



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 30, 2018

**Initiated By:** Paul A. Hammersmith, Director of Engineering/City Engineer  
Michael S. Sweder, PE, Civil Engineer II  
Philip K. Hartmann, Assistant Law Director

**Re:** Ord. 80-18 - S.R. 161 & Cosgray Road Intersection Improvement Project  
Ordinance Authorizing Settlement

## BACKGROUND

The City of Dublin ("City"), the Franklin County Engineer's Office, and the Union County Engineer's Office (collectively, the "Project Partners") are working together to construct a roundabout at the intersection of S.R. 161/Post Road and Cosgray Road (the "Project"). The Project Partners entered into a cooperative construction agreement on June 28, 2016 for the intersection improvements. In accordance with the agreement, the City will be the main point of contact regarding the property acquisition necessary for the Project, but Union County is responsible for costs of purchasing or acquiring those property interests from the various property owners.

Specifically, the Project requires that the City acquire property interests from three parcels owned by The Duroc Trust (Kevin G. Bennington, Marc A. Palmer, Larry D. Clarke and Mark A. Bryant) collectively, the "Owners".

The City, with input and agreement from the Union County Engineer's Office, participated in good faith discussions with the Owners and have come to mutually agreeable terms for the acquisition of the property interests.

## ACQUISITION

The property acquisition consists of the following property interests from The Duroc Trust, as listed in the table below and depicted in the map attached hereto:

Parcel No.	Property Interests	Auditor Parcel ID Number	Appraised Value	Acquisition Price
2	2-T: 0.0299-acre temporary construction easement	271-000011-00	\$900	\$405,000
3	3-T: 0.0232-acre temporary construction easement	271-000014-00	\$700	
6	6-WD1: Fee Simple R/W (0.1270-acre ± of which 0.0381-acre ± is P.R.O.) <sup>1</sup>	274-000010-00	\$204,920	
	6-WD2: Fee Simple R/W (0.9139-acre ± of which 0.4815-acre ± is P.R.O.)			
	6-U: 0.6520-acre permanent utility easement			
6-T: 0.0953-acre temporary construction easement				

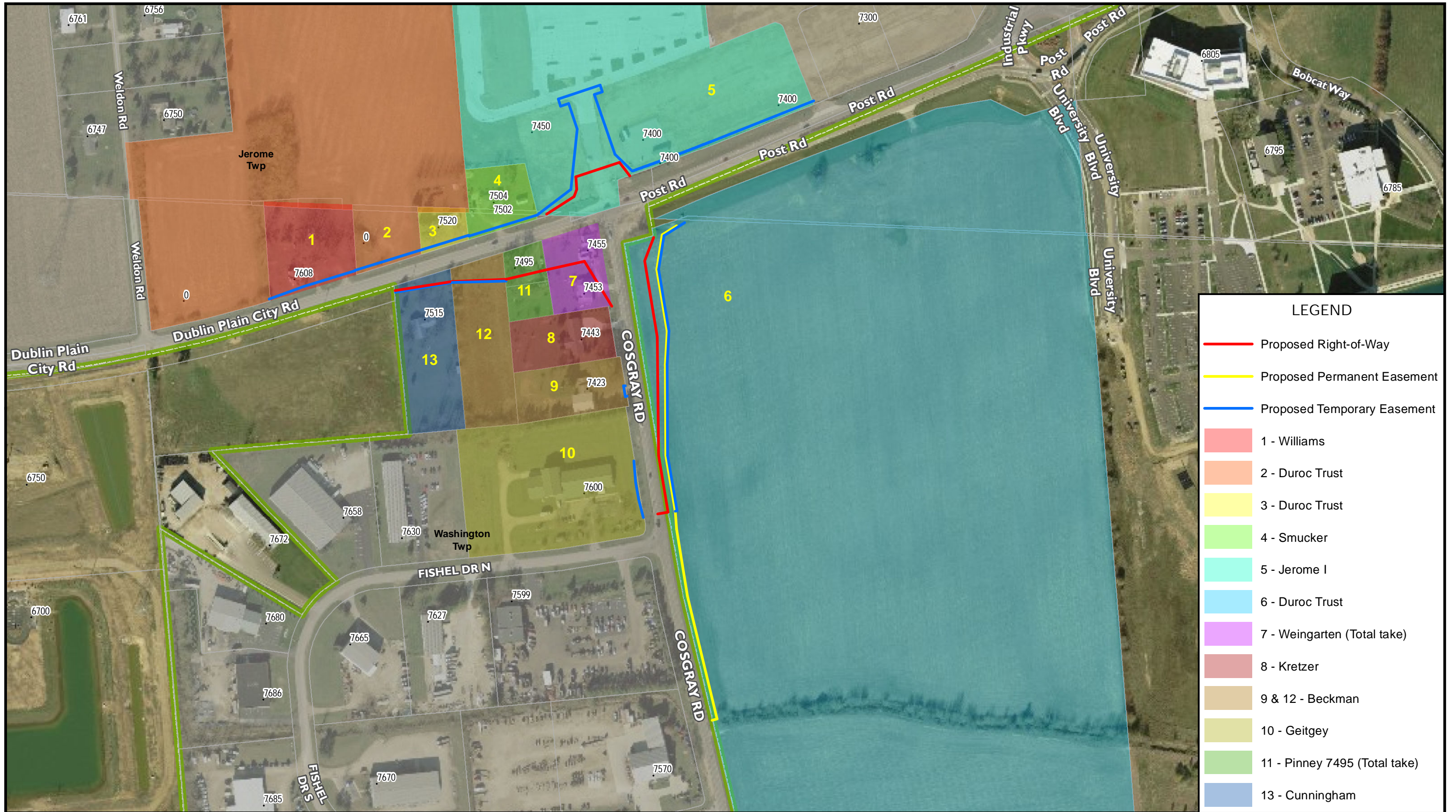
**RECOMMENDATION**

Staff recommends adoption of Ordinance No. 80-18 at the second reading/public hearing on November 19, 2018, as the ordinance authorizes the City Manager to execute all necessary conveyance documents and formally accept the necessary property interests described above.

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





**LEGEND**

- Proposed Right-of-Way
- Proposed Permanent Easement
- Proposed Temporary Easement
- 1 - Williams
- 2 - Duroc Trust
- 3 - Duroc Trust
- 4 - Smucker
- 5 - Jerome I
- 6 - Duroc Trust
- 7 - Weingarten (Total take)
- 8 - Kretzer
- 9 & 12 - Beckman
- 10 - Geitgey
- 11 - Pinney 7495 (Total take)
- 13 - Cunningham



# RECORD OF ORDINANCES

Ordinance No. 80-18

Passed \_\_\_\_\_, 20\_\_\_\_

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A SETTLEMENT AGREEMENT TO ACQUIRE A 0.1270-ACRE FEE SIMPLE RIGHT-OF-WAY; A 0.9139-ACRE FEE SIMPLE RIGHT-OF-WAY; A 0.6520-ACRE PERMANENT UTILITY EASEMENT; AND A 0.0953-ACRE TEMPORARY CONSTRUCTION EASEMENT FROM KEVIN G. BENNINGTON, MARK A. BRYANT, LARRY D. CLARKE AND MARC A. PALMER, SUCCESSOR CO-TRUSTEES OF THE DUROC TRUST, LOCATED AT THE SOUTHEAST CORNER OF S.R. 161 AND COSGRAY ROAD; A 0.0299-ACRE TEMPORARY CONSTRUCTION EASEMENT, FROM THE SAME PROPERTY OWNER, LOCATED ON PLAIN CITY ROAD; AND A 0.0232-ACRE TEMPORARY CONSTRUCTION EASEMENT, FROM THE SAME PROPERTY OWNER, LOCATED AT 7520 PLAIN CITY 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 S.R. 161 and Cosgray Road (the "Project"); and

**WHEREAS**, the Project requires that the City obtain two fee simple right-of-way acquisitions, a permanent utility easement, and three temporary construction easements, from three different parcels owned by Kevin G. Bennington, Mark A. Bryant, Larry D. Clarke and Marc A. Palmer, Successor Co-Trustees of the Duroc Trust, as described in the attached Exhibits A and depicted in the attached Exhibits 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 property interests for the sum of \$405,000.00, with said sum to be paid by Union County as part of a joint public project agreement; and

**WHEREAS**, the City desires to execute and accept necessary documents to complete the transaction between the City and the Grantors, including, but not limited to, the draft settlement agreement attached as Exhibit C.

