

To: Members of Dublin City Council

From: Dana McDaniel, City Manager

Date: October 15, 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. 54-19 through 56-19
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. Construction for the Tuttle Crossing Boulevard Extension project is currently not programmed as the City of Dublin and its regional partners work to develop a full funding plan for these improvements. This project remains a priority for the City and the region. Despite financial commitments from the Cities of Dublin and Columbus and private developers, there remains a funding gap. Dublin is continuing to seek additional options to help identify funding sources for the \$15.55 million construction project.

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 consists of the following property interests from the named property owners, as depicted in the map attached hereto:

Property Owner	Property Interests	Auditor Parcel ID Number	Acquisition Price
Vineyard Christian Fellowship at Tuttle Crossing (Parcel 25 – 5400 Avery Road)	0.110 acre R/W including 0.110 acre P.R.O. 0.040 acre Temporary Construction Easement 0.010 acre Temporary Construction Easement	274-000111	\$1,301
A.V. Tedeschi and J.C. Tedeschi (Parcel 30 – 5491 Cara Court)	0.041 acre R/W 0.075 acre Standard Highway Easement	274-000088	\$10,439
Brian Rightler and Erica Rightler, Trustees of the Cara Road Trust Agreement dated June 22, 2018 (Parcel 31 – 6129 Cara Road)	0.041 acre Standard Highway Easement	274-000110	\$10,707

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

The details regarding each property acquisition is as follows:

Vineyard Christian Fellowship at Tuttle Crossing: The property is located on the east side of Avery Road, south of Cara Road, at 5400 Avery Road, Dublin, Ohio 43016. The City participated in good faith discussions with Vineyard Christian Fellowship at Tuttle Crossing, resulting mutually agreeable terms for the acquisition of the property interest for the appraised value, which was \$1,301.

A.V. Tedeschi and J.C. Tedeschi: The property is located on the west side of Cara Court, north of Cara Road, at 5491 Cara Court, Dublin, Ohio 43016. The City participated in good faith discussions with A.V. Tedeschi and J.C. Tedeschi, resulting in a minor plan change, and mutually agreeable terms for the acquisition of the property interest for the appraised value, which was \$10,439.

Brian Rightler and Erica Rightler, Trustees of the Cara Road Trust Agreement dated June 22, 2018: The property is located on the south side of Cara Road, east of Avery Road, at 6129 Cara Road, Dublin, Ohio 43016. The City participated in good faith discussions with Brian Rightler and Erica Rightler, resulting in mutually agreeable terms for the acquisition of the property interest for \$10,707, which is 10% above the appraised value of \$9,734.

This Ordinance authorizes 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. 54-19, 55-19 and 56-19 at the second reading/public hearing on November 4, 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. 56-19

Passed _____, _____

AUTHORIZING THE CITY MANAGER TO EXECUTE AND ACCEPT NECESSARY CONVEYANCE DOCUMENTS AND CONTRACTS TO ACQUIRE A 0.041-ACRE STANDARD HIGHWAY EASEMENT FROM BRIAN RIGHTLER AND ERICA RIGHTLER, TRUSTEES OF THE CARA ROAD TRUST AGREEMENT DATED JUNE 22, 2018, LOCATED AT 6129 CARA 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 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 274-000110, owned by Brian Rightler and Erica Rightler, Trustees of the Cara Road Trust Agreement dated June 22, 2018 (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 \$10,707.00; 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 0.041-acre standard highway easement from Brian Rightler and Erica Rightler, Trustees of the Cara Road Trust Agreement dated June 22, 2018, for \$10,707.00, said property interest located within the parcel identified as Franklin County parcel number 274-000110, 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

