




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: October 20, 2016
Initiated By: Megan O'Callaghan, Director of Public Works
Philip K. Hartmann, Assistant Law Director
Re: Resolution 53-16 - A RESOLUTION OF INTENT TO APPROPRIATE A 0.004-ACRE, MORE OR LESS, FEE SIMPLE INTEREST; AND A 0.032-ACRE TEMPORARY EASEMENT FOR 2 YEARS FROM 84 HIGH COMPANY, LTD., LOCATED ALONG N. HIGH STREET, FOR THE PUBLIC PURPOSE OF WIDENING N. HIGH STREET.

Background

The City of Dublin is preparing to widen North High Street through the downtown Dublin area (the "Project").

This Project requires that the City acquire a fee simple interest and a temporary easement from 84 High Company, LTD. (the "Grantor") from the property located at 84 N. High Street, identified as Franklin County Parcel Number 273-000027.

City staff has been in discussions with the Grantor and hopes to reach an amicable agreement for the acquisition of the fee simple interest and temporary easement; however, this Resolution begins the eminent domain process in the event that negotiations are unsuccessful.

Acquisition

The appropriation consists of a 0.004-acre, more or less, fee simple interest, and a 0.032-acre acre, more or less, temporary easement.

Recommendation

Staff recommends approval of Resolution 53-16 at Council's October 24 meeting as approval of the Resolution will keep the Project moving forward.

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 53-16

Passed _____, 20____

A RESOLUTION OF INTENT TO APPROPRIATE A 0.004-ACRE, MORE OR LESS, FEE SIMPLE INTEREST; AND A 0.032-ACRE TEMPORARY EASEMENT FOR 2 YEARS FROM 84 HIGH COMPANY, LTD., LOCATED ALONG N. HIGH STREET, FOR THE PUBLIC PURPOSE OF WIDENING N. HIGH STREET.

WHEREAS, the City of Dublin (the "City") is preparing to widen North High Street through the downtown Dublin area (the "Project"); and

WHEREAS, the Project requires that the City obtain a fee simple right-of-way interest and a temporary easement from 84 High Company, LTD. as described and depicted in the attached Exhibit "A," said property interest located in the City of Dublin, County of Franklin, State of Ohio.

NOW, THEREFORE, BE IT RESOLVED 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 intention to appropriate, for the public purpose of widening a roadway through the downtown Dublin area to better serve the residents of the City of Dublin, a fee simple right-of-way interest and a temporary easement, as described and depicted in the attached Exhibit "A."

Section 2. The City Manager is hereby authorized to cause written notice of the passage of this Resolution to be served upon the owner(s) and person(s) in possession or having an interest of record in the property described and depicted in the attached Exhibit "A," and this notice shall be served according to law.

Section 3. This Resolution shall take effect upon adoption in accordance with 4.04(a) of the Dublin Revised Charter.

Passed this _____ day of _____, 2016.

Mayor – Presiding Officer

ATTEST:

Clerk of Council

0.004 ACRE

Situated in the State of Ohio, County of Franklin, City of Dublin, lying in Virginia Military Survey No. 2542, being part of Lot 133 of that subdivision entitled "Plat of Dublin", destroyed by fire, demonstrated in Plat Book 3, Page 199, as conveyed to 84 High Company, Ltd. by deed of record in Instrument Number 200012290262387 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning, for reference, at a magnetic nail set at the centerline intersection of North Street (width varies) with High Street (66 feet wide);

Thence North 08° 24' 12" West, with the said centerline of High Street, a distance of 137.49 feet to a point;

Thence North 81° 35' 48" East, across said High Street, a distance of 33.00 feet to an iron pin set on the easterly right-of-way line of said High Street, on the easterly line of said Lot 133 being the TRUE POINT OF BEGINNING;

Thence North 08° 24' 12" West, with the said right-of-way line, a distance of 61.51 feet to an iron pin set at the common corner of said Lot 133 and of that 0.768 acre tract conveyed to City of Dublin, Ohio by deed of record in Instrument Number 201507200098781;

Thence North 81° 36' 15" East, with the southerly line of said 0.768 acre tract and the said northerly line of Lot 133, a distance of 5.73 feet to an iron pin set;

Thence South 03° 04' 46" East, across said Lot 133, a distance 61.77 feet to the TRUE POINT OF BEGINNING, containing 0.004 acre, more or less.

