


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 19, 2018
Initiated By: Paul A. Hammersmith, P.E., Director of Engineering / City Engineer
 Michael S. Sweder, P.E., Civil Engineer II
 Philip K. Hartmann, Assistant Law Director
**Re: Ordinances to Appropriate - Nos. 32-18, 33-18, 34-18 & 35-18
 Hyland-Croy Road / Riviera Connector (17-016-CIP)**

BACKGROUND

The City of Dublin ("City") intends to construct the Hyland-Croy Road / Riviera Connector (the "Project"), which is a new public roadway connecting the Riviera neighborhood with Hyland-Croy Road. In the 2018-2022 Capital Improvements Program (CIP), site acquisition is programmed in 2017 and utility relocation, construction and landscape programmed in 2018.

This need for the connector was identified in the Traffic Impact Study and a condition of zoning approval for the Riviera development. The street section will be two lanes with a center median and separated bike/pedestrian facilities similar to Churchman Road. The addition of turn lanes on Hyland-Croy Road are also included with the project. Funding for this project will be from an advance from the General Fund to be repaid by anticipated service payment revenue from the Riviera Tax Increment Financing (TIF) District.

The Project requires the acquisition of property interest from the following property owners:

- Darshan Shah
- Sabra L. Minyard & William Minyard
- E. Elaine T. Horr, Trustee
- Noman I. Malik & Josephine Samina Malik, Trustees
- Dublin City School District (DCSD)
- Barbara Stroble & Laney Stroble
- Kevin D. Mullins & Jocelyn Mullins
- Riviera Ventures, LLC

To date, the City has agreed to terms with three of the property owners: Sabra L. Minyard & William Minyard; E. Elaine T. Horr, Trustee; and Riviera Ventures, LLC.

The City is hopeful that an amicable resolution may be reached with the remaining property owners; however, these Ordinances authorize the City Law Director's Office to file complaints for appropriation in the event that negotiations are unsuccessful. The Ordinances also authorize the City to enter into reasonable administrative settlement in the best interest of the City without further legislation.

ACQUISITION

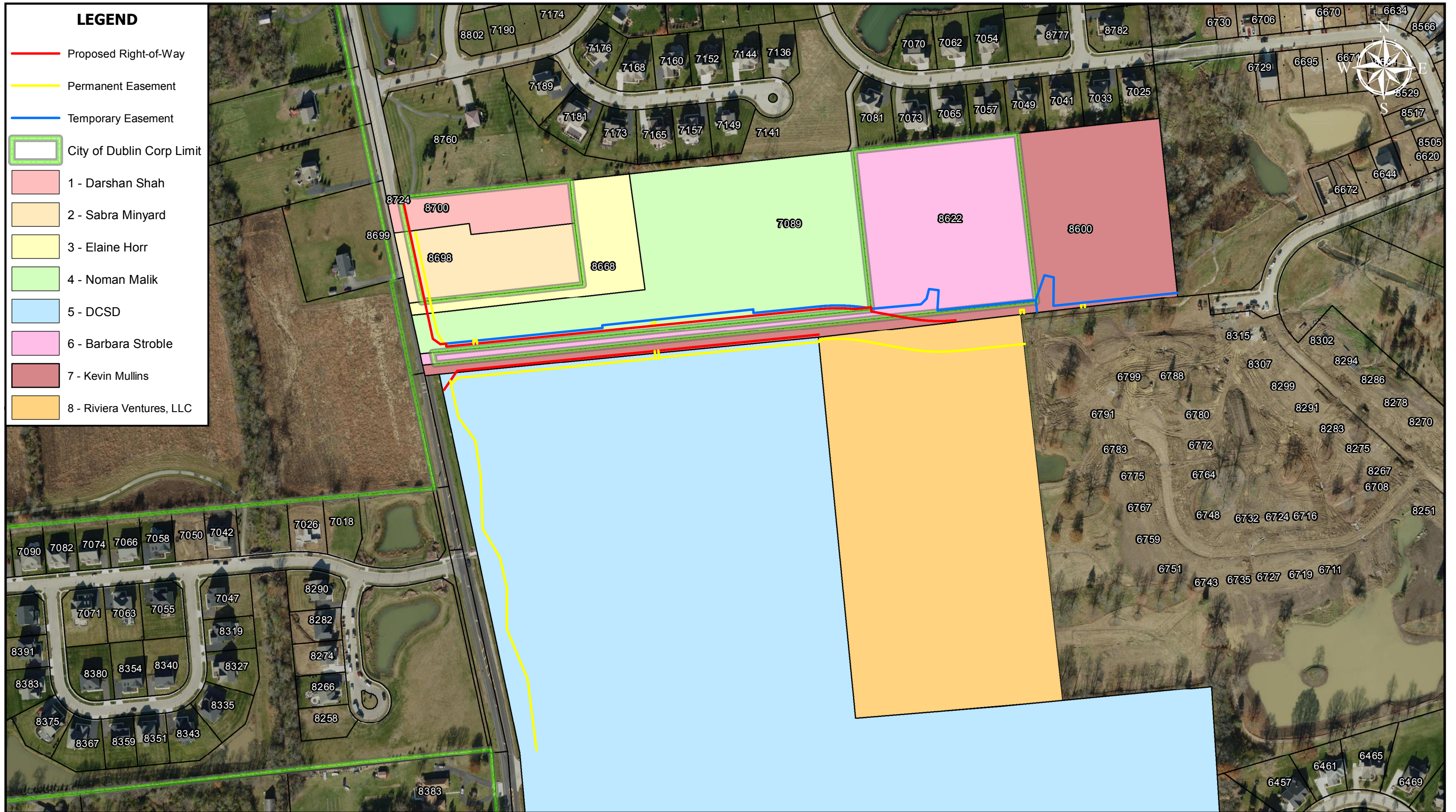
The property acquisitions consist of the following property interests from each of the named property owners listed below (minus Minyard, Horr, DCSD and Riviera Ventures, LLC) and as depicted in the maps attached hereto:

Property Owner (Address)	Parcel No.	Property Interests	Auditor Parcel ID Number
Darshan Shah (8700 Hyland-Croy Rd)	1-WD	Fee Simple R/W (0.091 acre ± of which 0.068 acre ± is P.R.O. ¹)	1700240390000
Noman I. Malik & Josephine Samina Malik, Trustees (7089 Firenza Place)	4-WD	Fee Simple R/W (0.372 acre ± of which 0.076 acre ± is P.R.O. ¹)	3900240590000
	4-S1	Stormwater & Drainage Easement (0.033 acre ±)	
	4-S2	Stormwater & Drainage Easement (0.002 acre ±)	
	4-S3	Stormwater & Drainage Easement (0.002 acre ±)	
	4-T	Temporary Construction Easement (0.299 acre ±)	
Barbara Stroble & Laney Stroble (8622 Hyland-Croy Rd)	6-WD	Fee Simple R/W (0.878 acre ± of which 0.021 acre ± is P.R.O. ¹)	1700240600000
	6-T	Temporary Construction Easement (0.140 acre ±)	
Kevin D. Mullins & Jocelyn Mullins (8600 Hyland-Croy Rd)	7-WD1	Fee Simple R/W (0.946 acre ± of which 0.021 acre ± is P.R.O. ¹)	3900240370000
	7-WD2	Fee Simple R/W (0.231 acre ±)	
	7-S1	Stormwater & Drainage Easement (0.002 acre ±)	
	7-S2	Stormwater & Drainage Easement (0.002 acre ±)	
	7-T	Temporary Construction Easement (0.186 acre ±)	

¹ P.R.O. stands for Present Road Occupied, which means that this portion of the acquisition is already encumbered with a roadway easement.

RECOMMENDATION

Staff recommends adoption of Ordinances Nos. 32-18 through 35-18 at the second reading/public hearing on May 7, 2018, as these Ordinances authorize the City Law Director's Office to file complaints for appropriation in the event ongoing negotiations are unsuccessful and furthermore will keep the Project moving forward. The Ordinances also authorize the City to enter into reasonable administrative settlement in the best interest of the City without further legislation.



