

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 18-17
Passed
, 20

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO DEDICATE A 0.657-ACRE PORTION; A 0.224-ACRE PORTION; AND A 0.397-ACRE PORTION OF DUBLIN-OWNED RESERVE AREA PROPERTY, LOCATED AT THE INTERSECTION OF AVERY ROAD AND BRAND ROAD, TO PUBLIC RIGHT-OF-WAY FOR THE PUBLIC PURPOSE OF CONSTRUCTING ROADWAY IMPROVEMENTS.

WHEREAS, the City of Dublin (the "City") is preparing to construct a roundabout at the intersection of Avery Road and Brand Road (the "Project"); and

WHEREAS, the City owns reserve areas at the northwest corner of the Avery Rd./Brand Rd. intersection pursuant to the Shannon Glen Section 3, Final Plat, identified as Franklin County Parcel No. 273-010028-00 ("Reserve Area D"); the southeast corner of the intersection pursuant to the Hawk's Nest Section 2, Phase 3, Final Plat, identified as Franklin County Parcel No. 273-010284-00 ("Reserve Area E"); and the southwest corner of the intersection pursuant to the Hawk's Nest Section 2, Phase 3, Final Plat, identified as Franklin County Parcel No. 273-010285-00 ("Reserve Area F"); and

WHEREAS, the City needs to dedicate a 0.657-acre portion of Reserve Area D to public right-of-way for the construction of the Project; and

WHEREAS, the City needs to dedicate a 0.224-acre portion of Reserve Area E to public right-of-way for the construction of the Project; and

WHEREAS, the City needs to dedicate a 0.397-acre portion of Reserve Area F to public right-of-way for the construction of the Project.

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 all necessary conveyance documents to dedicate a 0.657-acre portion of Reserve Area D; a 0.224-acre portion of Reserve Area E; and a 0.397-acre portion of Reserve Area F to public right-of-way, said right-of-way located within Franklin County Parcel Nos. 273-010028-00, 273-010284-00, and 273-010285-00, respectively, as 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 , 2017.

Mayor – Presiding Officer

ATTEST:

Clerk of Council




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:** April 6, 2017

**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 18-17  
AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY  
CONVEYANCE DOCUMENTS TO DEDICATE A 0.657-ACRE PORTION; A  
0.224-ACRE PORTION; AND A 0.397-ACRE PORTION OF DUBLIN-OWNED  
RESERVE AREA PROPERTY TO PUBLIC RIGHT-OF-WAY FOR THE PUBLIC  
PURPOSE OF CONSTRUCTING ROADWAY IMPROVEMENTS.

## BACKGROUND

The City of Dublin (the "City") is preparing to construct a roundabout at the intersection of Avery Road and Brand Road (the "Project"). The City will be obtaining property interests from various landowners to construct the Project.

In addition, this Project will require the City to dedicate public right-of-way out of three properties it already owns. The City owns reserve areas at the northwest corner of the Avery Rd./Brand Rd. intersection pursuant to the Shannon Glen Section 3, Final Plat, identified as Franklin County Parcel No. 273-010028-00 ("Reserve Area D"); the southeast corner of the intersection pursuant to the Hawk's Nest Section 2, Phase 3, Final Plat, identified as Franklin County Parcel No. 273-010284-00 ("Reserve Area E"); and the southwest corner of the intersection pursuant to the Hawk's Nest Section 2, Phase 3, Final Plat, identified as Franklin County Parcel No. 273-010285-00 ("Reserve Area F").

The City needs to dedicate a 0.657-acre portion of Reserve Area D; a 0.224-acre portion of Reserve Area E; and a 0.397-acre portion of Reserve Area F to public right-of-way for the construction of the Project.

## PUBLIC RIGHT-OF-WAY DEDICATION

The dedication consists of a 0.657-acre right-of-way portion; a 0.224-acre right-of-way portion; and a 0.397-acre right-of-way portion. The only costs associated with the dedication are the transfer and recording costs charged by the County.