**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 and accept all necessary documents to acquire the following property interests: a 0.1270-acre fee simple right-of-way; a 0.9139-acre fee simple right-of-way; a 0.6520-acre permanent utility easement; a 0.0953-acre temporary construction easement; a 0.0299-acre temporary construction easement; and a 0.0232-acre temporary construction easement, as described in the attached Exhibits A and depicted in the attached Exhibits B, including, but not limited to, the draft settlement agreement attached as Exhibit C.

**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 without further legislation being required.

**Section 3.** Union County will be paying the agreed-upon amount of \$405,000.00.

**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



**EXHIBIT A**

Ver. Date: 02/13/2017

Page 1 of 1

**PARCEL 2-T  
S.R. 161 / COSGRAY RD. ROUNDABOUT  
DESCRIPTION OF A TEMPORARY  
CONSTRUCTION AND GRADING EASEMENT**

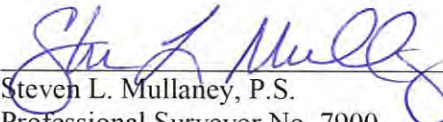
Situated in the State of Ohio, County of Franklin, Washington Township, V.M.S. No. 6748, being part of a tract in the name of Kevin G. Bennington, Mark A. Bryant, Larry D. Clarke, and Marc A. Palmer, Successor Co-Trustees of the Duroc Trust (hereinafter known as the "Grantor") by Instrument Number 201511060158372 of Franklin County records and Instrument Number 201511160161900 of Franklin County records.

Commencing, for reference, at a 5/8 inch rebar (found) where the Franklin/Union County line intersects the westerly line of V.M.S. No. 6748 and the centerline of Fulk Road; thence, leaving said V.M.S. line, along the Franklin/Union County line, South 87 degrees 49 minutes 49 seconds East, a distance of 620.73 feet to the northeasterly corner of a tract in the name of Robert E. Williams, II, as recorded in Instrument Number 200607110134578 of Franklin County records and the southeasterly corner of a tract in the name of Robert E. Williams, II, as recorded in Official Record 65, Page 517 of Union County records; thence, leaving said county line, along the easterly line of said Williams tract, South 05 degrees 34 minutes 49 seconds East, a distance of 228.22 feet to the **Point of Beginning** of the easement herein described; Thence, clockwise along the following four (4) courses;

1. Thence, leaving said property line, across the grantor's tract, **North 72 degrees 55 minutes 51 seconds East**, a distance of **186.21 feet** to a point on the westerly line of a tract in the name of Kevin G. Bennington, Mark A. Bryant, Larry D. Clarke, and Marc A. Palmer, Successor Co-Trustees of the Duroc Trust, as recorded in Instrument Number 201511060158372 of Franklin County records and Instrument Number 201511160161900 of Franklin County records;
2. Thence, along said property line, **South 04 degrees 36 minutes 06 seconds East**, a distance of **7.17 feet** to a point on the northerly existing right of way line of State Route 161;
3. Thence, along said existing right of way line, **South 72 degrees 55 minutes 51 seconds West**, a distance of **186.09 feet** to a point on the easterly line of said Williams tract;
4. Thence, leaving said existing right of way line, along said property line, **North 05 degrees 34 minutes 49 seconds West**, a distance of **7.14 feet** to the **Point of Beginning**, containing 0.0299 acres, of which the present road occupies 0.0000 acres, and is contained within Franklin County Auditor's Permanent Parcel No. 271-000011-00.

The bearings for this description are based on the bearing between Franklin County Engineer's Monument "FRANK72" and Franklin County Geodetic Survey Monument "WE130" being North 84 degrees 36 minutes 52 seconds West, as measured with GPS methods using Grid North, of the Ohio State Plane Coordinate System, South Zone (2011).

This description was prepared and reviewed under the supervision of Steven L. Mullaney, Professional Surveyor No. 7900 from a survey conducted for the City of Dublin, Ohio in July, 2016.

  
Steven L. Mullaney, P.S.  
Professional Surveyor No. 7900

2/14/2017  
Date

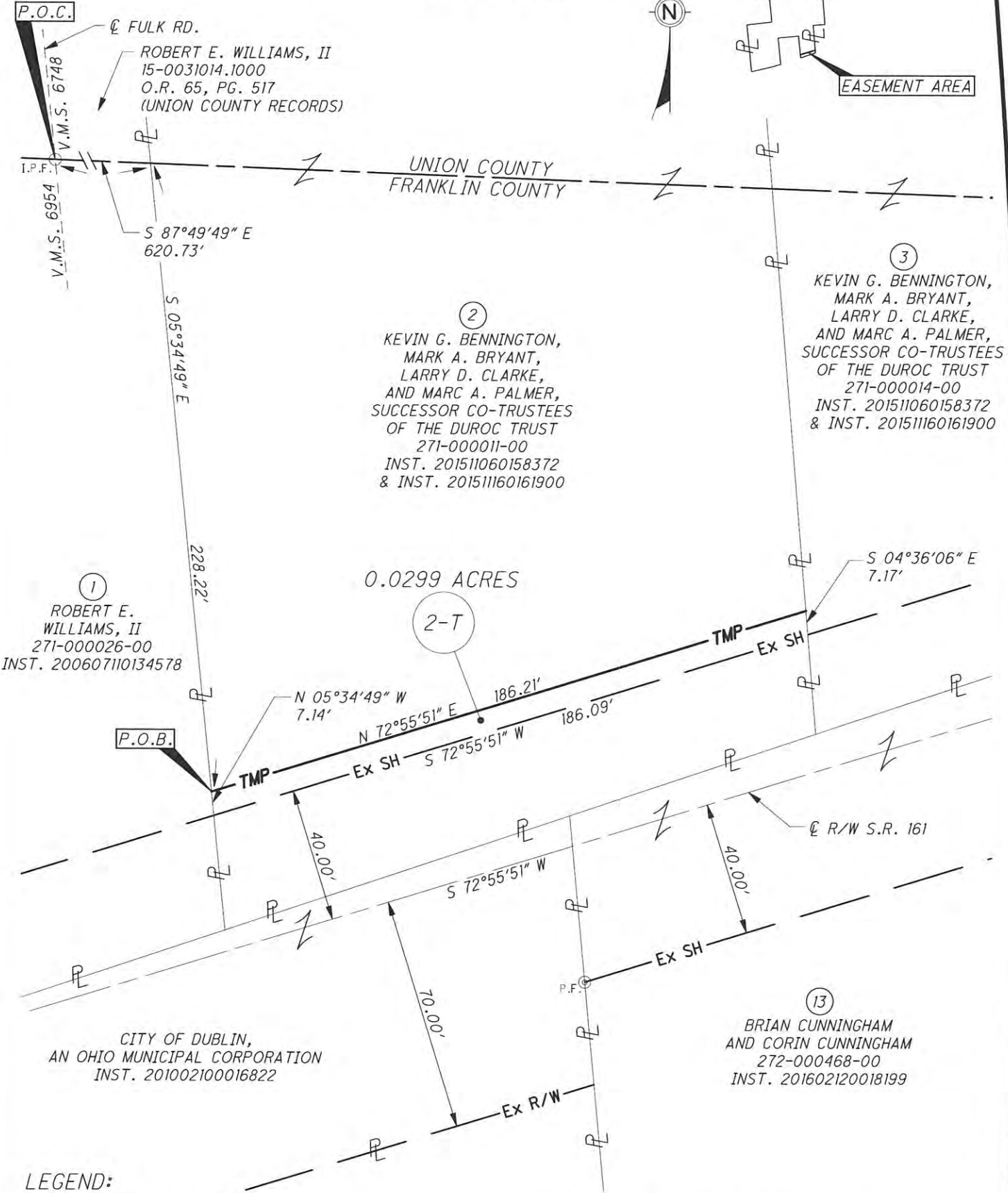
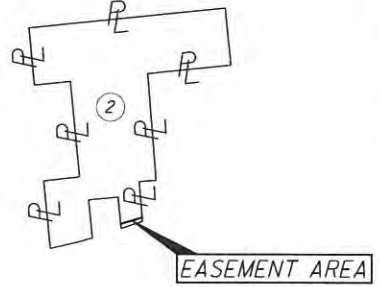
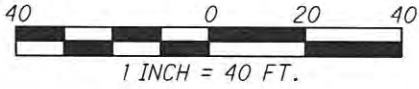






