 2016.

RECORD OF ORDINANCES

Ordinance No. 38-16

Passed _____, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE A 0.224 ACRE, MORE OR LESS, PERMANENT EASEMENT, AND A 0.111 ACRE, MORE OR LESS, TEMPORARY EASEMENT, FROM 535 METRO PLACE SOUTH, LLC, FOR THE PROPERTY LOCATED AT 535 S. METRO PLACE FOR THE PUBLIC PURPOSE OF CONSTRUCTING A 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 through Smiley Park (the "Project"); and

WHEREAS, the Project requires that the City obtain certain easements from Franklin County Parcel No. 273-001701 owned by 535 Metro Place South, LLC (the "Grantor"), said easements more fully described in the attached Exhibit "A" and depicted in the attached Exhibit "B;" and

WHEREAS, the City and the Grantor participated in good faith discussions and have come to mutually agreeable terms for the acquisition of the necessary easements for the sum of \$56,950.00; and

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

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, 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 0.224 acre, more or less, permanent easement, and a 0.111 acre, more or less, temporary easement for twelve (12) months, commencing on the date construction begins, from 535 Metro Place South, LLC, for the sum of \$56,950.00, said easements located within Franklin County Parcel No. 273-001701, 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 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

Parcel 1T
Exhibit A
Temporary Easement
for

Shared-Use Path, Utilities, Storm Drainage, and Grading

Situated in the State of Ohio, County of Franklin, City of Dublin, being a part of Lot 8 of the Amended Subdivision of Part of Lot 4 and Addition to Metrocenter as delineated in Plat Book 57, Page 36 conveyed to **535 Metro Place South LLC** by Instrument #201505280069493, all records herein are from the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning for Reference at an iron pin with a cap that reads "7911PS" at the southeast corner of said Lot 8;

Thence, North 08°18'14" East, a distance of 10.00 feet along the east line of said Lot 8;

Thence, North 81°42'32" West, a distance of 226.00 feet crossing Lot 8 to the **True Point of Beginning**;

Thence, crossing said Lot 8 the following two courses:

1. Thence, North 81°42'32" West, a distance of 10.00 feet to a point;
2. Thence, North 08°18'14" East, a distance of 483.70 feet to the south Right of Way of Metro Place South (60 foot) as delineated on the Metrocenter Subdivision in Plat Book 55, Page 8;

Thence, along the south Right of Way of said Metro Place South, with a curve to the right, a radius of 1120.00 feet, an arc length of 10.13 feet, a chord bearing of North 89°00'13" East, and a chord distance of 10.13 feet to a point;

Thence, South 08°18'14" West, a distance of 485.34 feet crossing said Lot 8 to the **True Point of Beginning** containing **0.111 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 273-001701-00 and is based on Instrument #201505280069493.

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.

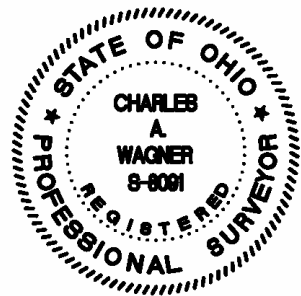
CW Design Group, LLC



Charles A. Wagner - Professional Surveyor 8091

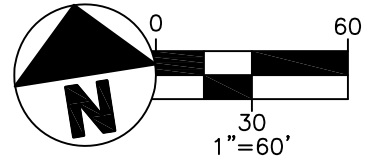
08/09/2016

Date



METRO PLACE SOUTH

EXHIBIT B



BIKE PATH EASEMENT
INSTRUMENT #201001120004234

UTILITY EASEMENT
PB 59, PGS 8-9

RADIUS=1120.00'
ARC LENGTH=10.13'
DELTA=000°31'06"
CHORD BEARING=N89°00'13"E
CHORD DISTANCE=10.13'

6' COLUMBUS AND SOUTHERN
OHIO ELECTRIC COMPANY
INSTRUMENT #198008130023447

10' AMERITECH EASEMENT
INSTRUMENT #199803180062213

10' COLUMBUS AND SOUTHERN
OHIO ELECTRIC COMPANY
INSTRUMENT #198008130023447

10' TIME WARNER COMMUNICATION EASEMENT
INSTRUMENT #199904010081400
& 10' OHIO BELL TELEPHONE CO. EASEMENT
INSTRUMENT #199705090088993

545 METRO PLACE LLC
INSTRUMENT #200807140107610
5.290 ACRES
273-009718-00

N08°18'14"E 483.70'
S08°18'14"W 485.34'