RECORD OF ORDINANCES

Ordinance No. 32-18

Passed _____, 20____

AN ORDINANCE TO APPROPRIATE A 0.091-ACRE FEE SIMPLE WARRANTY DEED FOR RIGHT-OF-WAY, WITHOUT LIMITATION TO EXISTING ACCESS RIGHTS FROM DARSHAN SHAH, FROM THE PROPERTY LOCATED AT 8700 HYLAND-CROY ROAD FOR THE PUBLIC PURPOSE OF CONSTRUCTING A NEW ROADWAY WHICH SHALL BE OPEN TO THE PUBLIC WITHOUT CHARGE.

WHEREAS, the City of Dublin (the "City") is preparing to construct the Hyland-Croy Road and Riviera Connector Project (the "Project"); and

WHEREAS, the Project requires that the City obtain a fee simple warranty deed for right-of-way, without limitation to existing access rights, from the parcel identified as Union County Parcel No. 1700240390000, owned by Darshan Shah, as described in the attached Exhibit A and depicted in the attached Exhibit B.

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. Council considers it necessary and declares its authorization to appropriate, for the appraised value of \$300.00, for the public purpose of constructing a new roadway to be open to the public without charge improvements to be open to the public without charge, the following property interests: a 0.091-acre fee simple warranty deed for right-of-way, without limitation to existing access rights, as described in the attached Exhibit A and depicted in the attached Exhibit B.

Section 2. The City Law Director's office is hereby authorized to file a petition for appropriation in the County Court of Common Pleas should it become necessary, and to utilize the quick-take procedures pursuant to R.C. 163.06.

Section 3. This 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, including the authority to reach a reasonable administrative resolution with the property owner to acquire the property interests in an amount greater than the appraised value. Should the City reach a reasonable administrative resolution at an amount greater than the appraised value, no further legislation is required.

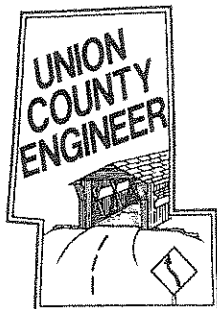
Section 4. This Ordinance shall take effect in accordance with 4.04(b) of the Dublin Revised Charter.

Passed this _____ day of _____, 2018.

Mayor – Presiding Officer

ATTEST:

Clerk of Council



County Engineer
Environmental Engineer
Building Department
233 W. Sixth Street
Marysville, Ohio 43040
P 937.645.3018
F 937.645.3161
www.co.union.oh.us/engineer

Marysville Operations Facility
16400 County Home Road
Marysville, Ohio 43040
P 937.645.3017
F 937.645.3111
Richwood Outpost
190 Beatty Avenue
Richwood, Ohio 43344

Public Service with integrity

DATE: 2-7-18

RE:

Acreage: 0.091 Ac

VMS#: 2925

Township: JEROME, WASHINGTON TWP
(OF FRANKLIN Co.)

Corporation: DUBLIN

Owner: DARSHAN SHAH

Union County, Ohio

UPDATED 1-WD
DATED 2-5-18

To Whom It May Concern:

The above referenced, and attached description(s) and plat(s) are acceptable and comply with the Union County Conveyance Standards.

It has been pre-approved* and final approval will be given when actual transfer happens.

Signed by: Mary Kish
MAPPING MGR.

Date: 2-7-18

***Pre-Approval** of description **does not** include any Planning Commission lot split approval, zoning, Health Department or any other approvals needed for transfer.

Exhibit A

PARCEL 1-WD (SHAH)
HYLAND-CROY ROAD & RIVIERA CONNECTOR
DESCRIPTION OF 0.091 ACRE - RIGHT-OF-WAY
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

Situated in the State of Ohio, County of Union, Township of Jerome and City of Dublin, Township of Washington (of Franklin County), being located in Virginia Military Survey No. 2925, being part of that 1.293-acre tract as described in a deed to Darshan Shah, of record in Instrument No. 201801300000770; all references herein being to the records of the Recorder's Office, Union County, Ohio, and being more particularly described as follows:

Beginning **FOR REFERENCE** at a Mag Nail found at the centerline intersection of Hyland-Croy Road (width varies) with Celtic Crossing Drive (50 feet in width); thence North 12°12'35" West, along the centerline of Hyland-Croy Road, a distance of 937.18 feet to a Mag Nail set at the southwesterly corner of said 1.293-acre tract and the northwesterly corner of that 2.009-acre tract as described in a deed to Sabra L. Minyard and William Minyard of record in Official Record 69, Page 189, at the **TRUE PLACE OF BEGINNING**:

Thence North 12°12'35" West, continuing along said centerline, a distance of 99.74 feet to a Mag Nail set at the northwesterly corner of said 1.293-acre tract;

Thence North 83°59'10" East, along the northerly line of said 1.239-acre tract, a distance of 40.24 feet to an iron pin set at the southwesterly corner of Reserve "Q" as shown and delineated upon the plat "Tartan West Section 5", a subdivision of record in Plat Book 5, Page 198-200;

Thence South 12°12'35" East, through said 1.293-acre tract with a new division line, a distance of 98.86 feet to an iron pin set in the southerly line of said 1.293-acre tract and the northerly line of said 2.009 acre tract;

Thence South 82°43'50" West, along said northerly and southerly lines, a distance of 40.15 feet to the **TRUE PLACE OF BEGINNING** and containing 0.091-acre of land, 0.068-acre being within the existing right-of-way of Hyland-Croy Road.

Bearings herein are based on a field traverse originating from Franklin County Engineer survey of FCGS monuments "Frank 72" and "Frank 172", establishing a bearing of North 12°12'35" West for Hyland-Croy Road and are based on the Ohio State Plane Coordinate System, South Zone, NAD 83 (2011 adjustment).

Irons pins set consist of a 3/8-inch rebar, 30 inches long with an orange plastic cap stamped "IBI Group, S-6872/S-7740".

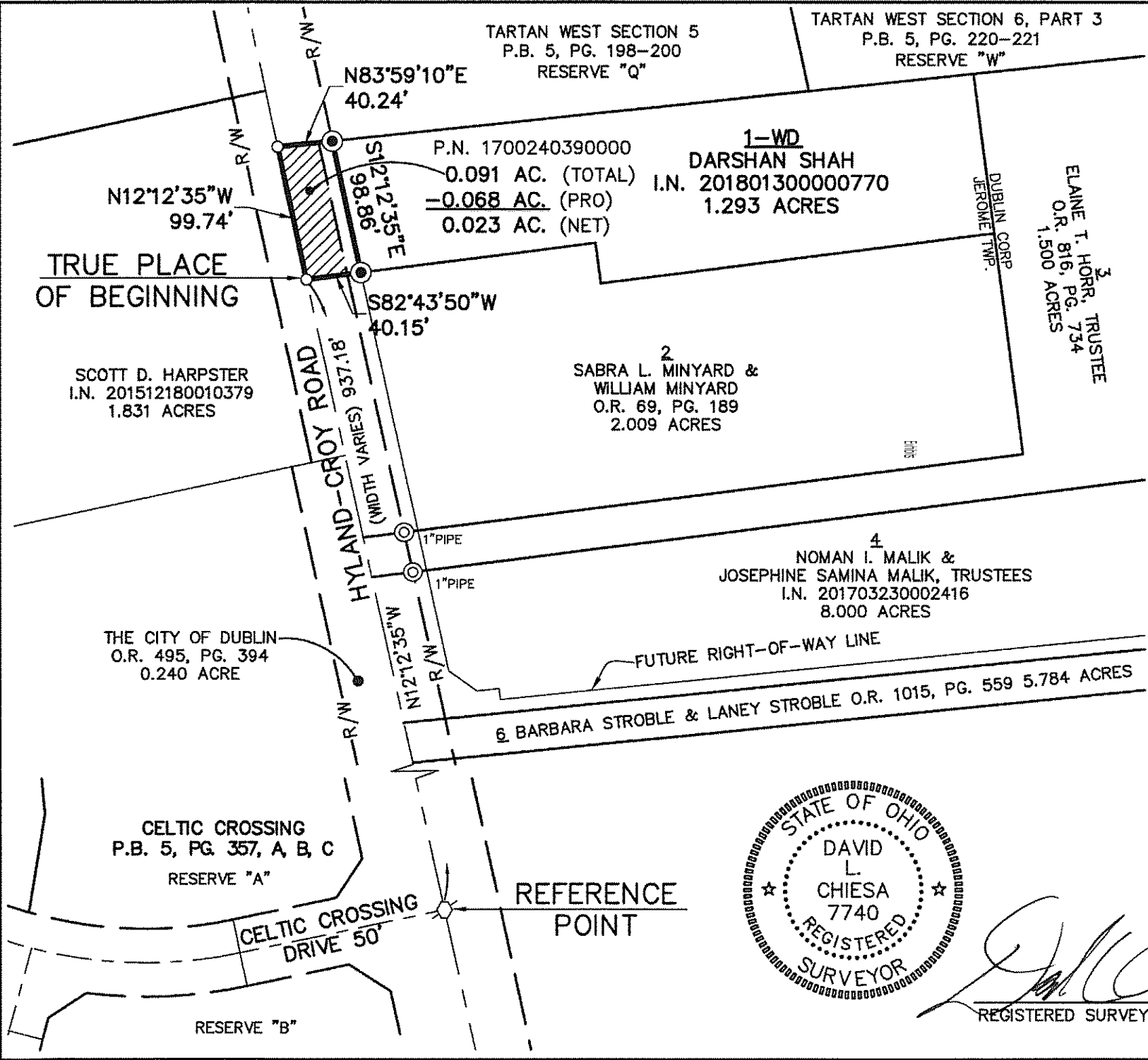
This description was prepared by IBI Group Survey, Westerville, Ohio, and is based on an actual field survey of the premises performed in summer of 2017.