**EXHIBIT B**  
**PARCEL 2-T**  
**SR 161/COSGRAY RD. ROUNDABOUT**

STATE OF OHIO  
FRANKLIN COUNTY  
WASHINGTON TOWNSHIP  
V.M.S. 6748



**PERTINENT DOCUMENTS USED:**  
INST. 201511060158372, INST. 201511160161900,  
INST. 200607110134578, INST. 201002100016822,  
INST. 201602120018199

**BASIS OF BEARINGS:**  
BEARINGS ARE BASED ON THE BEARING BETWEEN  
FRANKLIN COUNTY ENGINEER'S MONUMENT "FRANK72"  
AND FRANKLIN COUNTY GEODETIC SURVEY MONUMENT  
"WE130" BEING N 84°36'52" W, AS MEASURED WITH GPS  
METHODS USING GRID NORTH, OF THE OHIO STATE  
PLANE COORDINATE SYSTEM, SOUTH ZONE (2011).



*Steven L. Mullaney*  
STEVEN L. MULLANEY, P.S. 7900  
2/14/2017  
DATE



**EXHIBIT A**

Ver. Date: 02/13/2017

Page 1 of 1

**PARCEL 3-T  
S.R. 161 / COSGRAY RD. ROUNDABOUT  
DESCRIPTION OF A TEMPORARY  
CONSTRUCTION AND GRADING EASEMENT**

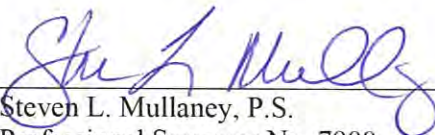
Situated in the State of Ohio, County of Franklin, Washington Township, V.M.S. No. 6748, being part of a tract in the name of Kevin G. Bennington, Mark A. Bryant, Larry D. Clarke, and Marc A. Palmer, Successor Co-Trustees of the Duroc Trust (hereinafter known as the "Grantor") by Instrument Number 201511060158372 of Franklin County records and Instrument Number 201511160161900 of Franklin County records.

Commencing, for reference, at a 5/8 inch rebar (found) where the Franklin/Union County line intersects the westerly line of V.M.S. No. 6748 and the centerline of Fulk Road; thence, leaving said V.M.S. line, along the Franklin/Union County line, South 87 degrees 49 minutes 49 seconds East, a distance of 793.23 feet to a point on the grantor's westerly line; thence, leaving said county line, along said property line, South 04 degrees 36 minutes 06 seconds East, a distance of 126.59 feet to the **Point of Beginning** of the easement herein described; Thence, clockwise along the following four (4) courses;

1. Thence, leaving said property line, across the grantor's tract, **North 72 degrees 55 minutes 51 seconds East**, a distance of **144.51 feet** to a point on the westerly line of a tract in the name of Ralph E. Smucker, as recorded in Instrument Number 200406290150741 of Franklin County records;
2. Thence, along said property line, **South 04 degrees 36 minutes 06 seconds East**, a distance of **7.17 feet** to a 5/8 inch rebar (found) at the southwesterly corner of said Smucker tract and the northwesterly corner of a tract in the name of Jerome I Associates, Ltd., an Ohio Limited Liability Company, as recorded in Instrument Number 201508070109463, said corner being on the northerly existing right of way line of State Route 161;
3. Thence, along said existing right of way line, **South 72 degrees 55 minutes 51 seconds West**, a distance of **144.51 feet** to a point on the grantor's westerly line;
4. Thence, leaving said existing right of way line, along said property line, **North 04 degrees 36 minutes 06 seconds West**, a distance of **7.17 feet** to the **Point of Beginning**, containing 0.0232 acres, of which the present road occupies 0.0000 acres, and is contained within Franklin County Auditor's Permanent Parcel No. 271-000014-00.

The bearings for this description are based on the bearing between Franklin County Engineer's Monument "FRANK72" and Franklin County Geodetic Survey Monument "WE130" being North 84 degrees 36 minutes 52 seconds West, as measured with GPS methods using Grid North, of the Ohio State Plane Coordinate System, South Zone (2011).

This description was prepared and reviewed under the supervision of Steven L. Mullaney, Professional Surveyor No. 7900 from a survey conducted for the City of Dublin, Ohio in July, 2016.

  
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Professional Surveyor No. 7900

2/14/2017  
Date



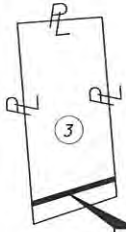
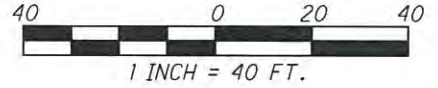




