



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 16, 2019

Initiated By: Paul A. Hammersmith, Director of Engineering
Jean-Ellen Willis, PE, Engineering Manager – Transportation
Philip K. Hartmann, Assistant Law Director

Re: Ordinance Nos. 14-19 through 20-19
Acquisition of Right-of-Way and Easements
Tuttle Crossing Boulevard Extension and Avery Road
Improvements (13-013-CIP)

Background

The Tuttle Crossing Boulevard Extension and Avery Road Improvements project (the "Project") provides for the extension of Tuttle Crossing Boulevard from its current terminus at Wilcox Road to Avery Road, and includes improvements along Avery Road, Wilcox Road, Rings Road, Cara Road, and Cara Court, as shown in the attached Figure 1, Project Overview Map. The Project includes the construction of a four-lane boulevard with curb and gutter, shared-use path, sidewalk, street lights, a multi-use tunnel, and landscaping.

In the 2019-2023 Capital Improvements Program (CIP), site acquisition is programmed in 2018-2019, utility relocation is programmed in 2019, and construction and landscaping are programmed in 2020. Currently, the Project is planned to be funded through service payments from the Rings/Frantz Tax Increment Financing (TIF) District and the Thomas/Kohler TIF, an advance from the General Fund, City of Columbus contribution of \$2,800,000, private developer contributions of \$535,786 and a \$7,000,000 grant through the Mid-Ohio Regional Planning Commission (MORPC) attributable funding. However, a gap in funding still exists and the timing of construction is subject to change.

The Project requires the acquisition of property interests from multiple property owners on Tuttle Crossing Boulevard, Avery Road, Wilcox Road, Rings Road, Cara Road, and Cara Court.

Acquisition

The City, through its acquisition agent, has come to mutually agreeable terms with multiple property owners in connection with the Project. The property acquisitions from these owners consist of the following property interests from the named property owners, as depicted in the map attached hereto:

<i>Property Owner</i>	Property Interests	Auditor Parcel ID Number	Acquisition Price
Ord. 14-19 Ginger Shepherd and James L. Shepherd (Parcel 46 – 5556 Avery Road)	0.062 acre R/W 0.113 acre Standard Highway Easement 0.007 acre Temporary Construction Easement	274-000078	\$30,000
Ord. 15-19 Tuttle Partners, Ltd. (Parcel 23 – 5701 Ebner Circle)	0.081 acre Channel Easement	273-006596	\$3,645
Ord. 16-19 Felicia Quinn and John J. Quinn (Parcel 28 – 5498 Avery Road)	0.044 acre R/W 0.157 acre Standard Highway Easement 0.449 acre parcel	274-000082	\$295,450 (price for acquisition of entire parcel)
Ord. 17-19 William Thomas and Linda Thomas (Parcel 33 – 5494 Cara Court)	0.004 acre R/W 0.051 acre Standard Highway Easement	274-000095	\$10,649
Ord. 18-19 Charles Fry and Amy Fry (Parcel 40 – 5540 Cara Court)	0.021 acre Standard Highway Easement	274-000092	\$4,847
Ord. 19-19 Christopher Freeman and Michele Freeman (Parcel 41 – 5545 Cara Court)	0.016 acre Standard Highway Easement	274-000091	\$3,214
Ord. 20-19 The Village of Balgriffin Condominium (Parcel 49 – Avery Road)	0.009 acre Sewer Easement	274-000161 to 274-000170; 274-000228 to 274-000235; 274-000346 to 274-000352; 274-000354 to 274-000365; 274-000369 to 274-000390	\$605

The details regarding each property acquisition is as follows:

Ginger Shepherd and James L. Shepherd: The property is located on the east side of Avery Road, north of Cara Road, at 5556 Avery Road, Dublin, Ohio 43016. The City participated in good faith discussions with Ginger Shepherd and James L. Shepherd, resulting in mutually agreeable terms for the acquisition of the property interest for \$30,000, which is 3.6% above the appraised value of \$28,959.

Tuttle Partners, Ltd.: The property is located on the west side of Wilcox Road, north of Tuttle Crossing Blvd., at 5701 Ebner Circle, Dublin, Ohio 43016. The City participated in good faith discussions with Tuttle Partners, Ltd., resulting in mutually agreeable terms for the acquisition of the property interest for the appraised value, which was \$3,645.