## RECOMMENDATION

Ordinance 18-17 would authorize the City Manager to execute all necessary conveyance documents to formally dedicate the public right-of-way described above. Staff recommends that Council approve Ordinance 18-17 at the second reading/public hearing on April 24, 2017.



# City of Dublin Right-of-Way Dedication





Parcel 2WD  
Exhibit A  
Right-of-Way Dedication  
0.657 Acres

Situated in the State of Ohio, County of Franklin, City of Dublin, and part of Virginia Military Survey 5162 & 2544, and being part of Reserve D of Shannon Glen Section 3 as recorded in Plat Book 91, page 30 as conveyed to CITY OF DUBLIN, OHIO (hereafter referred to as Grantors) as described in I.N. 199911030277140 and being more particularly described as follows:

**COMMENCING** at Franklin County Geodetic Survey Monument Box Number 6647 at the centerline intersection of Brand Road and old Avery Road (South Leg);

**THENCE** through the dedicated right-of-way of Brand Road, **North 5° 49' 08" East** for a distance of **40.02 feet** to a **5/8" Iron Pin Set** on the North Right-of-way line of Brand Road as conveyed to the Franklin County Commissioners as described in Official Record 015229-F01 and the Grantor's South line at the **TRUE POINT OF BEGINNING** of the herein described parcel;

**THENCE** through the Grantor's lands the following five (5) courses:

- 1) **North 07° 31' 05" East** for a distance of **25.00 feet** to a **5/8" Iron Pin Set**;
- 2) **South 82° 28' 55" East** for a distance of **154.38 feet** to a **5/8" Iron Pin Set**;
- 3) **North 48° 10' 44" East** for a distance of **71.84 feet** to a **5/8" Iron Pin Set**;
- 4) **North 06° 28' 45" East** for a distance of **230.93 feet** to a **5/8" Iron Pin Set**;
- 5) **North 75° 25' 18" East** for a distance of **10.60 feet** to a **5/8" Iron Pin Set** on the existing West Right-of-way line for Avery Road conveyed to the County of Franklin and described in Deed Book 3314, page 17 and the Grantor's East line;

**THENCE** on the West Right-of-way of Avery Road and the East line of the Grantors lands, **South 14° 34' 42" East** for a distance of **339.29 feet** to a **5/8" Iron Pin Set** at the intersection of the North Right-of-way line of Brand Road as dedicated in said Shannon Glen Section 3 Subdivision and the Grantor's Southeast corner;

**THENCE** on the North Right-of-way line of Brand Road as dedicated in Shannon Glen Section 3 Subdivision and the Grantor's South line, **North 82° 28' 55" West** for a distance of **334.45 feet BACK TO THE TRUE POINT OF BEGINNING**.

The above-described parcel contains 0.657 acres lying within Franklin County Auditor's Parcel Number 273-010028. The basis of bearing in the above described parcel are based on Grid North, as obtained by RTK/GPS observations taken from Franklin County Engineer Monuments: Station FCGS 6647 and FCGS 6648, with a bearing of South 82 degrees 28 minutes 55 seconds East, tied to Ohio State Plane South Datum NAD83(2011)(EPOCH 2010.0000) (Project Adjustment Factor (1/X): 1.000018100). All Iron Pins described as set are 5/8" x 30" rebar with a 2" aluminum cap stamped "RW, PS No. 7664, Burgess & Niple" and shall be placed upon notification from the City of Dublin at the completion of construction.

This Description was prepared by Burgess & Niple, under the direct supervision of William C. LeRoy, P.S., Ohio License No. 7664 and is based on field surveys, centerline and boundary monument locations performed and certified by Barr Engineering, Inc., delivered in May, 2016.



**Burgess and Niple, Inc.**

A handwritten signature in blue ink, appearing to read "W.C. LeRoy", written over a horizontal line.

William C. LeRoy, P.S.  
Ohio Reg. No. 7664

**JAN. 20, 2017**  
Date


Continued on Next Page



The location of all existing survey monuments and determination of centerlines, rights-of-way, and boundary lines as referenced herein were located in the field and boundaries resolved between April, 2016 and May, 2016 by Barr Engineering, Inc. under the direct supervision of Amy Bernicken, Ohio Registered Surveyor No. 8571.

