




**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   
**Initiated By:** Megan O'Callaghan, Director of Public Works  
**Date:** March 5, 2019  
**Re:** Ordinance 07-19 – Vacation of Right-of-Way at 19 S. Riverview Street

## Background

A representative of the property owner at 19 S. Riverview Street contacted City staff regarding an existing encroachment of a portion of a residential garage and driveway onto City land along the northern property line. The property owner, 19 Riverview LLC, desires to address the encroachment prior to potentially selling the property. Staff researched building permit records and property transfer information for the 19 S. Riverview Street property. Building permit records indicate that a permit for a new garage expansion and family room was submitted and approved in April/May of 1984. After this permit was approved, the area north of 19 S. Riverview was transferred to the City of Dublin from the Franklin County Commissioners in September of 1986. This garage expansion currently encroaches into public right of way. It is very likely that the encroachment of the garage and driveway existed prior to the City taking ownership in 1986.

Staff has reviewed the situation and determined vacating this public right of way will not interfere with the public use and safety of the Riverview Street public right of way.

Following vacation, the 0.013 acres vacation area will be transferred to 19 Riverview LLC and combined with the property 19 Riverview LLC owns to the south, identified as Franklin County parcel number 273-000047.

## Recommendation

Staff recommends approval of Ordinance 07-19 at the second reading/public hearing on March 18, 2019.

# RECORD OF ORDINANCES

Ordinance No. 07-19

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

**AN ORDINANCE VACATING 0.013 ACRES, MORE OR LESS, OF PUBLIC RIGHT OF WAY IN THE CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO.**

**WHEREAS**, the City of Dublin (the "City") owns the right of way that is adjacent to Riverview Street; and

**WHEREAS**, the County requires a separate City ordinance specific to the vacation in order to record the vacation; and

**WHEREAS**, Ohio Revised Code Section 723.04 enables municipalities to vacate streets or any part thereof where such vacation will not be detrimental to the general interest; and

**WHEREAS**, the City desires to transfer the 0.013-acres vacated portion of property to the abutting property owner to the south upon vacation; and

**WHEREAS**, for purposes of recording the vacation with the Franklin County Recorder's Office, the City seeks to pass this Ordinance; and

**WHEREAS**, Council is satisfied that there is good cause for the vacation of this portion of Riverview Street, and hereby determines that the vacation of the 0.013-acres of public right of way will not be detrimental to the general public interest.

**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 hereby declares that good cause exists for the vacation of this portion of Riverview Street, and that such vacation will not be detrimental to the public health, safety, or welfare.

**Section 2.** The 0.013 acres, more or less, of right-of-way, in the City of Dublin, County of Franklin, State of Ohio, and more fully described and depicted in the attached Exhibit A is hereby vacated.

**Section 3.** The 0.013-acre vacated portion shall be vacated and transferred to the property to the south, owned by 19 Riverview LLC, located at 19 S. Riverview and identified as Franklin County Parcel No. 273-000047.

**Section 4.** The Clerk of Council is directed to notify the Auditor of Franklin County of said vacation by forwarding a copy of this Ordinance.

**Section 5.** 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.

**Section 6.** This Ordinance shall take effect in accordance with 4.04(b) of the Dublin Revised Charter.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor – Presiding Officer

ATTEST:  
\_\_\_\_\_  
Clerk of Council

0.013 ACRE

Situated in the State of Ohio, County of Franklin, City of Dublin, lying in Survey Number 2542, Virginia Military Survey, and being part of Lot 109 of record in that Plat of Dublin, Destroyed by Fire. Demonstrated in Plat Book 3, Page 199. and a 7.5 foot portion of Riverview Street as vacated by the City of Dublin in Ordinance No. 39-81, conveyed as Tract 1 to The Village of Dublin, Ohio by deed of record in Official Record 8095E17. (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 an iron pin set in the corner common to Lots 108 and 109 of said Plat of Dublin Destroyed, in the westerly line of said vacated 7.5 foot strip of right-of-way of Riverview Street;

Thence North 08° 15' 55" West, with the easterly line of said Lot 109, across that tract conveyed to 19 Riverview LLC by deed of record in Instrument Number 201606140075385, with the westerly line of said vacated 7.5 foot strip of right-of-way of Riverview Street, a distance of 14.00 feet to an iron pin set in the southerly line of said tract conveyed to The Village of Dublin, Ohio, in the northerly line of said tract conveyed to 19 Riverview LLC, the TRUE POINT OF BEGINNING;

Thence South 81° 36' 15" West, across said Lot 109, with the line common to said tract conveyed to The Village of Dublin, Ohio and said tract conveyed to 19 Riverview LLC, a distance of 102.50 feet to an iron pin set;

Thence North 08° 15' 55" West, across said Lot 109, across said tract conveyed to The Village of Dublin, Ohio, a distance of 5.00 feet to an iron pin set;

Thence North 81° 36' 15" East, across said Lot 109, across said tract conveyed to The Village of Dublin, Ohio, across said vacated 7.5 foot strip of right-of-way of Riverview Street, a distance of 110.00 feet to a magnetic nail set in the easterly line of said tract conveyed to The Village of Dublin, Ohio, in the westerly right-of-way line of Riverview Street, in the easterly line of said vacated 7.5 foot strip of right-of-way of Riverview Street;