Felicia Quinn and John J. Quinn: The property is located on the northeast corner of Avery Road and Cara Road at 5498 Avery Road, Dublin, Ohio 43016. The appraised value for the required right-of-way and easement was \$44,554. The City's appraiser completed a full summary appraisal report in which he estimated the value of the entire parcel to be \$240,000 before the roadway acquisition. The City participated in good faith discussions with Felicia Quinn and John Quinn, resulting in mutually agreeable terms for the acquisition of the entire parcel for \$295,450.

William Thomas and Linda Thomas: The property is located on the east side of Cara Court, north of Cara Road, at 5494 Cara Court, Dublin, Ohio 43016. The City participated in good faith discussions with William Thomas and Linda Thomas, resulting in a minor plan change, and mutually agreeable terms for the acquisition of the property interest for the appraised value, which was \$10,649.

Charles Fry and Amy Fry: The property is located on the north end of the Cara Court cul-de-sac, at 5540 Cara Court, Dublin, Ohio 43016. The City participated in good faith discussions with Charles Fry and Amy Fry, resulting in mutually agreeable terms for the acquisition of the property interest for \$4,847, which is 1.8% above the appraised value of \$4,759.

Christopher Freeman and Michele Freeman: The property is located on the north end of the Cara Court cul-de-sac, just west of the Fry property, at 5545 Cara Court, Dublin, Ohio 43016. The City participated in good faith discussions with Christopher Freeman and Michele Freeman, resulting in mutually agreeable terms for the acquisition of the property interest for the appraised value, which was \$3,214.

The Village of Balgriffin Condominium: The property is located on the east side Avery Road, north of Rings Road east. The land is a common area for the condominiums, which encompasses multiple parcel numbers. The City participated in good faith discussions with the Village of Balgriffin Condominium, resulting in mutually agreeable terms for the acquisition of the property interest for the appraised value, which was \$605.

These Ordinances authorize the City Manager to execute and accept on behalf of the City all necessary conveyance documents to formally acquire the necessary property interests from each property owner.

Recommendation

Staff recommends adoption of Ordinance Nos. 14-19, 15-19, 16-19, 17-19, 18-19, 19-19 and 20-19 at the second reading/public hearing on May 6, 2019, as these ordinances authorize the City Manager to execute all necessary conveyance and contract documents to formally accept the necessary property interests described above.

RECORD OF ORDINANCES

Ordinance No. 15-19

Passed _____, _____

AUTHORIZING THE CITY MANAGER TO EXECUTE AND ACCEPT NECESSARY CONVEYANCE DOCUMENTS AND CONTRACTS TO ACQUIRE A 0.081 ACRE CHANNEL EASEMENT FROM TUTTLE PARTNERS, LTD., LOCATED AT 5701 EBNER CIRCLE, 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 Tuttle Crossing Boulevard Extension and Avery Road Improvements project (the "Project"); and

WHEREAS, the Project requires that the City obtain a channel easement from the parcel identified as Franklin County parcel number 273-006596, owned by Tuttle Partners, Ltd. (the "Grantor"), as described in the attached Exhibit A and depicted in the attached Exhibit B; and

WHEREAS, the City, through its acquisition agent for the Project, 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 \$3,645.00, which is the appraised value of the property interests; and

WHEREAS, the City desires to execute and accept necessary documents to complete the transaction between the City and the Grantors.

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 a 0.081-acre channel easement from Tuttle Partners, Ltd., for the appraised value of \$3,645.00, said property interest located within the parcel identified as Franklin County parcel number 273-006596, and more fully described 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 without further legislation being required.

Section 3. 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

EXHIBIT A

LPA RX 879 CH

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Rev. 06/09

Ver. Date 4/7/2017

PID 99815

**PARCEL 23-CH
TUTTLE CROSSING BOULEVARD AND AVERY ROAD IMPROVEMENTS
PERPETUAL EASEMENT TO CONSTRUCT AND MAINTAIN A CHANNEL
IN THE NAME AND FOR THE USE OF THE
CITY OF DUBLIN, OHIO, LOCATED IN FRANKLIN COUNTY, OHIO**