Barr Engineering, Inc.



 1-19-2017  
Amy Bernicken, P.S. Date  
Ohio Reg. No. 8571

N-88-EEA  
Split  
0.657 acre  
outlet  
(273)  
10028



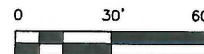


The basis of bearing shown on this plat are based on Grid North, as obtained by RTK/GPS observations taken from Franklin County Engineer Monuments: Station FCGS 6647 and FCGS 6648, with a bearing of South 82 degrees 28 minutes 55 seconds East, tied to Ohio State Plane South Datum NAD83(2011) (EPOCH 2010.0000) (Project Adjustment Factor (1/X): 1.000018100)

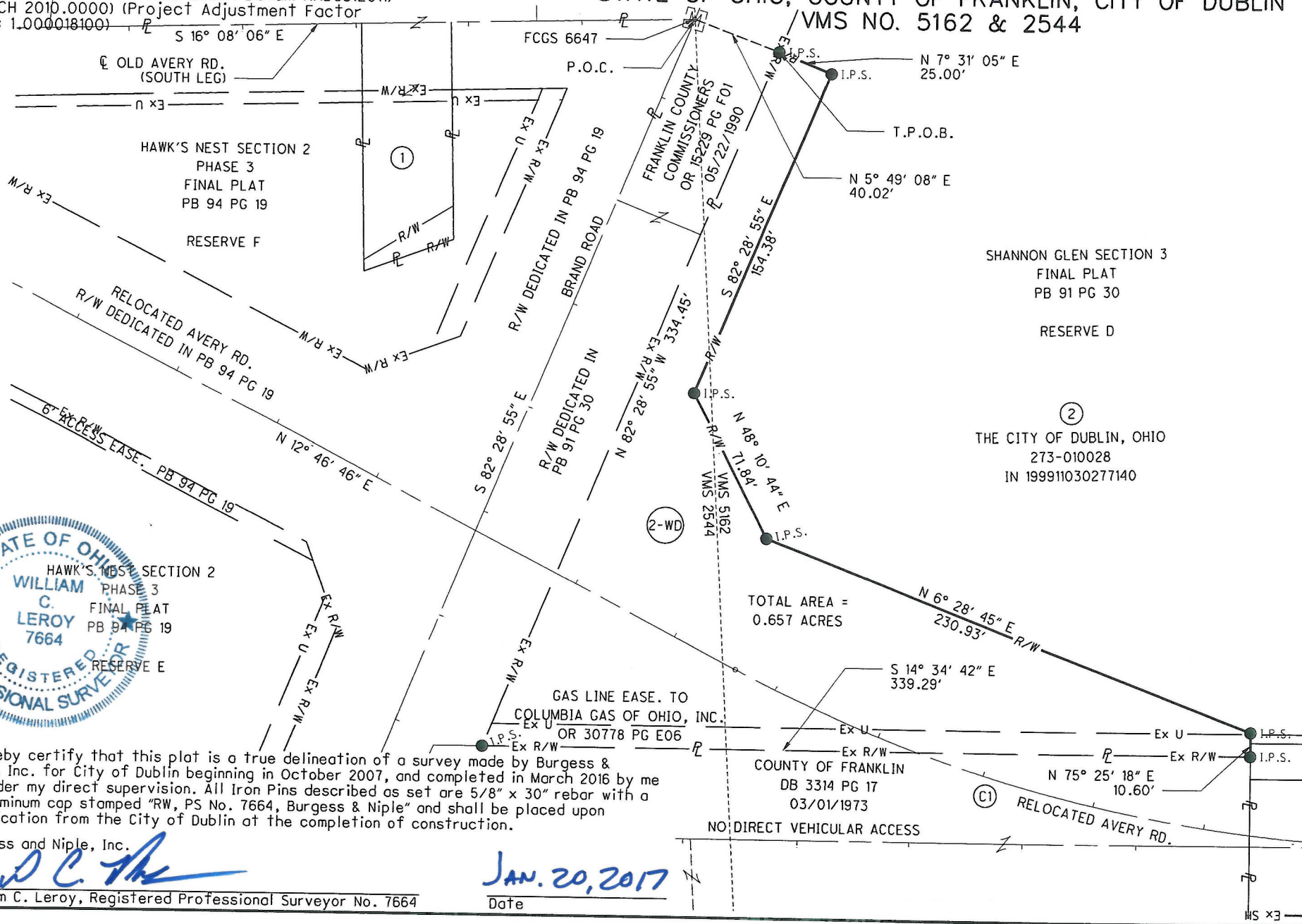
# PARCEL 2WD RIGHT-OF-WAY DEDICATION

STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF DUBLIN  
VMS NO. 5162 & 2544

EXHIBIT B



Scale: 1 = 60



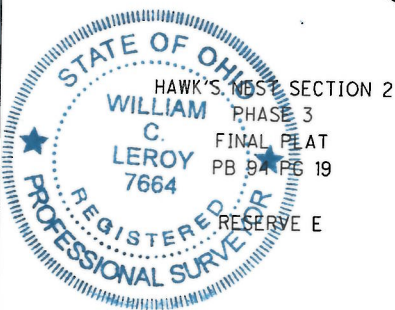
(C1) P.I. Sta. 22+94.27  
Δ = 27° 21' 27" (LT)  
Dc = 8° 30' 03"  
R = 674.00'  
T = 164.04'  
L = 321.82'  
E = 19.67'  
C = 318.77'  
C.B. = N 0° 53' 58" W

(1) INDIAN RUN UNITED  
METHODIST CHURCH OF  
DUBLIN, INC.  
273-010855  
I.N. 200201100010663

## LEGEND

P.O.C. Point Of Commencement  
T.P.O.B. True Point Of Beginning  
P.R.O. Prior Roadway Occupied  
○ I.P.F. Iron Pin Found  
⊙ P.F. Pipe Found  
○ M.N.F. Mag-Nail Found  
• M.N.S. Mag-Nail Set  
● I.P.S. Iron Pin Set

Dwg: ENW	Chk: WCL	
Scale: SHOWN	Sht: 1 / 1	54786



