

Office of the City Manager

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To: Members of Dublin City Council

From: Dana L. McDaniel, City Manager

Date: September 8, 2020

Initiated By: Paul A. Hammersmith, PE, Director of Engineering/City Engineer

Jean-Ellen Willis, PE, Engineering Manager – Transportation

Philip K. Hartmann, Assistant Law Director

Re: Ordinance No. 24-20

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 was 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 a property owner in connection with the Project. The property acquisition consists of the following property interests from the named property owner, as depicted in the map attached hereto:

Ord. 24-20 – Acquisition of Right-of-Way and Easements for Tuttle Crossing Boulevard Extension and Avery Road Improvements
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Property Owner	Property Interests	Auditor Parcel ID Number	Acquisition Price
Chester A. Gunka (Parcel 29 – 6149 Cara Road)	0.069 acre Standard Highway Easement	274-000112	\$14,159

The details regarding this property acquisition are as follows:

Chester A. Gunka: The property is located on the south side of Cara Road, east of Avery Road, at 6149 Cara Road, Dublin, Ohio 43016. The City participated in good faith discussions with Chester A. Gunka, resulting in mutually agreeable terms for the acquisition of the property interest for the appraised value, which was \$14,159.

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 No. 24-20 at the second reading/public hearing on September 28, 2020, as this ordinance authorizes the City Manager to execute all necessary conveyance and contract documents to formally accept the necessary property interest as described above.

Ordinance	No.	

AUTHORIZING THE CITY MANAGER TO EXECUTE AND ACCEPT NECESSARY CONVEYANCE DOCUMENTS AND CONTRACT TO ACQUIRE A 0.069-ACRE STANDARD HIGHWAY EASEMENT FROM CHESTER A. GUNKA, LOCATED AT 6149 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 in the future (the "Project"); and

WHEREAS, the Project requires that the City obtain a standard highway easement from the parcel identified as Franklin County parcel number 274-000112, owned by Chester A. Gunka (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 \$14,159.00, 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 Grantor.

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 0.069-acre standard highway easement from Chester A. Gunka, for the appraised value of \$14,159.00, said property interest located within the parcel identified as Franklin County parcel number 274-000112, 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 thisday of	, 2020.
Mayor – Presiding Officer	
ATTEST:	
Clerk of Council	

EXHIBIT A

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Ver. Date 4/7/2017 PID 99815

PARCEL 29-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).

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United the second second	[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 deeds to Chester A. Gunka, of record in Official Record 2266 H16 and Instrument Number 200010030200461, 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 _____, Page _____, 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 northwest corner of said 0.861 acre tract, being the northeast corner of that 1.030 acre tract described in deeds to Kathy L. Long-Young, of record in Official Record 15476 E01, Official Record 25674 H19 and Instrument Number 201201250010129, (reference a 3/4" bent iron pipe bearing North 87 degrees 35 minutes 04 seconds East at a distance of 0.57 feet), said point being 28.34 feet right of Cara Road proposed centerline of construction Station 324+60.81;

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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 0.861 acre tract, a distance of 150.00 feet to the northeast corner of said 0.861 acre tract, being the northwest corner of that 0.861 acre tract described in a deed to Brian Rightler and Erica Rightler, of record in Instrument Number 201305160081156, said point being 28.50 feet right of Cara Road proposed centerline of construction Station 326+11.44:

Thence South 03 degrees 55 minutes 34 seconds East, along the east line of said Gunka tract and along the west line of said Rightler tract, a distance of 20.00 feet to an iron pin set, said iron pin being 48.50 feet right of Cara Road proposed centerline of construction Station 326+11.44;

Thence South 86 degrees 04 minutes 26 seconds West, across said Gunka tract, a distance of 150.00 feet to an iron pin set on the west line of said Gunka tract, being on the east line of said 1.030 acre tract, said iron pin being 48.34 feet right of Cara Road proposed centerline of construction Station 324+60.33;

Thence North 03 degrees 55 minutes 34 seconds West, along the west line of said Gunka tract and the east line of said 1.030 acre tract, a distance of 20.00 feet to the POINT OF **BEGINNING** for this description.