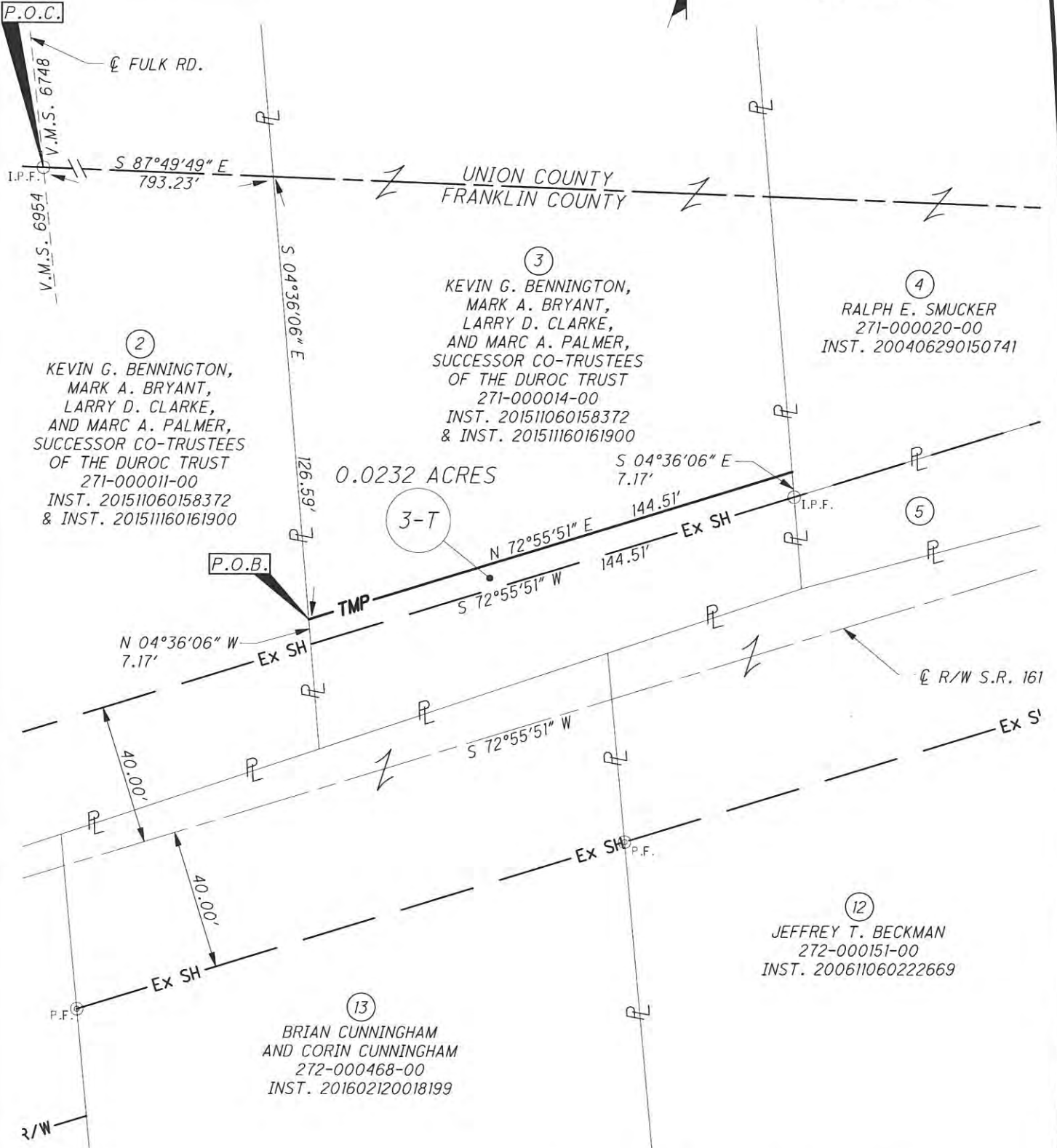
**EXHIBIT B**  
**PARCEL 3-T**  
**SR 161/COSGRAY RD. ROUNDABOUT**

STATE OF OHIO  
FRANKLIN COUNTY  
WASHINGTON TOWNSHIP  
V.M.S. 6748

⑤  
JEROME I ASSOCIATES, LTD.,  
AN OHIO LIMITED LIABILITY COMPANY  
271-000003-00  
INST. 201508070109463



EASEMENT AREA



②  
KEVIN G. BENNINGTON,  
MARK A. BRYANT,  
LARRY D. CLARKE,  
AND MARC A. PALMER,  
SUCCESSOR CO-TRUSTEES  
OF THE DUROC TRUST  
271-000011-00  
INST. 201511060158372  
& INST. 201511160161900

③  
KEVIN G. BENNINGTON,  
MARK A. BRYANT,  
LARRY D. CLARKE,  
AND MARC A. PALMER,  
SUCCESSOR CO-TRUSTEES  
OF THE DUROC TRUST  
271-000014-00  
INST. 201511060158372  
& INST. 201511160161900

④  
RALPH E. SMUCKER  
271-000020-00  
INST. 200406290150741

⑫  
JEFFREY T. BECKMAN  
272-000151-00  
INST. 200611060222669

⑬  
BRIAN CUNNINGHAM  
AND CORIN CUNNINGHAM  
272-000468-00  
INST. 201602120018199

**LEGEND:**

- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- I.P.F. 5/8" REBAR (FOUND)
- ⊙ P.F. 3/4" PIPE (FOUND)



**PERTINENT DOCUMENTS USED:**

- INST. 201511060158372, INST. 201511160161900,
- INST. 201602120018199, INST. 200406290150741,
- INST. 200611060222669

**BASIS OF BEARINGS:**

BEARINGS ARE BASED ON THE BEARING BETWEEN FRANKLIN COUNTY ENGINEER'S MONUMENT "FRANK72" AND FRANKLIN COUNTY GEODETIC SURVEY MONUMENT "WE130" BEING N 84°36'52" W, AS MEASURED WITH GPS METHODS USING GRID NORTH, OF THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (2011).

*Steven L. Mullaney*  
STEVEN L. MULLANEY, P.S. 7900

2/14/2017  
DATE



**EXHIBIT A**

Ver. Date: 02/13/2017

Page 1 of 1

**PARCEL 6-T  
S.R. 161 / COSGRAY RD. ROUNDABOUT  
DESCRIPTION OF A TEMPORARY  
CONSTRUCTION AND GRADING EASEMENT**

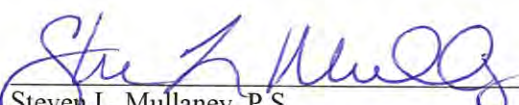
Situated in the State of Ohio, County of Franklin, Washington Township, V.M.S. No. 6748, being part of a tract in the name of Kevin G. Bennington, Mark A. Bryant, Larry D. Clarke and Marc A. Palmer, Successor Co-Trustees of the Duroc Trust (hereinafter known as the "Grantor") by Instrument Number 201511160161901 of Franklin County records.

Commencing, for reference, at a 5/8 inch rebar (found) where the Franklin/Union County line intersects the westerly line of V.M.S. No. 6748 and the centerline of Fulk Road; thence, leaving said V.M.S. line, along said county line, South 87 degrees 49 minutes 49 seconds East, a distance of 1592.48 feet to a point on the southeasterly line of a 35 feet wide standard highway easement, known as parcel 64-SH, and recorded in Instrument Number 201005200062529 of Union County records; thence, leaving said county line along the southeasterly line of said standard highway easement, Southwesterly, an arc distance of 53.26 feet along the arc of a curve deflecting to the right, having a central angle of 00 degrees 31 minutes 23 seconds, a radius of 5834.58 feet and a chord that bears South 69 degrees 28 minutes 50 seconds West, a chord distance of 53.26 feet to the **Point of Beginning** of the easement herein described; thence, clockwise along the following fourteen (14) courses;

1. Thence, leaving said easement line, across the grantor's tract, **South 57 degrees 54 minutes 15 seconds West**, a distance of **68.28 feet** to a point;
2. Thence, **South 09 degrees 02 minutes 18 seconds West**, a distance of **93.91 feet** to a point;
3. Thence, **South 09 degrees 26 minutes 37 seconds East**, a distance of **174.74 feet** to a point;
4. Thence, **South 03 degrees 05 minutes 07 seconds West**, a distance of **92.59 feet** to a point;
5. Thence, **South 00 degrees 21 minutes 12 seconds East**, a distance of **252.63 feet** to a point;
6. Thence, **South 09 degrees 26 minutes 37 seconds East**, a distance of **156.63 feet** to a point;
7. Thence, **South 80 degrees 33 minutes 23 seconds West**, a distance of **5.00 feet** to a point;
8. Thence, **North 09 degrees 26 minutes 37 seconds West**, a distance of **157.03 feet** to a point;
9. Thence, **North 00 degrees 21 minutes 12 seconds West**, a distance of **253.18 feet** to a point;
10. Thence, **North 03 degrees 05 minutes 07 seconds East**, a distance of **92.20 feet** to a point;
11. Thence, **North 09 degrees 26 minutes 37 seconds West**, a distance of **175.00 feet** to a point;
12. Thence, **North 09 degrees 02 minutes 18 seconds East**, a distance of **96.99 feet** to a point;
13. Thence, **North 57 degrees 54 minutes 15 seconds East**, a distance of **46.94 feet** to a point on the southeasterly line of said standard highway easement;
14. Thence, along said easement line, **Northeasterly**, an arc distance of **24.13 feet**, along the arc of a curve deflecting to the left, having a central angle of **00 degrees 14 minutes 13 seconds**, a radius of **5834.58 feet**, and a chord that bears **North 69 degrees 51 minutes 38 seconds East**, a chord distance of **24.13 feet** to the **Point of Beginning**, containing 0.0953 acres, of which the present road occupies 0.0000 acres, and is contained within Franklin County Auditor's parcel No. 274-000010-00.