I hereby certify that this plat is a true delineation of a survey made by Burgess & Niple, Inc. for City of Dublin beginning in October 2007, and completed in March 2016 by me or under my direct supervision. All Iron Pins described as set are 5/8" x 30" rebar with a 2" aluminum cap stamped "RW, PS No. 7664, Burgess & Niple" and shall be placed upon notification from the City of Dublin at the completion of construction.

Burgess and Niple, Inc.

*William C. Leroy*

William C. Leroy, Registered Professional Surveyor No. 7664

Jan. 20, 2017

Date

Parcel 3WD  
Exhibit A  
Right-of-Way Dedication  
0.224 Acres

Situated in the State of Ohio, County of Franklin, City of Dublin, and part of Virginia Military Survey 2544, and being part of Reserve E of Hawk's Nest Section 2 Phase 3 as recorded in Plat Book 94, page 19 as conveyed to CITY OF DUBLIN, OHIO, A MUNICIPAL CORPORATION (hereafter referred to as Grantors) as described in I.N. 200004270082025 and being more particularly described as follows:

**COMMENCING** at Franklin County Geodetic Survey Monument Box Number 6648 at the centerline intersection of Brand Road and old Avery Road (North leg), also being the Southwest corner of lands conveyed to Timothy L. Hegenderfer and Elyse J. Hegenderfer by deed of record in I.N. 199811170295820;

**THENCE** on the centerline of Brand Road, **North 82° 28' 55" West** for a distance of **145.95 feet** to the centerline intersection of Brand Road and relocated Avery Road as described in said Hawk's Nest Subdivision;

**THENCE** on the centerline of relocated Avery Road, **South 12° 46' 46" West** for a distance of **253.96 feet** to a Mag Nail Set;