City of Dublin, Ohio



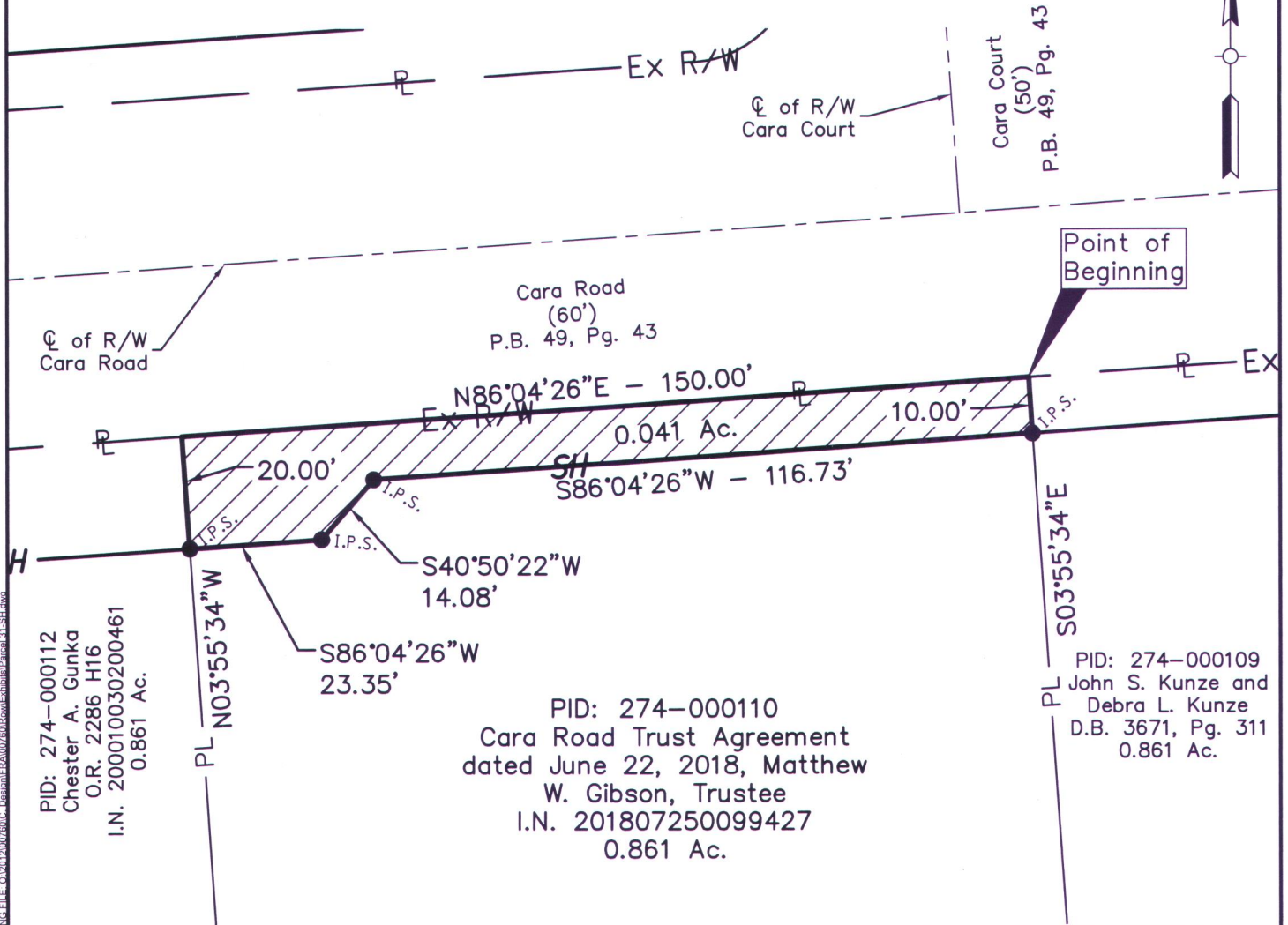
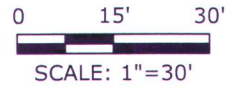
**Tuttle Crossing
Boulevard Ext.
and Avery Road
Improvements**

Exhibit "B"
0.041 Ac.
Standard
Highway
Easement

Scale:	1" = 30'
Drawn By:	JBY
Checked By:	BPB
Date:	10/2/2019
Job No.:	2012.00760

Parcel
31-SH
Sheet
1 of 1

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



● I.P.S. 3/8" iron pin set w/
Structurepoint-PS 8438" cap

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

10/3/2019



DRAWING FILE: O:\2012\00760\C. Dabson\ERA\020\Draw\Exhibit\Parcel 31-SH.dwg
EDITED BY: JCOUMANS
PLOT DATE: 10/2/2019 1:08 PM
PLOT SCALE: 1:1

EXHIBIT A

Page 1 of 2

LPA RX 871 SH

Rev. 06/09

Ver. Date 10/2/2019

PID 99815

**PARCEL 31-SH
TUTTLE CROSSING BOULEVARD AND AVERY ROAD IMPROVEMENTS
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF DUBLIN, OHIO, LOCATED IN FRANKLIN COUNTY, OHIO**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation and/or utility maintenance work deemed appropriate by the City Of Dublin, Ohio, Located In Franklin County, Ohio, its successors and assigns forever.

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).