The bearings for this description are based on the bearing between Franklin County Engineer's Monument "FRANK72" and Franklin County Geodetic Survey Monument "WE130" being North 84 degrees 36 minutes 52 seconds West, as measured with GPS methods using Grid North, of the Ohio State Plane Coordinate System, South Zone (2011).

This description was prepared and reviewed under the supervision of Steven L. Mullaney, Professional Surveyor No. 7900 from a survey conducted for the City of Dublin, Ohio in July, 2016.

  
Steven L. Mullaney, P.S.  
Professional Surveyor No. 7900

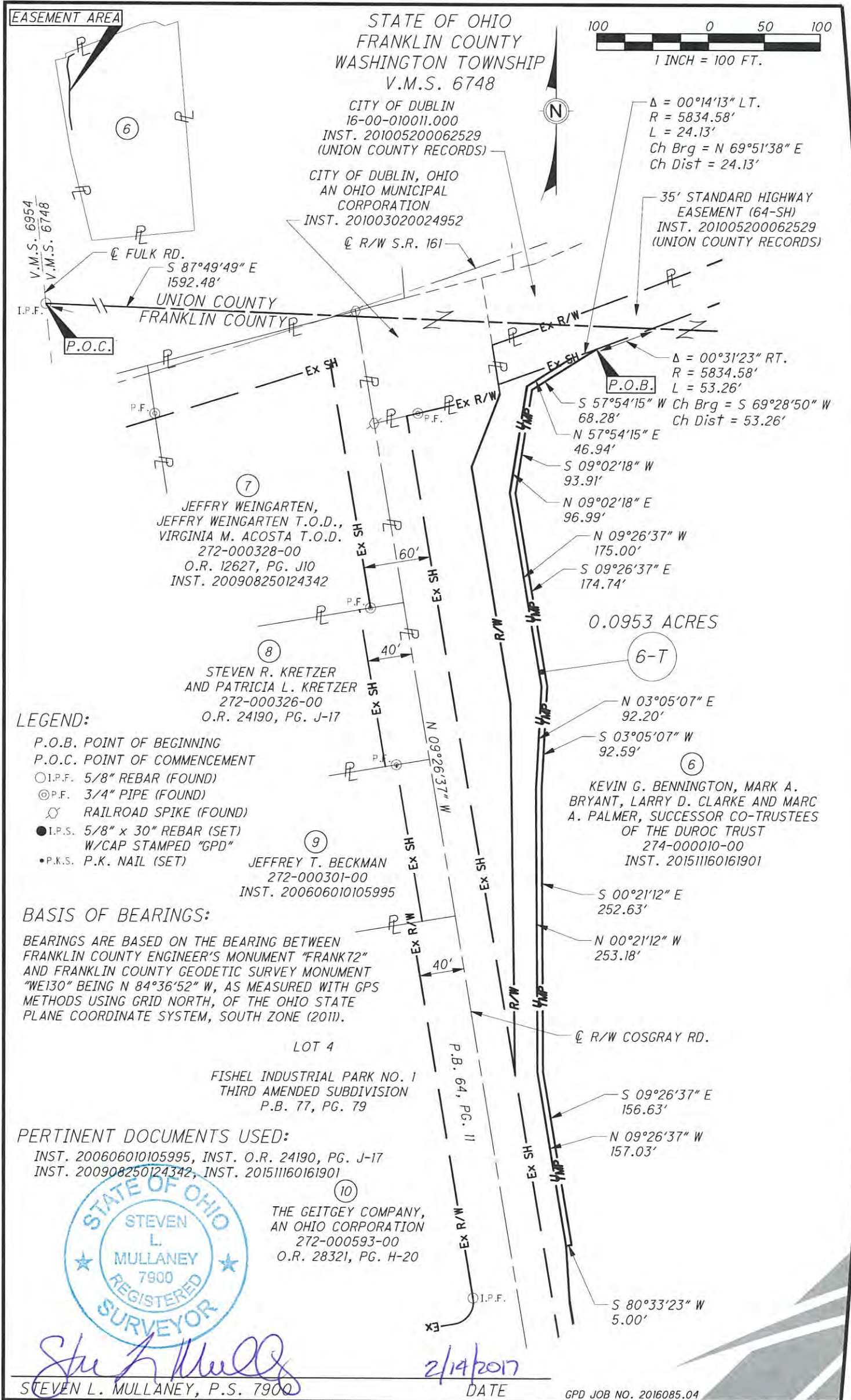
2/14/2017  
Date







**EXHIBIT B**  
**PARCEL 6-T**  
**SR 161/COSGRAY RD. ROUNDABOUT**





**EXHIBIT A**

Ver. Date: 02/13/2017

Page 1 of 2

**PARCEL 6-U  
S.R. 161 / COSGRAY RD. ROUNDABOUT  
DESCRIPTION OF A PERMANENT EASEMENT  
FOR UTILITIES, SHARED USE PATH, SLOPE, DRAINAGE AND GRADING**

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Situated in the State of Ohio, County of Franklin, Washington Township, V.M.S. No. 6748, being part of a tract in the name of Kevin G. Bennington, Mark A. Bryant, Larry D. Clarke and Marc A. Palmer, Successor Co-Trustees of the Duroc Trust (hereinafter known as the "Grantor") by Instrument Number 201511160161901 of Franklin County records.

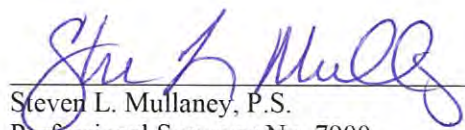
Commencing, for reference, at a 5/8 inch rebar (found) where the Franklin/Union County line intersects the westerly line of V.M.S. No. 6748 and the centerline of Fulk Road; thence, leaving said V.M.S. line, along said county line, South 87 degrees 49 minutes 49 seconds East, a distance of 1592.48 feet to a point on the southeasterly line of a 35 feet wide standard highway easement, known as parcel 64-SH, and recorded in Instrument Number 201005200062529 of Union County records; thence, leaving said county line along the southeasterly line of said standard highway easement, Southwesterly, an arc distance of 77.40 feet along the arc of a curve deflecting to the right, having a central angle of 00 degrees 45 minutes 36 seconds, a radius of 5834.58 feet and a chord that bears South 69 degrees 35 minutes 57 seconds West, a chord distance of 77.40 feet to the **Point of Beginning** of the easement herein described; thence, clockwise along the following eighteen (18) courses;