**THENCE** through the dedicated right-of-way of relocated Avery Road, **South 77° 13' 14" East** for a distance of **40.00 feet** to a **5/8" Iron Pin Set** on the East Right-of-way line of said relocated Avery Road and the Grantor's West line at the **TRUE POINT OF BEGINNING** of the herein described tract;

**THENCE** on the East line of said relocated Avery Brand Road and the West line of the Grantors lands the following two (2) courses:

- 1) **North 12° 46' 46" East** for a distance of **190.12 feet** to a **5/8" Iron Pin Set**;
- 2) **North 55° 10' 30" East** for a distance of **40.44 feet** to a **5/8" Iron Pin Set** on the South Right-of-way line of Brand Road and the Grantor's North line;

**THENCE** on the South Right-of-way line of Brand Road and the Grantor's North line the following two (2) courses:

- 1) **South 82° 28' 55" East** for a distance of **77.34 feet** to a **5/8" Iron Pin Set**;
- 2) **South 68° 57' 42" East** for a distance of **89.44 feet** to a **5/8" Iron Pin Set**;

**THENCE** through the Grantor's lands the following five (5) courses:

- 1) **South 21° 02' 18" West** for a distance of **15.00 feet** to a **5/8" Iron Pin Set**;
- 2) **North 68° 57' 42" West** for a distance of **79.50 feet** to a **5/8" Iron Pin Set**;
- 3) **South 82° 03' 56" West** for a distance of **87.62 feet** to a **5/8" Iron Pin Set**;
- 4) **South 12° 46' 46" West** for a distance of **179.81 feet** to a **5/8" Iron Pin Set**;
- 5) **North 77° 13' 15" West** for a distance of **30.00 feet BACK TO THE TRUE POINT OF BEGINNING**.

The above-described parcel contains 0.224 acres lying within Franklin County Auditor's Parcel Number 273-010284. The basis of bearing in the above described parcel are based on Grid North, as obtained by RTK/GPS observations taken from Franklin County Engineer Monuments: Station FCGS 6647 and FCGS 6648, with a bearing of South 82 degrees 28 minutes 55 seconds East, tied to Ohio State Plane South Datum NAD83(2011)(EPOCH 2010.0000) (Project Adjustment Factor (1/X): 1.000018100). All Iron Pins described as set are 5/8" x 30" rebar with a 2" aluminum cap stamped "RW, PS No. 7664, Burgess & Niple" and shall be placed upon notification from the City of Dublin at the completion of construction.

Continued on Next Page

This Description was prepared by Burgess & Niple, under the direct supervision of William C. LeRoy, P.S., Ohio License No. 7664 and is based on field surveys, centerline and boundary monument locations performed and certified by Barr Engineering, Inc., delivered in May, 2016.



Burgess and Niple, Inc.

*W.C. LeRoy*

*JAN. 20, 2017*

William C. LeRoy, P.S.  
Ohio Reg. No. 7664

Date

The location of all existing survey monuments and determination of centerlines, rights-of-way, and boundary lines as referenced herein were located in the field and boundaries resolved between April, 2016 and May, 2016 by Barr Engineering, Inc. under the direct supervision of Amy Bernicken, Ohio Registered Surveyor No. 8571.



Barr Engineering, Inc.