Thence South 08° 15' 55" East, with the easterly line of said tract conveyed to The Village of Dublin, Ohio, with the easterly line of said vacated 7.5 foot strip of right-of-way of Riverview Street, with the westerly right-of-way line of said Riverview Street, a distance of 5.00 feet to a magnetic nail set in a southeasterly corner of said tract conveyed to The Village of Dublin, Ohio, the northeasterly corner of said tract conveyed to 19 Riverview LLC;

Thence South 81° 36' 15" West, with the line common to said tract conveyed to The Village of Dublin, Ohio and said tract conveyed to 19 Riverview LLC, across said vacated 7.5 foot strip of right-of-way of Riverview Street, a distance of 7.50 feet to the TRUE POINT OF BEGINNING, containing 0.013 acre, more or less.

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

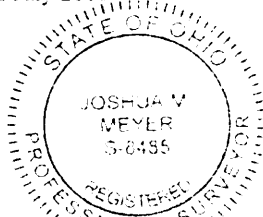
Iron pins set, where indicated, are iron pipes, thirteen sixteenths (13/16) inch inside diameter, thirty (30) inches long with a plastic plug placed in the top bearing the initials EMHT INC.

The bearings herein are based on the Ohio State Plane Coordinate System South Zone as per NAD83 (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 System 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 thru October 2013 and July 2018

Split  
Peltungler  
section  
5.00ft  
Eastline  
110.00 ft  
South line  
cut of  
Southeast  
corner  
out of  
(275)  
3411

EVANS, MECHWART, HAMBLETON & TILTON, INC.



*J. M. Meyer*

Joshua M. Meyer  
Professional Surveyor No. 8485

8-15-2018

Date

MSJ  
17 Aug 18



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

SURVEY #2542

VIRGINIA MILITARY SURVEY

CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO

Date: August 8, 2018

Scale: 1" = 40'

Job No: 2018-0070

### 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 FRANK 73 and FRANK 74, having a bearing of South 73° 57' 18" East, established by the Franklin County Engineering Department, using Global Positioning System procedures and equipment.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N08°15'55"W	14.00'
L2	S08°15'55"E	5.00'
L3	S81°36'15"W	7.50'

### SURVEY NOTE:

This survey was prepared using documents of record, prior plats of survey, and observed evidence located by an actual field survey in March thru October 2013 and July 2018.

- = 5/8" REBAR FND. CAPPED "LANDMARK" UNLESS NOTED OTHERWISE
- = I.P. SET
- = MAG. NAIL SET

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



GRAPHIC SCALE (in feet)

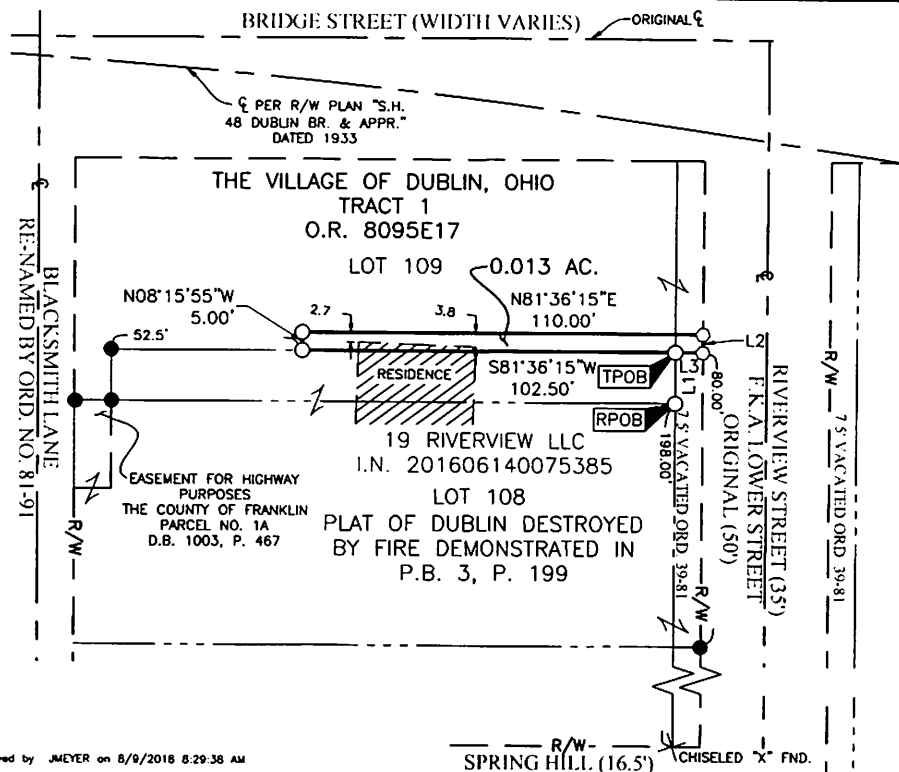
**DRAFT**

By \_\_\_\_\_ Date \_\_\_\_\_

Joshua M. Meyer

Date

Professional Surveyor No. 8485





**19 South Riverview**



An Ordinance vacating 0.013 acres, more or less, of public Right of Way in the City of Dublin, County of Franklin, State of Ohio



Vacation Area