Subject, however, to all legal rights-of-way and/or easements, if any, of previous record.

Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initial EMHT INC.

Bearings are based on the Ohio State Plane Coordinate System South Zone as per NAD 83 (1986 Adjustment). Control for bearings was from coordinates of monuments FRANK 73 and FRANK 74, having a bearing of South 73° 57' 18" East, established by the Franklin County Engineering Department, using Global Positioning procedures and equipment.

This description is based on an actual field survey performed by or under the direct supervision of Joshua M. Meyer, Registered Surveyor Number 8485 in March 2013 thru October 2013.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

A handwritten signature in black ink, appearing to read "J. Meyer".

Joshua M. Meyer
Professional Surveyor No. 8485

4-22-2016

Date



Evans, Mechwart, Hambleton & Tilton, Inc.
 Engineers • Surveyors • Planners • Scientists
 5500 New Albany Road, Columbus, OH 43054
 Phone: 614.775.4500 Toll Free: 888.775.3648
 emht.com

SURVEY OF ACREAGE PARCEL

VIRGINIA MILITARY SURVEY NO. 2542

CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO

Date: April 22, 2016

Job No. 2012-1634

Scale: 1" = 50'

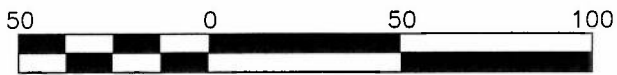
LINE TABLE		
LINE	BEARING	DISTANCE
L1	N08°24'12"W	137.49'
L2	N81°35'48"E	33.00'
L3	N08°24'12"W	61.51'
L4	N81°36'15"E	5.73'
L5	S03°04'46"E	61.77'

SURVEY NOTE:

This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey.

- = STONE FND.
- = MON. FND.
- = I.P. FND.
- = I.P. SET
- ◆ = MAG. NAIL FND.
- = MAG. NAIL SET
- ▲ = R.R. SPK. FND.
- △ = R.R. SPK. SET
- ◆ = P.K. NAIL FND.

I.P. Set are 13/16" I.D. iron pipes 30" long with cap inscribed EMHT INC.



GRAPHIC SCALE (in feet)

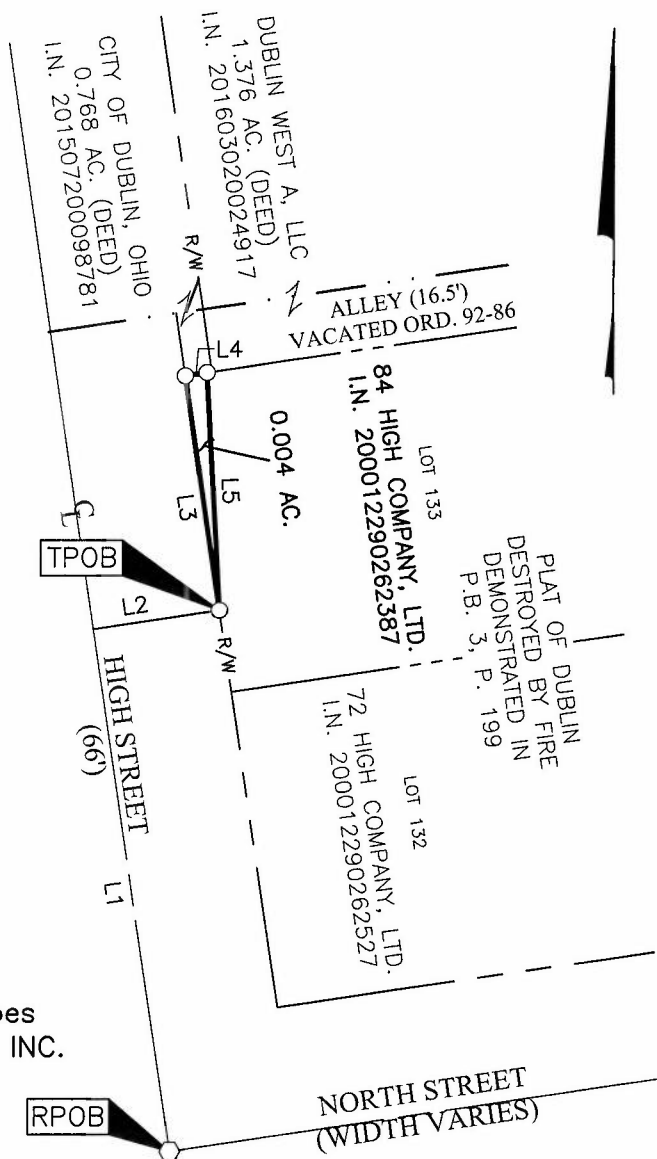
BASIS OF BEARINGS:

The Bearings shown hereon are based on the Ohio State Plane Coordinate System South Zone as per NAD83 (1986 Adjustment). Control for bearings was from coordinates of monuments FRANK73 and FRANK74, having a bearing of South 73° 57' 18" East, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.



By Joshua M. Meyer
 Joshua M. Meyer
 Professional Surveyor No. 8485

4-22-2016
 Date



J:\20121634\DWG\04SHEETS\BOUNDARY\20121634-VS-BNDY-01.DWG plotted by KING, BRANDON on 4/22/2016 11:06:08 AM last saved by BKING on 4/22/2016 10:57:36 AM Xrefs:

**TEMPORARY EASEMENT
0.032 ACRE**

Situated in the State of Ohio, County of Franklin, City of Dublin, lying in Virginia Military Survey No. 2542, being on, over, and across that Lot 133 of that subdivision entitled "Plat of Dublin", destroyed by fire, demonstrated in Plat Book 3, Page 199, as conveyed to 84 High Company, Ltd. by deed of record in Instrument Number 200012290262387 (all references are to the records of the Recorder's Office, Franklin County, Ohio) and being more particularly described as follows:

Beginning at the westerly common corner of Lot 133, and Lot 132 conveyed to 72 High Street Company, Ltd. by deed of record in Instrument 200012290262527, on the easterly right-of-way line of High Street (66 feet wide);

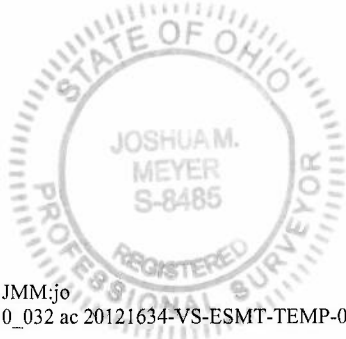
Thence North 08° 24' 12" West, with the said easterly right-of-way line, a distance of 21.49 feet to a point;

Thence North 03° 04' 46" West, leaving said right-of-way and across said Lot 133, a distance of 61.77 feet to a point on the northerly line of said Lot 133 and southerly line of that 0.768 acre tract conveyed to City of Dublin, Ohio by deed of record in Instrument Number 201507200098781;

Thence North 81° 36' 15" East, with the southerly line of said 0.768 acre tract and that 1.376 acre tract conveyed to Dublin West A, LLC by deed record in Instrument Number 201603020024917 and the said northerly line of Lot 133, a distance of 12.39 feet to a point;

Thence South 09° 25' 26" East, across said Lot 133, a distance 83.01 feet to a point on the common line of Lots 133, and 132;

Thence South 81° 36' 15" West, with the common line, a distance of 19.60 feet to the POINT OF BEGINNING, containing 0.032 acre, more or less.



EVANS, MECHWART, HAMBLETON & TILTON, INC.