*Amy Bernicken*

*1-19-2017*

Amy Bernicken, P.S.  
Ohio Reg. No. 8571

Date

*N-90 - NMHA  
Split  
0.224 acre  
outlot  
(273)  
10284*

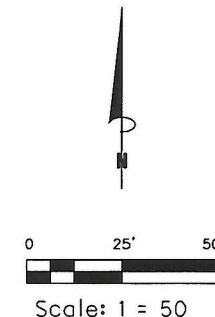
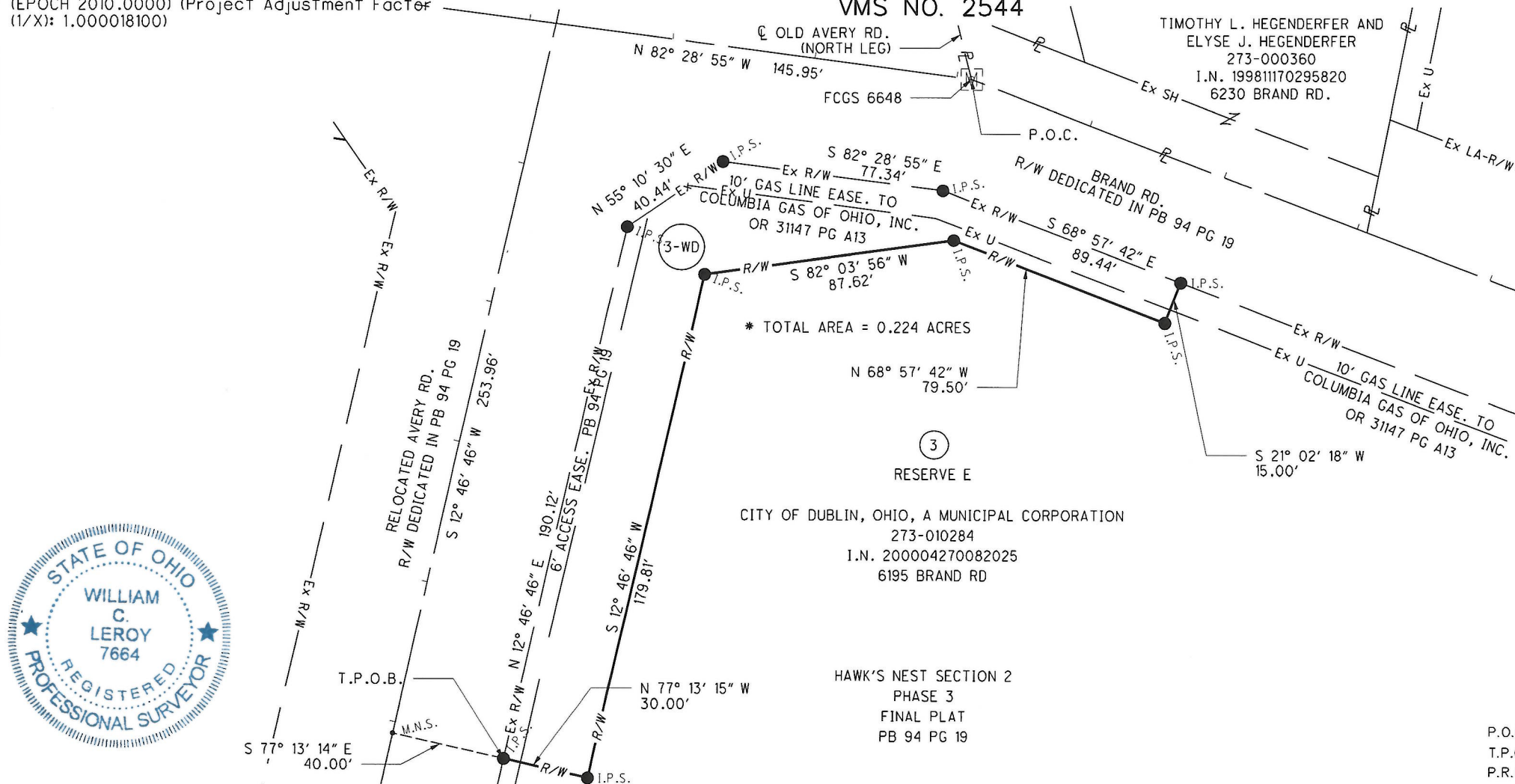




The basis of bearing shown on this plat are based on Grid North, as obtained by RTK/GPS observations taken from Franklin County Engineer Monuments: Station FCGS 6647 and FCGS 6648, with a bearing of South 82 degrees 28 minutes 55 seconds East, tied to Ohio State Plane South Datum NAD83(2011) (EPOCH 2010.0000) (Project Adjustment Factor (1/X): 1.000018100)