A perpetual easement for the construction and maintenance of a perpetual watercourse, ditch, channel or other drainage facility upon the within described real estate. Grantor/Owner herein retains the right to use said real estate for any and all other purposes provided that such use does not interfere with nor impair the exercise of the easement herein granted (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Franklin, City of Dublin, and being located in Virginia Military Survey Number 3004, and being part of that 16.582 acre tract described in a deed to **Tuttle Partners, Ltd.**, of record in Instrument Number 200804300065637, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, being a parcel on the left side of the proposed centerline of construction for Wilcox Road, as delineated on the centerline plat for Tuttle Crossing Boulevard and Avery Road Improvements, of record in Plat Book _____, Page _____, said parcel being more particularly bounded and described as follows:

BEGINNING at a point on the existing right-of-way line for Wilcox Road, as established by that 0.090 acre right-of-way parcel delineated in Tuttle Park at the Crossing Right-of-Way and Easement Dedication Plat, as recorded in Plat Book 90, Page 93, said point being the southeast corner of said 16.582 acre tract, being the southwest corner of said 0.090 acre right-of-way parcel, (reference a 1" iron pipe bearing South 20 degrees 31 minutes 46 seconds West at a distance of 0.08 feet), and said point being 35.00 feet left of Wilcox Road proposed centerline of construction Station 27+60.49;

Thence **South 84 degrees 25 minutes 22 seconds West**, along the south line of said 16.582 acre tract and across that original 51.387 acre tract described in a deed to Wilcox-Tuttle Limited Partnership, of record in Official Record 14758 H17, a distance of **128.93 feet** to a point, said point being 157.25 feet left of Wilcox Road proposed centerline of construction Station 27+23.46;

EXHIBIT A

LPA RX 879 CH

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Thence across said 16.582 acre tract and continuing across said 51.387 acre tract along the following three (3) described courses:

1. **North 60 degrees 34 minutes 33 seconds East**, a distance of **132.78 feet** to the northwest corner of a utility and drainage easement delineated in Plat Showing Dedication of Wilcox Road and Tuttle Park, as recorded in Plat Book 75, Page 45, said point being 61.43 feet left of Wilcox Road proposed centerline of construction Station 28+05.36;
2. **South 13 degrees 55 minutes 44 seconds East**, along the west line of said utility and drainage easement, a distance of **40.00 feet** to the southwest corner of said utility and drainage easement, said point being 41.44 feet left of Wilcox Road proposed centerline of construction Station 27+72.62;
3. **North 76 degrees 04 minutes 16 seconds East**, along the south line of said utility and drainage easement, a distance of **7.37 feet** to the southeast corner of said utility and drainage easement, said point being on the existing west right-of-way line for said Wilcox Road,, being on the east line of said 16.582 acre tract, and being on the west line of said 0.090 acre right-of-way parcel, and said point being 35.00 feet left of Wilcox Road proposed centerline of construction Station 27+76.05;

Thence along the arc of a non-tangent curve to the left, along the existing west right-of-way line for said Wilcox Road, along the east line of said 16.582 acre tract, along the west line of said 0.090 acre right-of-way parcel, and continuing across said original 51.387 acre tract, said curve having a radius of **916.53 feet**, a central angle of **01 degrees 00 minutes 41 seconds** and an arc length of **16.18 feet** to the **TRUE POINT OF BEGINNING** for this description, said curve being subtended by a long chord having a bearing of **South 14 degrees 42 minutes 09 seconds** and a length of **16.18 feet**.

The above described channel easement contains a total area of **0.081 acres** located within Franklin County Auditor's parcel number 273-006596.

The bearings described herein are based on Grid North as referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

The above described channel easement was prepared under the direct supervision of Brian P. Bingham, Registered Professional Surveyor No. 8438 on April 7, 2017, is based on an actual survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.


Brian P. Bingham, PS
Registered Professional Surveyor No. 8438



9/7/2017
Date

City of Dublin, Ohio



AMERICAN
STRUCTUREPOINT
INC.