[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 0.861 acre tract described in a deed to **Cara Road Trust Agreement dated June 22, 2018, Matthew W. Gibson, Trustee**, of record in Instrument Number 201807250099427, all records referenced herein are on file at the Office of the Recorder for Franklin County, Ohio, being a parcel on the right side of the proposed centerline of construction for Cara Road, as delineated on the centerline plat for Tuttle Crossing Boulevard and Avery Road Improvements, of record in Plat Book 124 Page 37, said parcel being more particularly bounded and described as follows:

BEGINNING at a point on the existing south right-of-way line for Cara Road, as established by Miller Estates No. 2, as recorded in Plat Book 49, Page 43, said point being the northeast corner of said 0.861 acre tract, being the northwest corner of that 0.861 acre tract described in a deed to John S. Kunze and Debra L. Kunze, of record in Deed Book 3671, Page 311, and said point being 30.00 feet right of Cara Road proposed centerline of construction Station 327+61.46;

Thence **South 03 degrees 55 minutes 34 seconds East**, along the east line of said Cara Road Trust tract and along the west line of said Kunze tract, a distance of **10.00 feet** to an iron pin set, said iron pin being 40.00 feet right of Cara Road proposed centerline of construction Station 327+61.46;

EXHIBIT A

LPA RX 871 SH

Rev. 06/09

Thence across said Cara Road Trust tract along the following three (3) described courses:

1. **South 86 degrees 04 minutes 26 seconds West**, a distance of **116.73 feet** to an iron pin set, said iron pin being 39.35 feet right of Cara Road proposed centerline of construction Station 326+43.69;
2. **South 40 degrees 50 minutes 22 seconds West**, a distance of **14.08 feet** to an iron pin set, said iron pin being 49.09 feet right of Cara Road proposed centerline of construction Station 326+33.51;
3. **South 86 degrees 04 minutes 26 seconds West**, a distance of **23.35 feet** to an iron pin set on the west line of said Cara Road Trust tract and the east line of that 0.861 acre tract described in deeds to Chester A. Gunka, of record in Official Record 2286 H16 and Instrument Number 200010030200461, said iron pin being 48.50 feet right of Cara Road proposed centerline of construction Station 326+11.44;

Thence **North 03 degrees 55 minutes 34 seconds West**, along the west line of said Cara Road Trust tract and along the east line of said Gunka tract, a distance of **20.00 feet** to a point on the existing south right-of-way line for said Cara Road, said point being the northwest corner of said Cara Road Trust tract, being the northeast corner of said Gunka tract, and said point being 28.50 feet right of Cara Road proposed centerline of construction Station 326+11.44;


Thence **North 86 degrees 04 minutes 26 seconds East**, along the existing south right-of-way line for said Cara Road and along the north line of said Cara Road Trust tract, a distance of **150.00 feet** to the **POINT OF BEGINNING** for this description.

The above described standard highway easement contains a total area of **0.041 acres** located within Franklin County Auditor's parcel number 274-000110.

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 standard highway easement was prepared under the direct supervision of Brian P. Bingham, Registered Professional Surveyor No. 8438 on October 2, 2019, 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

