



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: Resolution 19-17
A RESOLUTION OF INTENT TO APPROPRIATE 0.009-ACRE, MORE OR LESS, OF FEE SIMPLE RIGHT-OF-WAY; AND A 0.005-ACRE, MORE OR LESS, TEMPORARY CONSTRUCTION EASEMENT FROM THE INDIAN RUN UNITED METHODIST CHURCH OF DUBLIN, LOCATED AT THE INTERSECTION OF AVERY ROAD AND BRAND ROAD, 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.

This Project requires that the City acquire fee simple right-of-way and a temporary construction easement from the Indian Run United Methodist Church of Dublin (the "Grantor") from the property located at the intersection of Avery Road and Brand Road, identified as Franklin County Parcel Number 273-010855.

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

ACQUISITION

The acquisition consists of 0.009-acre of fee simple right-of-way and a 0.005-acre temporary easement.

RECOMMENDATION

The Law Department recommends approval of Resolution 19-17 as approval of the Resolution will keep the Project moving forward.

RECORD OF RESOLUTIONS

Resolution No. 19-17 Passed _____,

A RESOLUTION OF INTENT TO APPROPRIATE 0.009-ACRE, MORE OR LESS, OF FEE SIMPLE RIGHT-OF-WAY; AND A 0.005-ACRE, MORE OR LESS, TEMPORARY CONSTRUCTION EASEMENT FROM THE INDIAN RUN UNITED METHODIST CHURCH OF DUBLIN, LOCATED AT THE INTERSECTION OF AVERY ROAD AND BRAND ROAD, 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 Project requires that the City obtain right-of-way and a temporary construction easement from the Indian Run United Methodist Church of Dublin as described in the attached Exhibit A and depicted in the attached Exhibit B, 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 constructing a roundabout, a 0.009-acre fee simple right-of-way and a 0.005-acre temporary construction easement, as described in the attached Exhibit A and depicted in the attached Exhibit B.

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 in the attached Exhibit A and depicted in the attached Exhibit B, 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 _____, 2017.

Mayor – Presiding Officer

ATTEST:

Clerk of Council

Parcel 1 - Indian Run United Methodist Church of Dublin



Parcel 1WD
Exhibit A
Right-of-Way Dedication
0.009 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 F of Hawk's Nest Section 2 Phase 3 as recorded in Plat Book 94, page 19 as conveyed to INDIAN RUN UNITED METHODIST CHURCH OF DUBLIN, INC. (hereafter referred to as Grantors) as described in I.N. 200201100010663 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, 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-J14;

THENCE on the centerline of old Avery Road, the easterly line of the said 0.226 acre tract, and the easterly line of a 6.900 acre tract conveyed to Indian Run United Methodist Church of Dublin, Inc., an Ohio Corporation Not For Profit as described in Official Record 3691-E01, **South 16° 08' 06" East** for a distance of **107.55 feet** to the Northwest corner of the grantor's lands;

THENCE through the dedicated right-of-way of old Avery Road and on the northerly line of the Grantors lands and through Reserve F as conveyed to the City of Dublin, Ohio, a municipal corporation as described in IN 200004270082025, **North 73° 51'54" East** for a distance of **81.94 feet** to a 5/8" Iron Pin Set at the **TRUE POINT OF BEGINNING**;

THENCE continuing on the northerly line of the Grantors lands and through the City of Dublin lands, **North 73° 51'54" East** for a distance of **15.06 feet** to a 5/8" iron pin found at the Northeast corner of the Grantor's lands;

THENCE on the easterly line of the Grantors lands and through the City of Dublin lands, **South 34° 50'26" East** for a distance of **42.23 feet** to a 5/8" iron pin found at the Southeast corner of the Grantor's lands;

THENCE on the southerly line of the Grantors lands and through the City of Dublin lands, **South 73° 51'54" West** for a distance of **5.00 feet** to a 5/8" Iron Pin Set;

THENCE through the Grantor's lands, **North 46° 40' 33" West** for a distance of **46.44 feet BACK TO THE TRUE POINT OF BEGINNING**.

The above-described parcel contains 0.009 acres lying within Franklin County Auditor's Parcel Number 273-010855. 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)

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.


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

Nov. 8, 2016
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.