The above described standard highway easement contains a total area of 0.069 acres located within Franklin County Auditor's parcel number 274-000112.

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 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.

BINGHAM

American Structurepoint, Inc.

Brian P. Bingham, PS

Registered Professional Surveyor No. 8438

0-110-1

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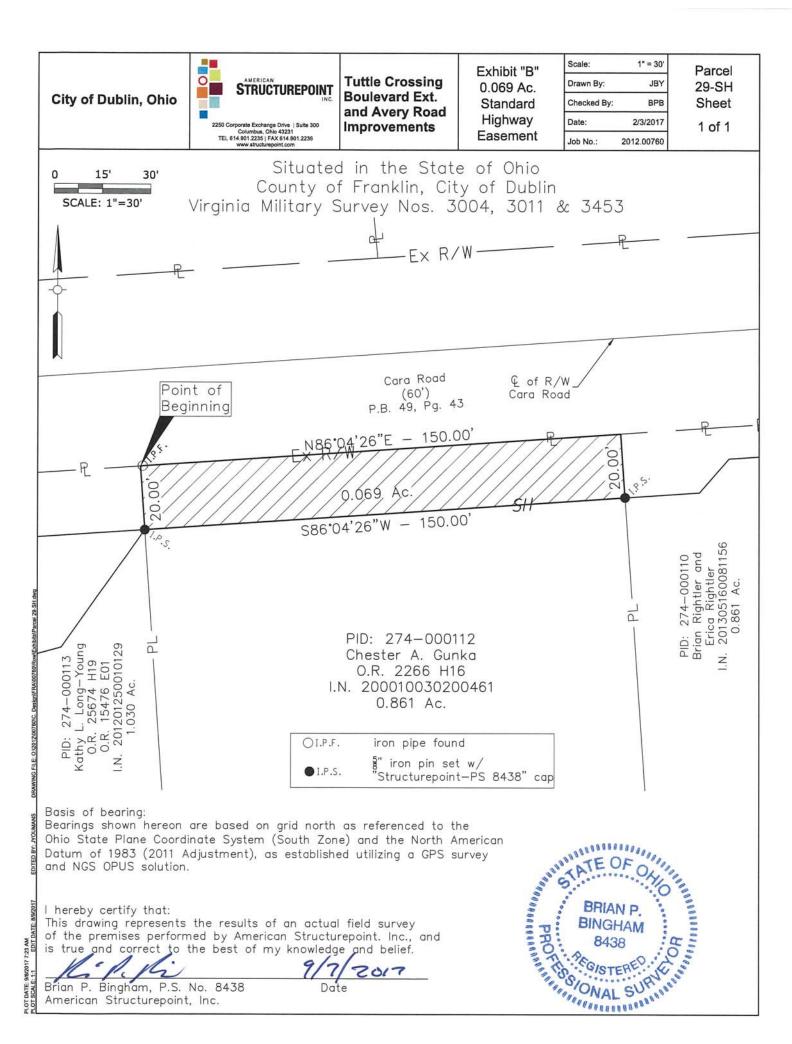
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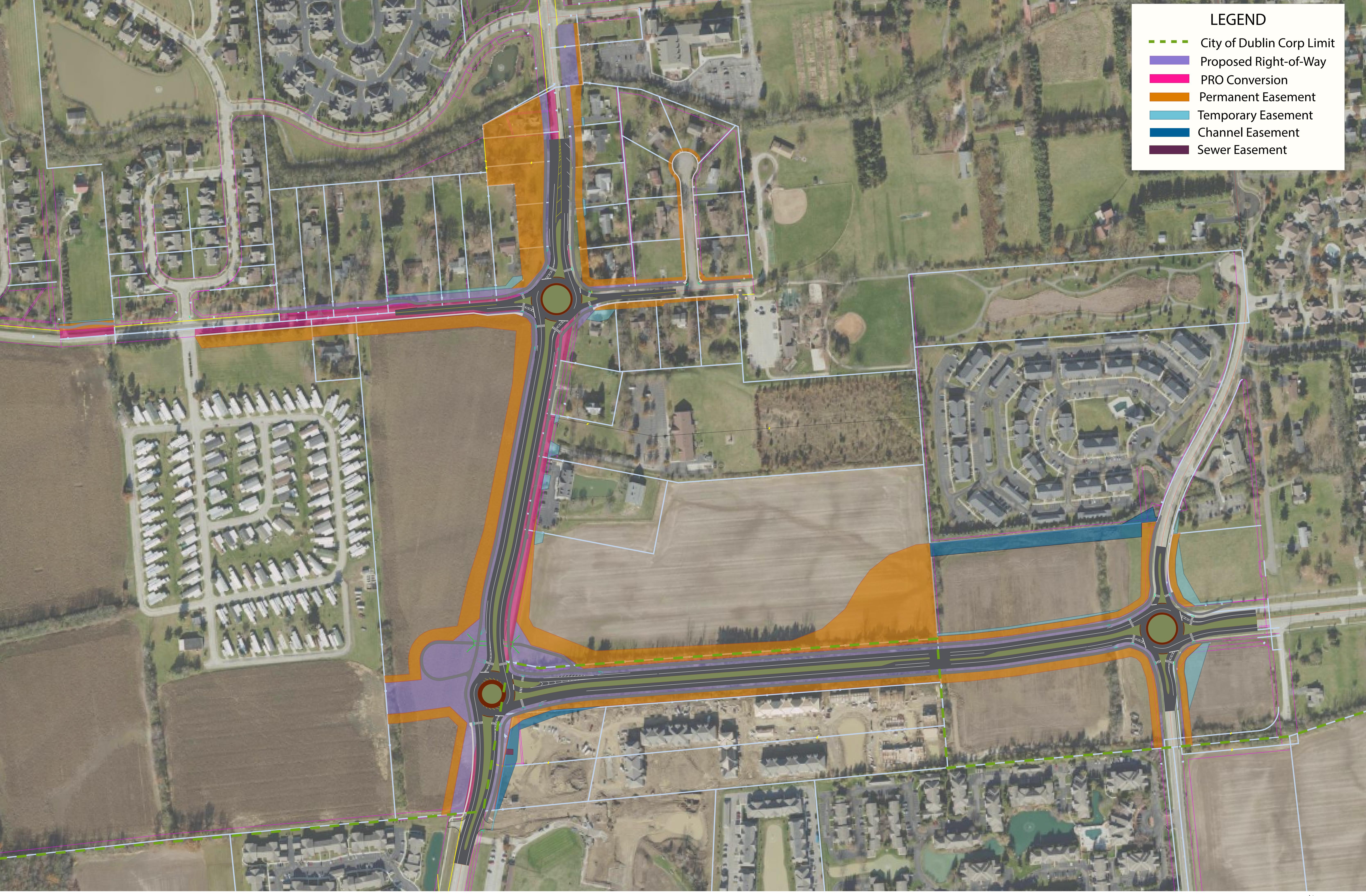
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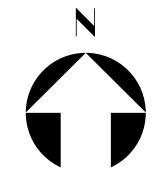
9/6/2017

DESCRIPTION VERIFIED CORNELL R. ROBERTSON, P.E., P.S.

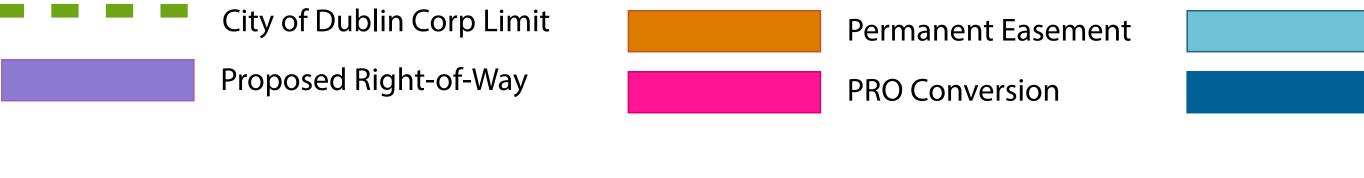
















Channel Easement