*Reduce Assessed Acreage Only
 0.041 acre (Highway Easement)
 0-Not
 (274) 110*



10/3/2019
 Date



City of Dublin, Ohio



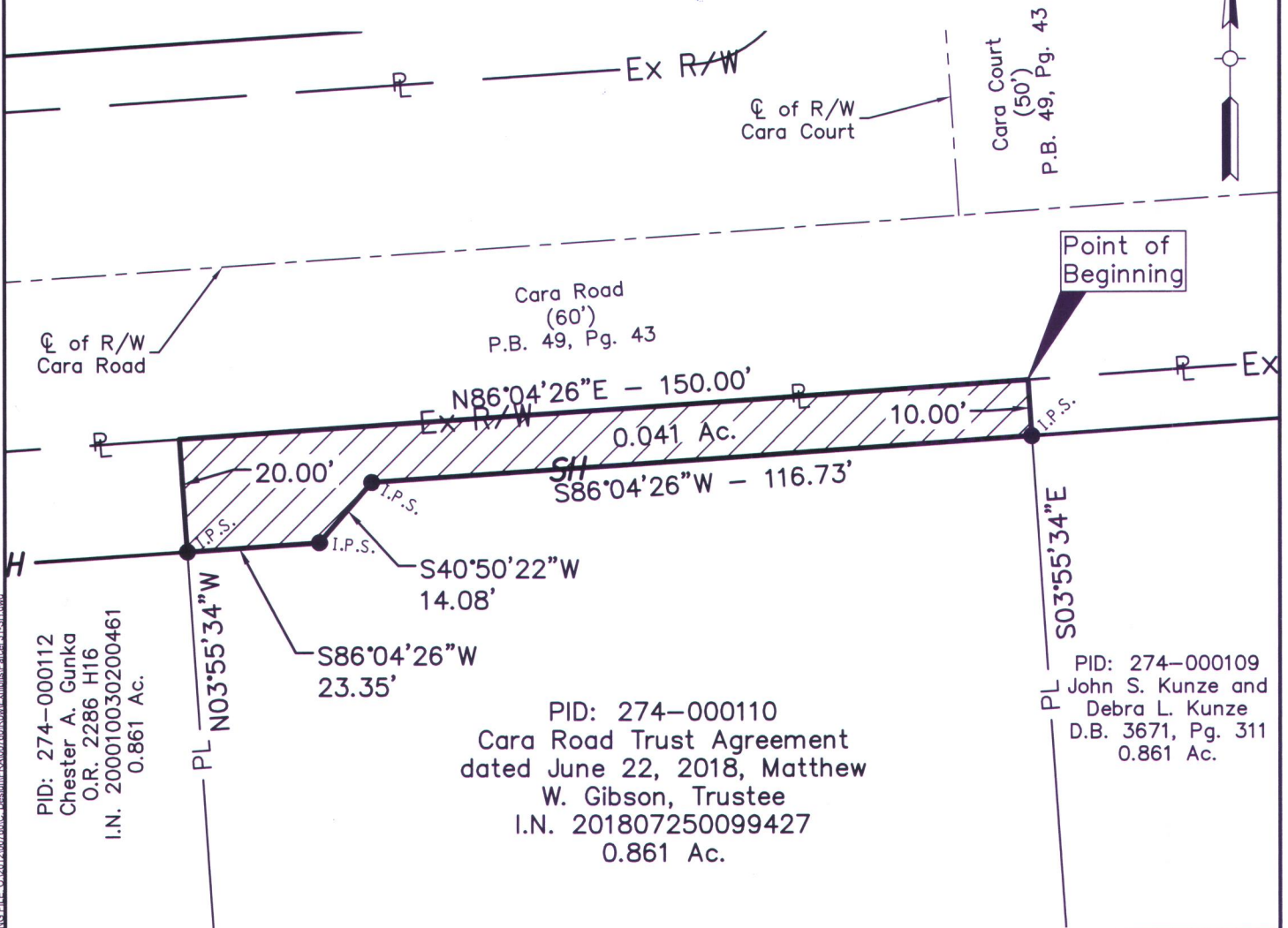
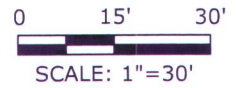
Tuttle Crossing Boulevard Ext. and Avery Road Improvements

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0.041 Ac.
Standard
Highway
Easement

Scale:	1" = 30'
Drawn By:	JBY
Checked By:	BPB
Date:	10/2/2019
Job No.:	2012.00760

Parcel
31-SH
Sheet
1 of 1

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



PID: 274-000112
Chester A. Gunka
O.R. 2286 H16
I.N. 200010030200461
0.861 Ac.

PID: 274-000110
Cara Road Trust Agreement
dated June 22, 2018, Matthew
W. Gibson, Trustee
I.N. 201807250099427
0.861 Ac.

PID: 274-000109
John S. Kunze and
Debra L. Kunze
D.B. 3671, Pg. 311
0.861 Ac.

● I.P.S. 1/2" iron pin set w/
Structurepoint-PS 8438" cap

Basis of bearing:
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I hereby certify that:
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B.P.B.
Brian P. Bingham, P.S. No. 8438
American Structurepoint, Inc.

10/3/2019
Date



PLOT DATE: 10/2/2019 1:08 PM
 PLOT SCALE: 1.1
 EDIT DATE: 09/20/17
 EDITED BY: JVOUMANS
 DRAWING FILE: Q:\2012\00760\C - Dublin\EA\0760\Draw\Exhibit\Parcel 31-SH.dwg

EXHIBIT A

Page 1 of 2

LPA RX 871 SH

Rev. 06/09

Ver. Date 10/2/2019

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American Structurepoint, Inc.


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



10/2/2019
 Date

*Reduce Assessed Acreage Only
 0.041 acre (Highway Easement)
 out of
 (274)110*





LEGEND

- City of Dublin Corp Limit
- Permanent Easement
- Temporary Easement
- Proposed Right-of-Way
- PRO Conversion
- Channel Easement