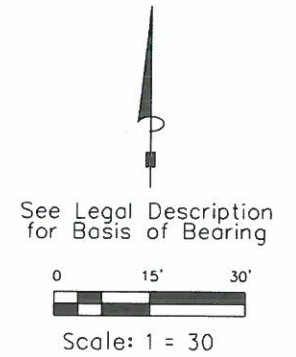
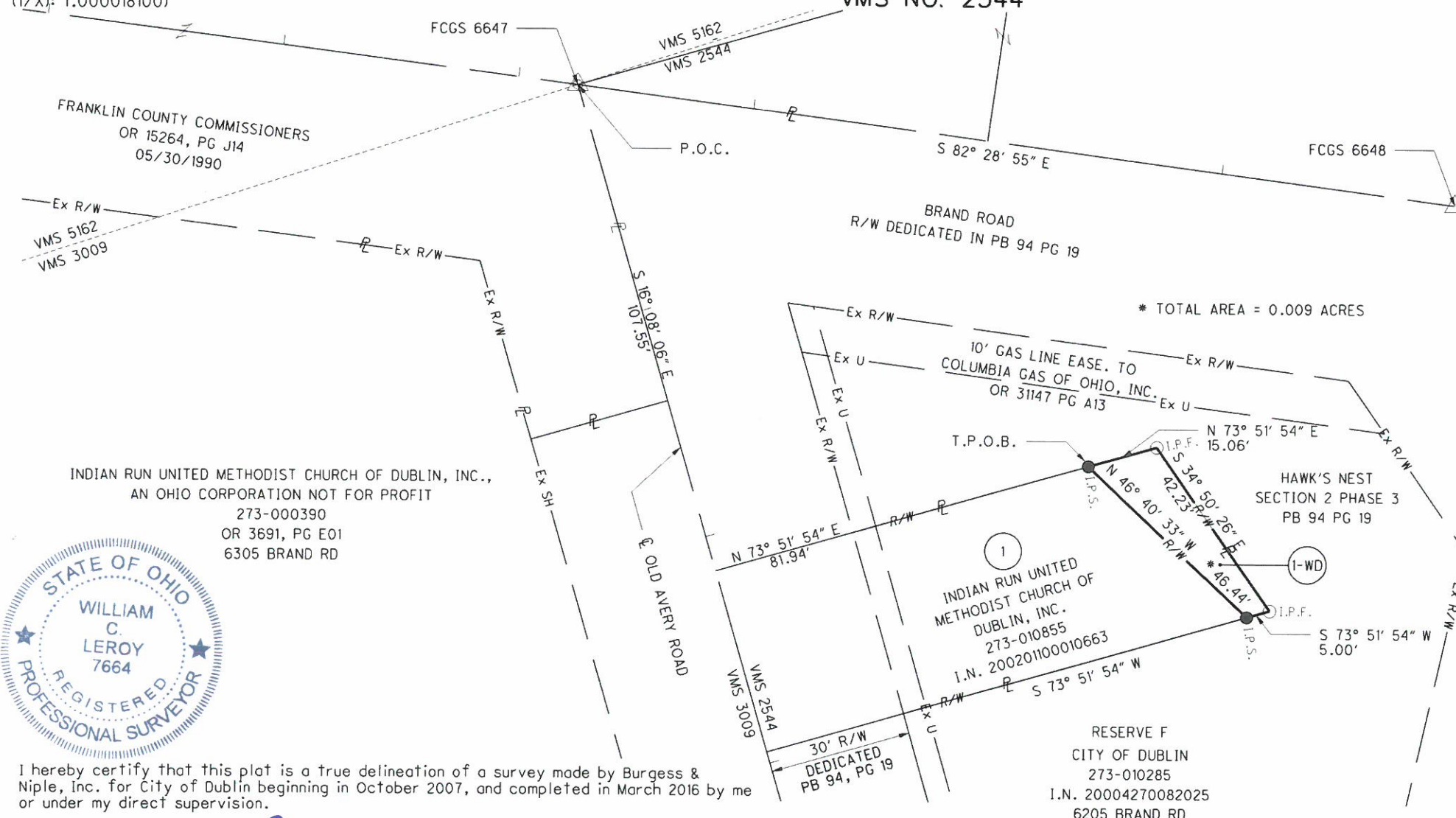

Amy Bernicken, P.S.
Ohio Reg. No. 8571

11-11-2016
Date

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 1WD
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.

Burgess and Niple, Inc.

William C. Leroy
William C. Leroy,
Registered Professional Surveyor No. 7664

Date *Nov. 8, 2016*

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: NRS	Chk: WCL	
Scale: SHOWN	Sht: 1 / 1	54786

Parcel 1T
Exhibit A
Temporary Easement
for
Road Improvements, Utilities, Storm Drainage, and Grading
0.005 Acres

Situated in the State of Ohio, County of Franklin, City of Dublin, Virginia Military Survey 2544 and being part of lands conveyed to INDIAN RUN UNITED METHODIST CHURCH OF DUBLIN, INC. (hereafter referred to as Grantors) as described in I.N. 200201100010663 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, 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-J14;

THENCE on the centerline of old Avery Road, the easterly line of the said 0.226 acre tract, and the easterly line of a 6.900 acre tract conveyed to Indian Run United Methodist Church of Dublin, Inc., an Ohio Corporation Not For Profit as described in Official Record 3691-E01, **South 16° 08' 06" East** for a distance of **107.55 feet** to the Northwest corner of the grantor's lands;

THENCE through the dedicated right-of-way of old Avery Road and the northerly line of the Grantors lands, **North 73° 51' 54" East** for a distance of **76.14 feet** to the **TRUE POINT OF BEGINNING** of the herein described easement;

THENCE continuing on the northerly line of the Grantors lands, **North 73° 51' 54" East** for a distance of **5.80 feet**;

THENCE on the easterly line of the Grantors lands, **South 46° 40' 33" East** for a distance of **46.44 feet**;

THENCE on the southerly line of the Grantors lands, **South 73° 51' 54" West** for a distance of **5.80 feet**;
THENCE through the Grantor's lands, **North 46° 40' 33" West** for a distance of **46.44 feet BACK TO THE TRUE POINT OF BEGINNING**.

The above-described parcel contains 0.005 acres lying within Franklin County Auditor's Parcel Number 273-010855. 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)

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.



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

Nov. 8, 2016

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, P.S.
Ohio Reg. No. 8571

11-8-2016

Date

PARCEL 1T
TEMPORARY EASEMENT
FOR ROAD IMPROVEMENTS, UTILITIES,
STORM DRAINAGE, AND GRADING



Burgess and Niple, Inc.

Date _____

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: NRS	Chk: WCL	
Scale: SHOWN	Sht: 1 / 1	54786