IBI Group Survey
Westerville, Ohio

By David L. Chiesa 2-5-18 date
David L. Chiesa
Registered Surveyor No. 7740

J:\110135_dublin_hyland\5.9 Drawings\baseline\survey\MD\SHAH-MD.dwg by: david.chiesa on 02/05/2018 @ 08:12:30 am ~@IBI Group



LEGEND

- IRON PIN FOUND (AS NOTED)
- IRON PIN SET (5/8" REBAR 30" LONG W/PLASTIC CAP "IBI GROUP/S-6872/S-7740")
- MAG NAIL SET
- MAG NAIL FOUND
- P.R.O.

FLOOD NOTE

THE AREA SHOWN HEREON IS LOCATED IN FLOOD ZONE "X" ACCORDING TO F.E.M.A. MAP No. 39049C0018K, DATED JUNE 17, 2008.

BEARING REFERENCE

BEARINGS HEREIN ARE BASED ON A FIELD TRAVERSE ORIGINATING FROM FRANKLIN COUNTY ENGINEER SURVEY OF FCGS MONUMENTS "FRANK 72" AND "FRANK 172", ESTABLISHING A BEARING OF NORTH 12°12'35" WEST FOR HYLAND-CROY ROAD AND ARE BASED ON THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD83 (2011 ADJUSTMENT).



IBI GROUP
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 Westerville OH 43081 USA
 tel 614 818 4900 fax 614 818 4901
 ibigroup.com

HYLAND-CROY ROAD & RIVIERA CONNECTION
 VIRGINIA MILITARY DISTRICT NO. 2925
 STATE OF OHIO, COUNTY OF UNION,
 TOWNSHIP OF JEROME AND
 CITY OF DUBLIN,
 TOWNSHIP OF WASHINGTON
 (OF FRANKLIN COUNTY)
 DARSHAN SHAH
 PARCEL 1-WD

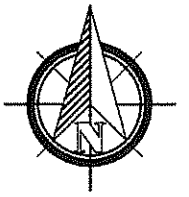
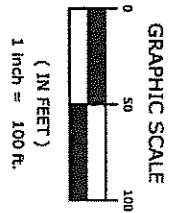
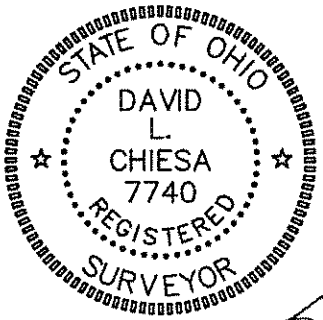


Exhibit B



David L. Chiesa
 REGISTERED SURVEYOR NO. 7740

2-5-18
 DATE