Joshua M. Meyer
Professional Surveyor No. 8485

4-22-2016

Date



Evans, Mechwart, Hambleton & Tilton, Inc.
 Engineers • Surveyors • Planners • Scientists
 5500 New Albany Road, Columbus, OH 43054
 Phone: 614.775.4500 Toll Free: 888.775.3648
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TEMPORARY EASEMENT

VIRGINIA MILITARY SURVEY NO. 2542

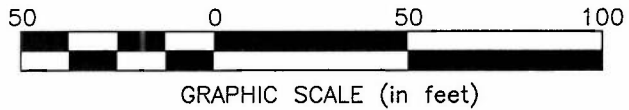
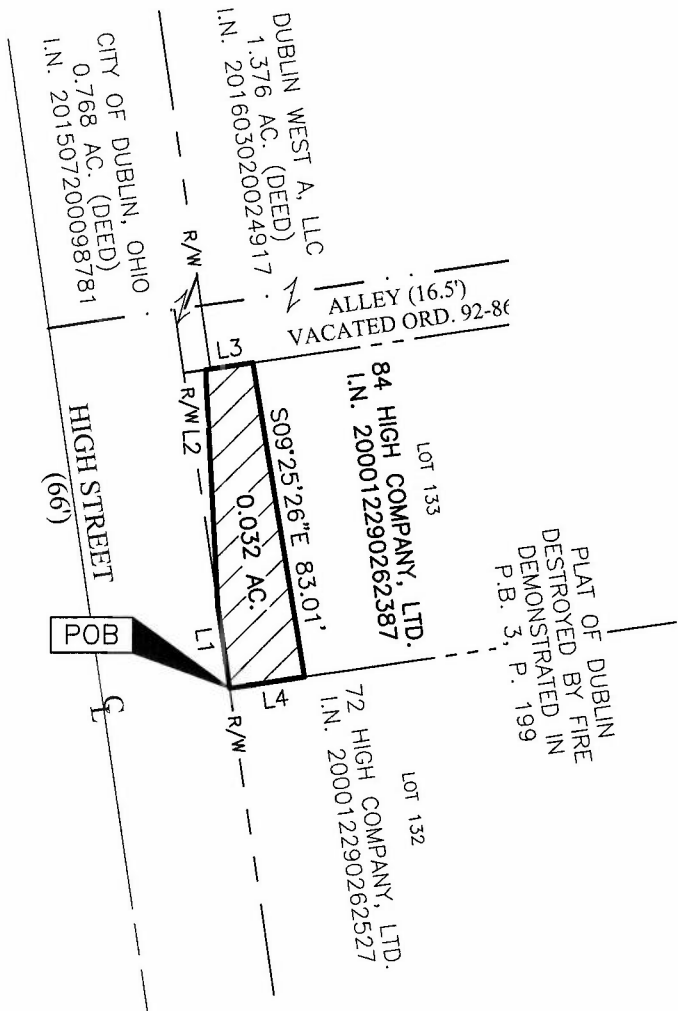
CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO

Date: April 22, 2016

Job No. 2012-1634

Scale: 1" = 50'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N08°24'12"W	21.49'
L2	N03°04'46"W	61.77'
L3	N81°36'15"E	12.39'
L4	S81°36'15"W	19.60'