1. Thence, leaving said easement line, across the grantor's tract, **South 57 degrees 54 minutes 15 seconds West**, a distance of **46.94 feet** to a point;
2. Thence, **South 09 degrees 02 minutes 18 seconds West**, a distance of **96.99 feet** to a point;
3. Thence, **South 09 degrees 26 minutes 37 seconds East**, a distance of **175.00 feet** to a point;
4. Thence, **South 03 degrees 05 minutes 07 seconds West**, a distance of **92.20 feet** to a point;
5. Thence, **South 00 degrees 21 minutes 12 seconds East**, a distance of **253.18 feet** to a point;
6. Thence, **South 09 degrees 26 minutes 37 seconds East**, a distance of **157.03 feet** to a point;
7. Thence, **South 03 degrees 43 minutes 59 seconds East**, a distance of **50.25 feet** to a point;
8. Thence, **South 09 degrees 26 minutes 37 seconds East**, a distance of **187.52 feet** to a point;
9. Thence, **Southeasterly**, an arc distance of **11.34 feet**, along the arc of a curve deflecting to the left, having a central angle of **04 degrees 11 minutes 27 seconds**, a radius of **155.00 feet** and a chord that bears **South 11 degrees 32 minutes 20 seconds East**, a chord distance of **11.33 feet** to a point;
10. Thence, **South 13 degrees 38 minutes 04 seconds East**, a distance of **340.82 feet** to a point;
11. Thence, **South 76 degrees 21 minutes 56 seconds West**, a distance of **15.00 feet** to a point on the easterly existing right of way line of Cosgray Road;
12. Thence, along said existing right of way line, **North 13 degrees 38 minutes 04 seconds West**, a distance of **347.04 feet** to a point;
13. Thence, continuing along said existing right of way line, **North 09 degrees 26 minutes 37 seconds West**, a distance of **403.66 feet** to a 5/8 inch by 30 inch rebar (set), with cap stamped "GPD";
14. Thence, leaving said existing right of way line, across the grantor's tract, **North 00 degrees 45 minutes 10 seconds West**, a distance of **330.90 feet** to a 5/8 inch by 30 inch rebar (set), with cap stamped "GPD";
15. Thence, continuing across the grantor's tract, **North 09 degrees 26 minutes 37 seconds West**, a distance of **213.88 feet** to a 5/8 inch by 30 inch rebar (set), with cap stamped "GPD";
16. Thence, continuing across the grantor's tract, **North 21 degrees 15 minutes 44 seconds East**, a distance of **70.00 feet** to a 5/8 inch by 30 inch rebar (set), with cap stamped "GPD" at the southeasterly corner of a tract in the name of the City of Dublin, Ohio, a Municipal Corporation, as recorded in Instrument Number 201003020024952 of Franklin County records, said corner being on the southerly existing right of way line of State Route 161;
17. Thence, along the easterly line of said City of Dublin tract and said existing right of way line, **North 09 degrees 03 minutes 02 seconds West**, a distance of **8.68 feet** to a point on the southeasterly line of said standard highway easement;

18. Thence, along said easement line, **Northeasterly**, an arc distance of **69.37 feet**, along the arc of a curve deflecting to the left, having a central angle of **00 degrees 40 minutes 52 seconds**, a radius of **5834.58 feet**, and a chord that bears **North 70 degrees 19 minutes 11 seconds East**, a chord distance of **69.37 feet** to the **Point of Beginning**, containing 0.6520 acres, of which the present road occupies 0.0000 acres, and is contained within Franklin County Auditor's parcel No. 274-000010-00.

The bearings for this description are based on the bearing between Franklin County Engineer's Monument "FRANK72" and Franklin County Geodetic Survey Monument "WE130" being North 84 degrees 36 minutes 52 seconds West, as measured with GPS methods using Grid North, of the Ohio State Plane Coordinate System, South Zone (2011).

This description was prepared and reviewed under the supervision of Steven L. Mullaney, Professional Surveyor No. 7900 from a survey conducted for the City of Dublin, Ohio in July, 2016.

  
Steven L. Mullaney, P.S.  
Professional Surveyor No. 7900

2/14/2017  
Date









**EXHIBIT A**

Ver. Date: 03/02/2017

Page 1 of 1

**PARCEL 6-WD1  
S.R. 161 / COSGRAY RD. ROUNDABOUT  
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 Franklin, Washington Township, V.M.S. No. 6748, City of Dublin, being part of a tract in the name of Kevin G. Bennington, Mark A. Bryant, Larry D. Clarke and Marc A. Palmer, Successor Co-Trustees of the Duroc Trust (hereinafter known as the "Grantor") by Instrument Number 201511160161901 of Franklin County records.

Commencing, for reference, at a 5/8 inch rebar (found) where the Franklin/Union County line intersects the westerly line of V.M.S. No. 6748 and the centerline of Fulk Road; thence, leaving said V.M.S. line, along said county line, South 87 degrees 49 minutes 49 seconds East, a distance of 1327.00 feet to a point on the centerline of right of way of Cosgray Road, said point being in the westerly line of a tract in the name of the City of Dublin, Ohio, an Ohio Municipal Corporation, as recorded in Instrument Number 201003020024952 of Franklin County records and the easterly line of a tract in the name of Jeffry Weingarten, Jeffry Weingarten T.O.D., Virginia M. Acosta T.O.D., as recorded in Official Record 12627, Page J10 and Instrument Number 20090825124342 of Franklin County records; thence, leaving said county line, along said centerline and said property line, South 09 degrees 26 minutes 37 seconds East, a distance of 96.86 feet to a railroad spike (found) at the southwesterly corner of said City of Dublin tract and the **Point of Beginning** of the parcel herein described; thence, clockwise along the following four (4) courses;

1. Thence, leaving said centerline and said property line, along the southerly line of said City of Dublin tract, **North 76 degrees 44 minutes 58 seconds East**, a distance of **116.00 feet** to 5/8 inch by 30 inch rebar (set), with cap stamped "GPD", at the southeasterly corner of said City of Dublin tract, said corner being on the southerly existing right of way line of State Route 161, passing a 3/4 inch pipe (found) at a distance of 40.34 feet;
2. Thence, leaving said existing right of way line, across the grantor's tract, **South 21 degrees 15 minutes 44 seconds West**, a distance of **70.00 feet** to a 5/8 inch by 30 inch rebar (set), with cap stamped "GPD";
3. Thence, continuing across the grantor's tract, **South 78 degrees 59 minutes 38 seconds West**, a distance of **80.03 feet** to a p.k. nail (set) on the centerline of right of way of Cosgray Road and the easterly line of said Weingarten tract;
4. Thence, along said centerline and said property line, **North 09 degrees 26 minutes 37 seconds West**, a distance of **54.67 feet** to the **Point of Beginning**, containing 0.1270 acres, of which the present road occupies 0.0381 acres, and is contained within Franklin County Auditor's parcel No. 274-000010-00.

The bearings for this description are based on the bearing between Franklin County Engineer's Monument "FRANK72" and Franklin County Geodetic Survey Monument "WE130" being North 84 degrees 36 minutes 52 seconds West, as measured with GPS methods using Grid North, of the Ohio State Plane Coordinate System, South Zone (2011).

This description was prepared and reviewed under the supervision of Steven L. Mullaney, Professional Surveyor No. 7900 from a survey conducted for the City of Dublin, Ohio in July, 2016.