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**Tuttle Crossing
Boulevard Ext.
and Avery Road
Improvements**

Exhibit "B"
0.081 Ac.
Standard
Highway
Easement

Scale:	1" = 30'
Drawn By:	JBY
Checked By:	BPB
Date:	2/3/2017
Job No.:	2012.00760

Parcel
23-CH
Sheet
1 of 1

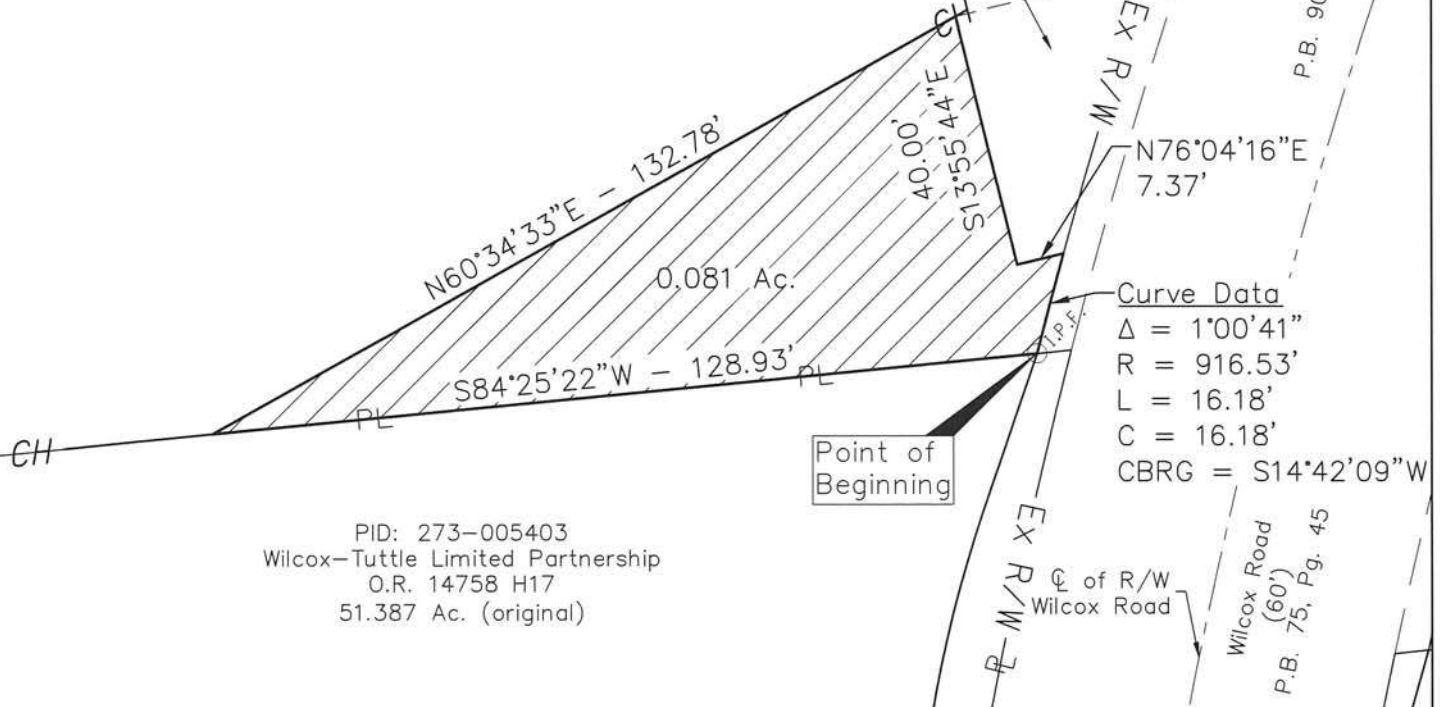
Situated in the State of Ohio
County of Franklin, City of Dublin
Virginia Military Survey No. 3004



0 15' 30'
SCALE: 1"=30'

PID: 273-006596
Tuttle Partners, Ltd.
I.N. 200804300065637
16.582 Ac.

20' Utility and
Drainage easement
P.B. 75, Pg. 45



PID: 273-005403
Wilcox-Tuttle Limited Partnership
O.R. 14758 H17
51.387 Ac. (original)

Point of
Beginning

○ I.P.F. iron pipe found

Basis of bearing:
Bearings shown hereon are based on grid north as referenced to the
Ohio State Plane Coordinate System (South Zone) and the North American
Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey
and NGS OPUS solution.

I hereby certify that:
This drawing represents the results of an actual field survey
of the premises performed by American Structurepoint, Inc., and
is true and correct to the best of my knowledge and belief.

Brian P. Bingham, P.S. No. 8438
American Structurepoint, Inc.

Date

9/7/2017



DRAWING FILE: O:\2012\00760\01\Drawings\Exhibit\Parcel 23-CH.dwg

EDITED BY: JYUMANS

PLOT DATE: 9/6/2017 7:21 AM
PLOT SCALE: 1:1