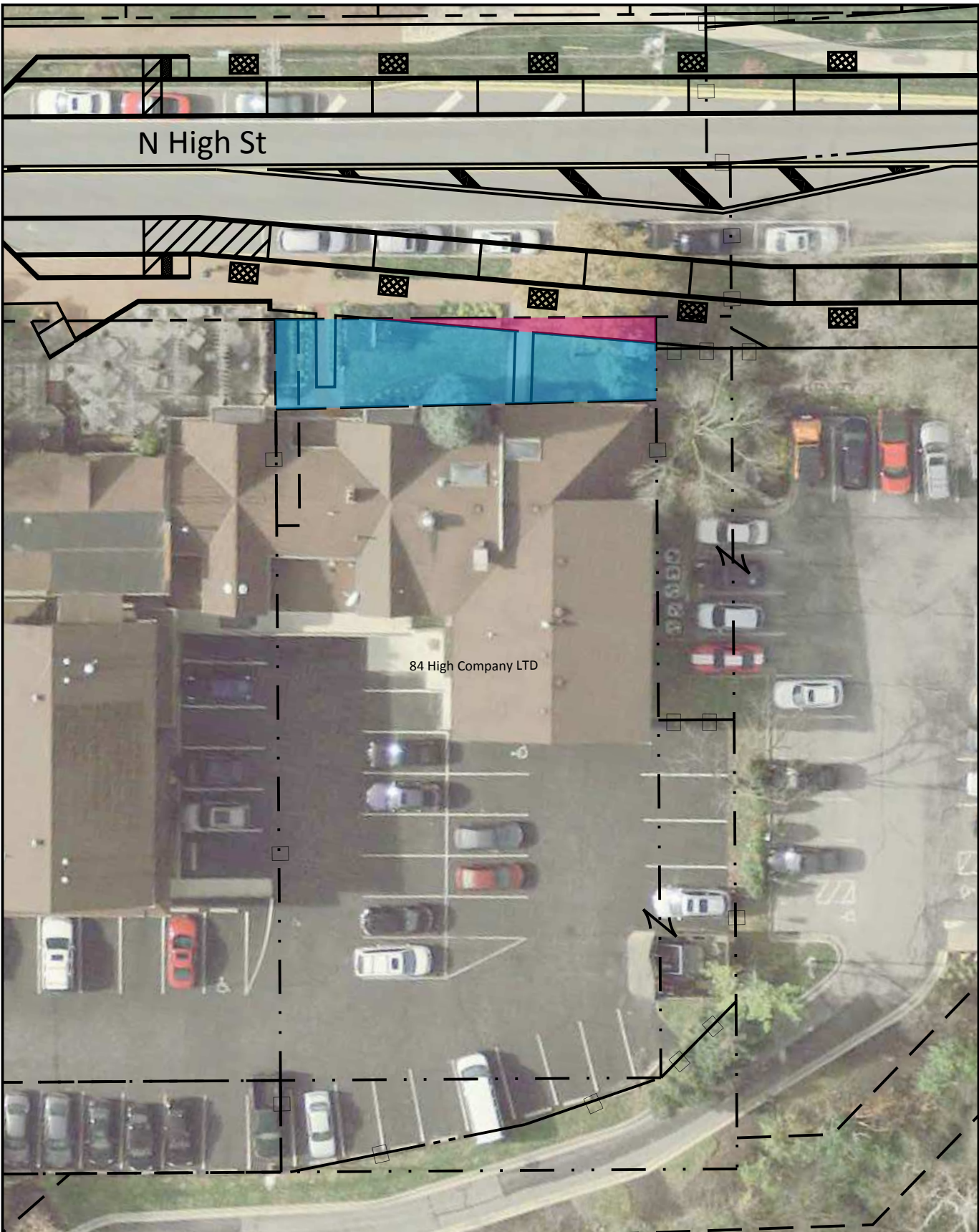


J:\2012\1634\DWG\04SHEETS\EASEMENTS\20121634-VS-ESMT-TEMP-01.DWG plotted by KING, BRANDON on 4/22/2016 11:08:32 AM last saved by BRING on 4/22/2016 11:08:15 AM
 Xrefs:




By Joshua M. Meyer
 Joshua M. Meyer
 Professional Surveyor No. 8485

4-22-2016
 Date



N High St

84 High Company LTD

 Proposed Right-Of-Way
0.004 Ac.

 Proposed Temporary Easement
0.032 Ac.



**NORTH HIGH
STREET WIDENING**

**R/W EXHIBIT
84 HIGH COMPANY LTD - PN 273-000027**

CALCULATED
MJS
CHECKED
MRB