*Steven L. Mullaney*  
Steven L. Mullaney, P.S.  
Professional Surveyor No. 7900

3/6/2017

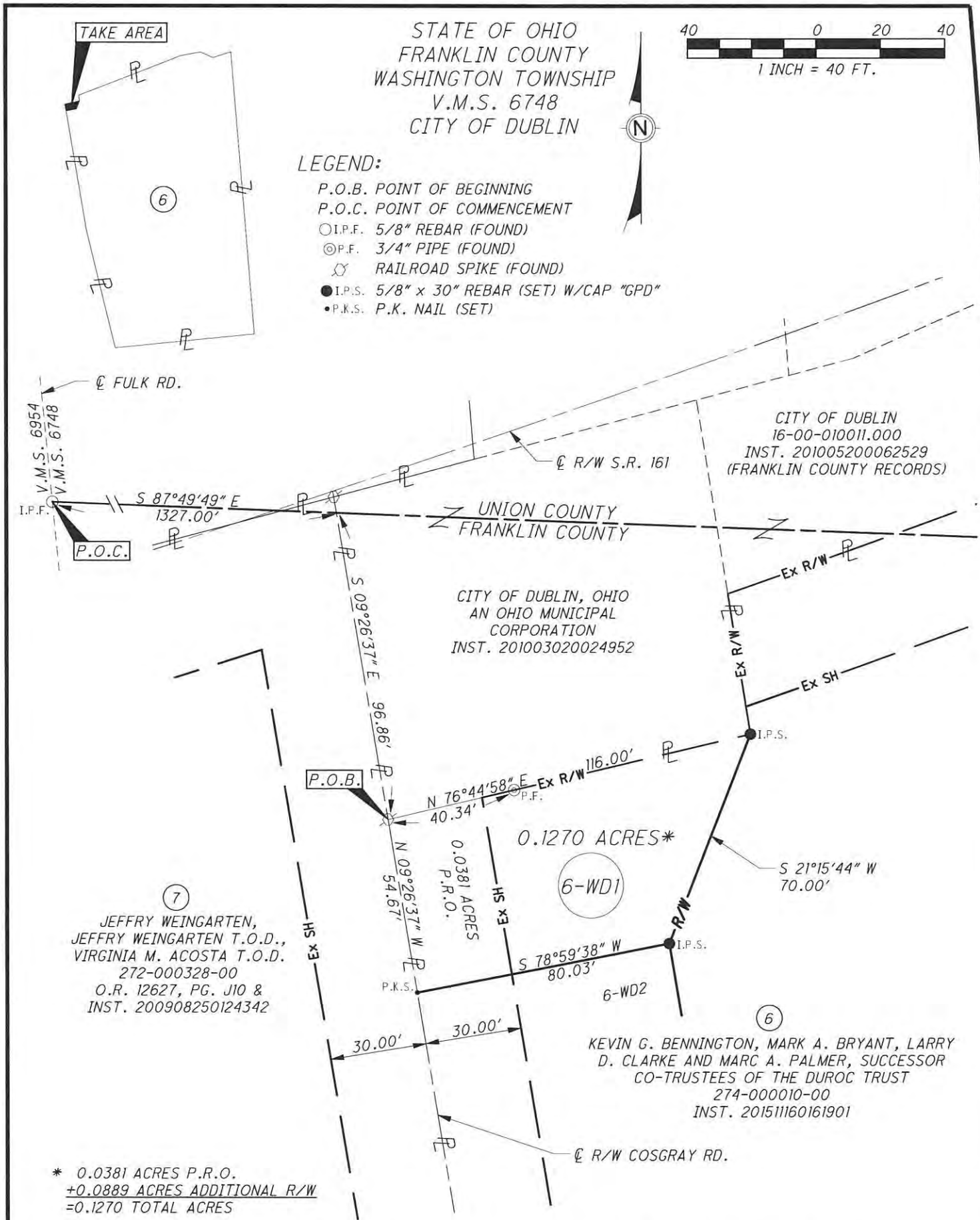


0-109-B  
SPLIT  
0.1270 AC  
OUT OF  
(274)  
000010





**EXHIBIT B**  
**PARCEL 6-WD1**  
**SR 161/COSGRAY RD. ROUNDABOUT**



7  
JEFFRY WEINGARTEN,  
JEFFRY WEINGARTEN T.O.D.,  
VIRGINIA M. ACOSTA T.O.D.  
272-000328-00  
O.R. 12627, PG. J10 &  
INST. 200908250124342

6  
KEVIN G. BENNINGTON, MARK A. BRYANT, LARRY  
D. CLARKE AND MARC A. PALMER, SUCCESSOR  
CO-TRUSTEES OF THE DUROC TRUST  
274-000010-00  
INST. 20151160161901

\* 0.0381 ACRES P.R.O.  
+0.0889 ACRES ADDITIONAL R/W  
=0.1270 TOTAL ACRES

**PERTINENT DOCUMENTS USED:**  
INST. 200908250124342, INST. 20151160161901,  
INST. 201003020024952



**BASIS OF BEARINGS:**  
BEARINGS ARE BASED ON THE BEARING BETWEEN  
FRANKLIN COUNTY ENGINEER'S MONUMENT "FRANK72"  
AND FRANKLIN COUNTY GEODETIC SURVEY MONUMENT  
"WE130" BEING N 84°36'52" W, AS MEASURED WITH GPS  
METHODS USING GRID NORTH, OF THE OHIO STATE  
PLANE COORDINATE SYSTEM, SOUTH ZONE (2011).

*Steven L. Mullaney*  
STEVEN L. MULLANEY, P.S. 7900

3/6/2017  
DATE



**EXHIBIT A**

**PARCEL 6-WD2  
S.R. 161 / COSGRAY RD. ROUNDABOUT  
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 Franklin, Washington Township, V.M.S. No. 6748, City of Dublin, being part of a tract in the name of Kevin G. Bennington, Mark A. Bryant, Larry D. Clarke and Marc A. Palmer, Successor Co-Trustees of the Duroc Trust (hereinafter known as the "Grantor") by Instrument Number 201511160161901 of Franklin County records.

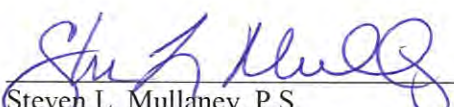
Commencing, for reference, at a 5/8 inch rebar (found) where the Franklin/Union County line intersects the westerly line of V.M.S. No. 6748 and the centerline of Fulk Road; thence, leaving said V.M.S. line, along said county line, South 87 degrees 49 minutes 49 seconds East, a distance of 1327.00 feet to a point on the centerline of right of way of Cosgray Road, said point being in the westerly line of a tract in the name of the City of Dublin, Ohio, an Ohio Municipal Corporation, as recorded in Instrument Number 201003020024952 of Franklin County records and the easterly line of a tract in the name of Jeffrey Weingarten, Jeffrey Weingarten T.O.D., Virginia M. Acosta T.O.D., as recorded in Official Record 12627, Page J10 and Instrument Number 200908250124342 of Franklin County records; thence, leaving said county line, along said centerline and said property line, South 09 degrees 26 minutes 37 seconds East, a distance of 151.53 feet to a p.k. nail (set) and the **Point of Beginning** of the parcel herein described, passing a railroad spike (found) at the southwesterly corner of said City of Dublin tract at a distance of 96.86 feet; thence, clockwise along the following six (6) courses;

1. Thence, leaving said centerline across the grantor's tract, **North 78 degrees 59 minutes 38 seconds East**, a distance of **80.03 feet** to 5/8 inch by 30 inch rebar (set), with cap stamped "GPD";
2. Thence, **South 09 degrees 26 minutes 37 seconds East**, a distance of **213.88 feet** to a 5/8 inch by 30 inch rebar (set), with cap stamped "GPD";
3. Thence, **South 00 degrees 45 minutes 10 seconds East**, a distance of **330.90 feet** to a 5/8 inch by 30 inch rebar (set), with cap stamped "GPD", on the easterly existing right of way line of Cosgray Road;
4. Thence, along said existing right of way line, **South 09 degrees 26 minutes 37 seconds East**, a distance of **159.93 feet** to a 5/8 inch by 30 inch rebar (set), with cap stamped "GPD";
5. Thence, leaving said existing right of way line, **South 80 degrees 33 minutes 23 seconds West**, a distance of **30.00 feet** to a p.k. nail (set) in the centerline of right of way of Cosgray Road and the easterly line of Fishel Industrial Park No. 1 Third Amended Subdivision, as recorded in Plat Book 77, Page 79;
6. Thence, along said line, **North 09 degrees 26 minutes 37 seconds West**, a distance of **698.72 feet** to the **Point of Beginning**, containing 0.9139 acres, of which the present road occupies 0.4815 acres, and is contained within Franklin County Auditor's parcel No. 274-000010-00.