PROPOSED PERMANENT EASEMENT

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

PROPOSED TEMPORARY EASEMENT - 0.111 ACRES

AMENDED SUBDIVISION OF PART OF LOT 4
AND ADDITION TO METROCENTER
CITY OF DUBLIN
COUNTY OF FRANKLIN
STATE OF OHIO

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

POINT OF BEGINNING

POINT OF REFERENCE

20' SANITARY SEWER EASEMENT
INSTRUMENT #198008180024452

5' COLUMBUS AND SOUTHERN
OHIO ELECTRIC COMPANY
INSTRUMENT #198008130023447

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

10' OHIO BELL TELEPHONE
COMPANY EASEMENT
INSTRUMENT #199705090088993

N81°42'32"W 226.00'

PINNEY ROAD (30' PRIVATE)

N81°42'32"W 10.00'

ASHLAND INC.
INSTRUMENT #200811070163690
6.087 ACRES
273-012284-00

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

10' COLUMBIA GAS EASEMENT
DB 3117, PG 168

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

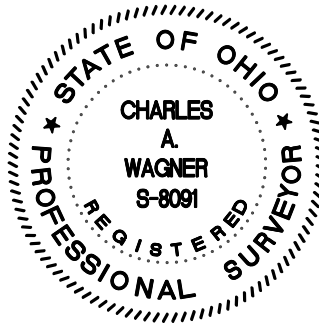
BASIS OF BEARINGS

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.

08/09/2016

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



[cw design group] D:\CWDG\Project\2015\150021\Drawing\Parcel01T.dwg August 09, 2016 5:01pm

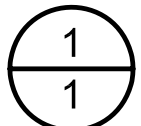
CW Design Group
ENGINEERS | SURVEYORS

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

PARCEL 1T

TEMPORARY EASEMENT FOR
SHARED-USE PATH, UTILITIES,
STORM DRAINAGE AND GRADING

15-0021



Parcel 1P
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, being a part of Lot 8 of the Amended Subdivision of Part of Lot 4 and Addition to Metrocenter as delineated in Plat Book 57, Page 36 conveyed to **535 Metro Place South LLC** by Instrument #201505280069493, all records herein are from the Recorder's Office, Franklin County, Ohio and being more particularly described as follows:

Beginning an iron pin with a cap that reads "7911PS" at the southeast corner of said Lot 8;

Thence, North 81°42'32" West, a distance of 251.00 feet to a 5/8" diameter iron pin bent at the southwest corner of said Lot 8;

Thence, North 08°18'14" East, a distance of 491.07 feet along the west line of said Lot 8 to the south Right of Way of Metro Place South (60 foot) as delineated on the Metrocenter Subdivision in Plat Book 55, Page 8;

Thence, along the south Right of Way of said Metro Place South, with a curve to the right, a radius of 1120.00 feet, an arc length of 15.23 feet; a chord bearing of North 88°21'18" East, and a chord distance of 15.23 feet to a point;

Thence crossing said Lot 8 the following two courses:

1. Thence, South 08°18'14" West, a distance of 483.70 feet to a point;
2. Thence, South 81°42'32" East, a distance of 236.00 feet to a point on the east line of said Lot 8;

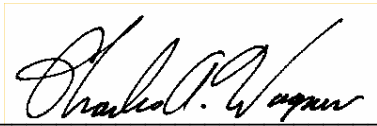
Thence, South 08°18'14" West, a distance of 10.00 feet along the east line to the **Point of Beginning** containing **0.224 acres**, more or less, subject to legal highways, easements, leases and restriction of record and of records in the respective utility offices.

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 273-001701-00 and is based on Instrument #201505280069493.

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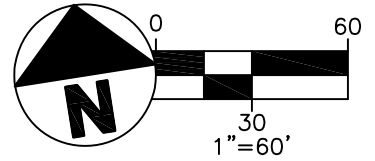
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LOT 8
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AMENDED SUBDIVISION OF PART OF LOT 4
AND ADDITION TO METROCENTER
CITY OF DUBLIN
COUNTY OF FRANKLIN
STATE OF OHIO