PARCEL 3WD  
RIGHT-OF-WAY DEDICATION  
STATE OF OHIO, COUNTY OF FRANKLIN, CITY OF DUBLIN  
VMS NO. 2544

EXHIBIT B



I hereby certify that this plat is a true delineation of a survey made by Burgess & Niple, Inc. for City of Dublin beginning in October 2007, and completed in March 2016 by me or under my direct supervision. All Iron Pins described as set are 5/8" x 30" rebar with a 2" aluminum cap stamped "RW, PS No. 7664, Burgess & Niple" and shall be placed upon notification from the City of Dublin at the completion of construction.

Burgess and Niple, Inc.

*William C. Leroy*

William C. Leroy, Registered Professional Surveyor No. 7664

*JAN. 20, 2017*  
Date

LEGEND

- P.O.C. Point Of Commencement
- T.P.O.B. True Point Of Beginning
- P.R.O. Prior Roadway Occupied
- I.P.F. Iron Pin Found
- ⊙ P.F. Pipe Found
- ◊ M.N.F. Mag-Nail Found
- M.N.S. Mag-Nail Set
- I.P.S. Iron Pin Set

Dwg: ENW	Chk: WCL	
Scale: SHOWN	Sht: 1 / 1	54786

## EXHIBIT A

Situate in the State of Ohio, County of Franklin, City of Dublin, and in Virginia Military Survey 2554 the following described property:

Being part of Reserve F, a 0.492 acre tract as described in Hawk's Nest Section 2, Phase 3, Final Plat recorded in Plat Book 94, Page 19, 20, and 21, conveyed to the City of Dublin, Ohio, a municipal corporation in Instrument Number 200004270082025, except a portion of the 0.095 acre tract conveyed to the Indian Run United Methodist Church of Dublin, Inc., in Instrument Number 200201100010663 more particularly described as follows:

Situate in the State of Ohio, County of Franklin, City of Dublin, Virginia Military Survey (2544), and being a portion of Old Avery Road (Co. Rd. 3) dedicated to the City of Dublin, Ohio, as delineated upon the recorded plat of Hawk's Nest Sec. 2, Ph. 3 thereof of record in Plat Book 94, page 19, also being a portion of a 0.492 acre tract conveyed to the City of Dublin, Ohio, by deed of record in inst. 200004270082025, all references are to the Franklin County Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Beginning for reference at a Franklin County Geodetic Survey monument box number 6647 at the centerline intersection of Brand Road (County Road 44) and Old Avery Road (County Road 3), also being the northeasterly corner of a 0.226 acre tract conveyed to the Franklin County Commissioners by deed of record in Official Record 015264 - J 14;

Thence S 16°32'28" E, a distance of 107.58 feet along the centerline of Old Avery Road (County Road 3) and the easterly line of said 0.226 acre tract to an iron pin set and the True Place of Beginning for this description:

Thence N 73°27'32" E, a distance of 97.00 feet leaving said centerline and through said road and 0.492 acre tract to an iron pin set;

Thence S 35°14'48" E, a distance of 42.23 feet through said 0.492 acre tract to an iron pin set;

Thence S 73°27'32" W, a distance of 110.54 feet through said 0.492 acre tract and said road to an iron pin set in the centerline of said road;

Thence n 10°32'28" w. a distance of 40.00 feet along the centerline of said road to the True Place of Beginning, containing 0.095 acre, more or less. Subject to all legal highways, easements, leases and restrictions of record and of records in the respective utility offices.

Iron pins set are 5/8" diameter reinforcing bars 30 inches long with a yellow cap stamped P.S. 7863.

The basis of bearings for this description is the centerline of Brand Road being N 82°53'25" W, as stated in Official Record 015264, page J14.

The above description was prepared by John J. Raab, Ohio Registered Surveyor No. 7863, from an actual field survey conducted in august, 2011 along with Franklin County Courthouse records and is a boundary survey, in accordance with the minimum standards for boundary surveys in the State of Ohio.