0-109-B  
SPLIT  
0.9139 AC  
OUT OF  
(274)  
000010

The bearings for this description are based on the bearing between Franklin County Engineer's Monument "FRANK72" and Franklin County Geodetic Survey Monument "WE130" being North 84 degrees 36 minutes 52 seconds West, as measured with GPS methods using Grid North, of the Ohio State Plane Coordinate System, South Zone (2011).

This description was prepared and reviewed under the supervision of Steven L. Mullaney, Professional Surveyor No. 7900 from a survey conducted for the City of Dublin, Ohio in July, 2016.

  
Steven L. Mullaney, P.S.  
Professional Surveyor No. 7900

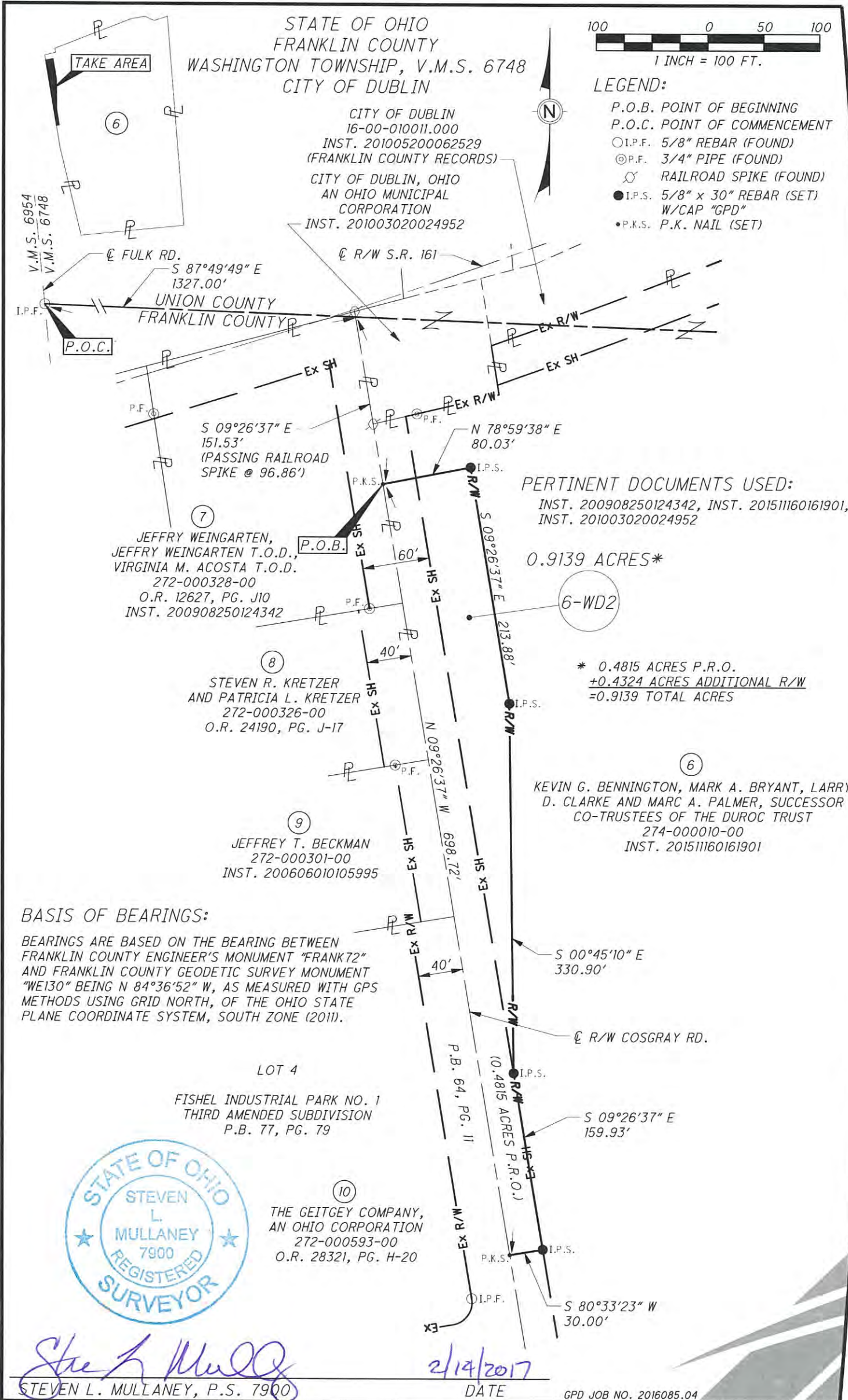
2/14/2017  
Date





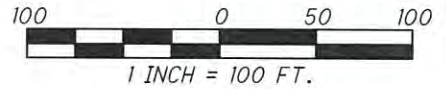


**EXHIBIT B**  
**PARCEL 6-WD2**  
**SR 161/COSGRAY RD. ROUNDABOUT**



STATE OF OHIO  
FRANKLIN COUNTY  
WASHINGTON TOWNSHIP, V.M.S. 6748  
CITY OF DUBLIN

CITY OF DUBLIN  
16-00-010011.000  
INST. 201005200062529  
(FRANKLIN COUNTY RECORDS)  
CITY OF DUBLIN, OHIO  
AN OHIO MUNICIPAL  
CORPORATION  
INST. 201003020024952



**LEGEND:**

- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- I.P.F. 5/8" REBAR (FOUND)
- ⊙ P.F. 3/4" PIPE (FOUND)
- ⊗ RAILROAD SPIKE (FOUND)
- I.P.S. 5/8" x 30" REBAR (SET)  
W/CAP "GPD"
- P.K.S. P.K. NAIL (SET)

**PERTINENT DOCUMENTS USED:**

INST. 200908250124342, INST. 201511160161901,  
INST. 201003020024952

0.9139 ACRES\*

\* 0.4815 ACRES P.R.O.  
+0.4324 ACRES ADDITIONAL R/W  
=0.9139 TOTAL ACRES

7  
JEFFRY WEINGARTEN,  
JEFFRY WEINGARTEN T.O.D.,  
VIRGINIA M. ACOSTA T.O.D.  
272-000328-00  
O.R. 12627, PG. J10  
INST. 200908250124342

8  
STEVEN R. KRETZER  
AND PATRICIA L. KRETZER  
272-000326-00  
O.R. 24190, PG. J-17

9  
JEFFREY T. BECKMAN  
272-000301-00  
INST. 200606010105995

6  
KEVIN G. BENNINGTON, MARK A. BRYANT, LARRY  
D. CLARKE AND MARC A. PALMER, SUCCESSOR  
CO-TRUSTEES OF THE DUROC TRUST  
274-000010-00  
INST. 201511160161901

**BASIS OF BEARINGS:**

BEARINGS ARE BASED ON THE BEARING BETWEEN  
FRANKLIN COUNTY ENGINEER'S MONUMENT "FRANK72"  
AND FRANKLIN COUNTY GEODETIC SURVEY MONUMENT  
"WE130" BEING N 84°36'52" W, AS MEASURED WITH GPS  
METHODS USING GRID NORTH, OF THE OHIO STATE  
PLANE COORDINATE SYSTEM, SOUTH ZONE (2011).

LOT 4  
FISHEL INDUSTRIAL PARK NO. 1  
THIRD AMENDED SUBDIVISION  
P.B. 77, PG. 79



10  
THE GEITGEY COMPANY,  
AN OHIO CORPORATION  
272-000593-00  
O.R. 28321, PG. H-20

*Steven L. Mullaney*  
STEVEN L. MULLANEY, P.S. 7900

2/14/2017  
DATE