POINT OF
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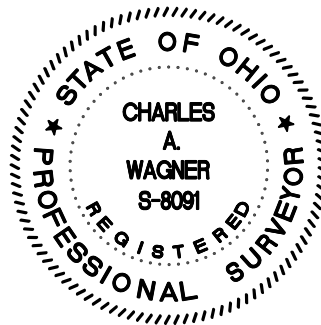
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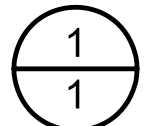
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PARCEL 1P

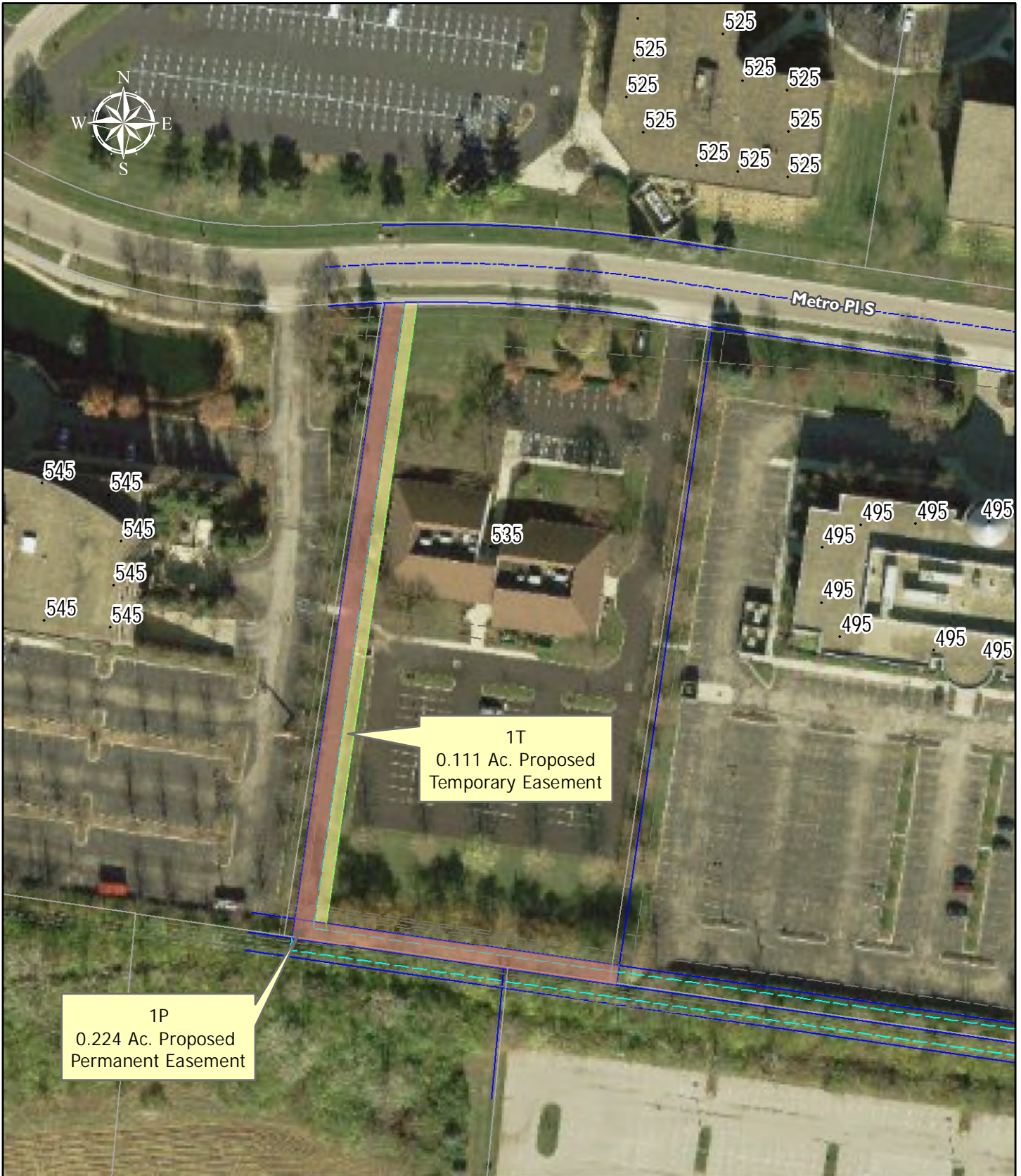
PERMANENT EASEMENT FOR
SHARED-USE PATH, UTILITIES,
STORM DRAINAGE AND GRADING

15-0021



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

9/23/16



535 Metro Place South LLC
535 Metro Place South
Dublin, OH 43017

