

To: Members of Dublin City Council

From: Dana L. McDaniel, City Manager

Date: September 22, 2020

Initiated By: Megan D. O'Callaghan, PE, Deputy City Manager/Chief Operating Officer
Paul A. Hammersmith, PE, Director of Engineering/City Engineer
Michael S. Sweder, PE, Interim Engineering Manager
Philip K. Hartmann, Assistant Law Director

Re: University Boulevard – Phase 2 and Avery Road / Shier Rings Road Intersection Improvement Projects Resolutions of Intent to Appropriate - Nos. 51-20 - 61-20

BACKGROUND

The City of Dublin ("City") and The Ohio State University (collectively, the "Project Partners") are working together to construct public improvements in the area of Avery Road, Shier Rings Road and Eiterman Road. The Project Partners entered into an Economic Development Agreement on May 24, 2019 for the public improvements. The City engaged West Erie Realty Solutions, Ltd. ("West Erie") as the acquisition consultant for the University Boulevard - Phase 2 and the Avery Road and Shier Rings Road Intersection Improvement projects. In that role, West Erie has been the main point of contact with the property owners, and will be working with the property owners to reach amicable resolution.

The Project requires the acquisition of property interest from the following property owners:

- Anthony Gioffre and John Gioffre
- 33 Dublin Industrial Park, LLC
- Joseph F. Monska, Trustee
- William L. Baker & Nancy A. Baker
- Sertek, LLC
- SH 725 LLC
- W. Baker Holdings, LLC and William L. Baker
- Avery Lakes Partners, LLC
- Dolan Investments II
- Samuel M. Baker
- Medex, Inc.

One of the acquisitions, Joseph F. Monska, Trustee, is being sought as a total take since the acquisitions will impact virtually the entire parcel.

The City is hopeful that an amicable resolution can be reached with the property owners; however, this Resolution begins the eminent domain process in the event that negotiations are unsuccessful.

ACQUISITION

The property acquisition consists of the following property interests from each of the above-named property owners and as depicted in the maps attached hereto:

Property Owner	Property Interests	Auditor Parcel ID Number(s)	Appraised Value
Anthony Gioffre and John Gioffre (Parcel 2 - 6262 Eiterman Rd.)	2-WD: 0.738-acre fee simple r/w, w/ reservation of existing access 2-U1: 0.148-acre permanent utility easement 2-U2: 0.073-acre permanent utility easement 2-T: 0.138-acre temporary easement 2-E: 0.301-acre fee simple r/w, w/ reservation of existing access (valued separately)	274-001113 274-001112	\$265,460 \$19,565 (for 2-E parcel)
33 Dublin Industrial Park, LLC (Parcel 4 - 6280 Rings Rd)	4-WD: 0.056-acre PRO fee simple r/w, w/ reservation of existing access 4-WD: 0.178-acre fee simple r/w, w/ reservation of existing access 4-U: 0.028-acre permanent utility easement 4-T1: 0.120-acre temporary easement	274-000130	\$75,240

	4-T2: 0.024-acre temporary easement		
Joseph F. Monska, Trustee (Parcel 5 - 6480 Shier Rings Rd)	5-WD: 0.561-acre fee simple r/w, w/ reservation of existing access 5-S: 0.326-acre permanent sewer easement 5-E: 0.326-acre fee simple r/w, w/ reservation of existing access	273-000304	\$310,000 (appraised value of entire parcel)
William L. Baker & Nancy A. Baker (Parcel 6 – 6430 Shier Rings Rd)	6-WD1: 0.056-acre fee simple r/w, w/ reservation of existing access 6-WD2: 0.006-acre fee simple r/w, w/ reservation of existing access 6-WD3: 0.004-acre fee simple r/w, w/ reservation of existing access 6-S: 0.926-acre permanent sewer easement 6-U: 0.085-acre permanent utility easement 6-T: 0.224-acre temporary easement	273-000317	\$347,200
Sertek, LLC (Parcel 7 -6399 Shier Rings Rd)	7-WD: 0.042-acre fee simple r/w, w/ reservation of existing access	274-001572	\$44,850

	7-U: 0.283-acre permanent utility easement 7-T: 0.069-acre temporary easement		
SH 725 LLC (Parcel 8 – 6245 Old Avery Rd)	8-WD1: 0.011-acre fee simple r/w, w/ reservation of existing access 8-WD2: 0.054-acre fee simple r/w, w/ reservation of existing access 8-U: 0.031-acre permanent utility easement	273-009727 273-000327	\$24,150
W. Baker Holdings, LLC and William L. Baker (Parcels 9 and 11 – 6360-6390 Shier Rings Rd)	9-WD: 0.144-acre fee simple r/w, w/ reservation of existing access 9-U: 0.083-acre permanent utility easement 9-T: 0.038-acre temporary easement 11-WD: 0.460-acre fee simple r/w, w/ reservation of existing access 11-U: 0.002-acre permanent utility easement 11-T: 0.029-acre temporary easement	273-000316 (Parcel 9) 273-000302 (Parcel 11)	\$273,325
Avery Lakes Partners, LLC (Parcel 10 – 6201-6233 Avery Rd)	10-WD: 0.107-acre fee simple r/w, w/	274-001573	\$125,280

	reservation of existing access 10-U: 0.319-acre permanent utility easement 10-T: 0.057-acre temporary easement		
Dolan Investments II (Parcel 12 – 6385 Avery Rd)	12-WD: 0.001-acre fee simple r/w, w/ reservation of existing access 12-T: 0.073-acre temporary easement	274-000120 274-000119	\$5,460
Samuel M. Baker (Parcel 13 – 6252 Avery Rd)	13-WD: 0.292-acre fee simple r/w, w/ reservation of existing access 13-T: 0.146-acre temporary easement	273-001049	\$99,800
Medex, Inc. (Parcel 15 – 6250 Shier Rings Rd)	15-T: 0.058-acre temporary easement	273-005584	\$4,100

RECOMMENDATION

Staff recommends approval of Resolution Nos. 51-20 - 61-20 to allow the Project to continue moving forward.

RECORD OF RESOLUTIONS

Resolution No. 61-20

Passed _____,

A RESOLUTION OF INTENT TO APPROPRIATE AN EASEMENT FROM MEDEX, INC., FROM THE PROPERTY LOCATED AT 6250 SHIER RINGS ROAD, FOR THE PUBLIC PURPOSE OF CONSTRUCTING A NEW ROADWAY TO BE NAMED UNIVERSITY BOULEVARD, WHICH SHALL BE OPEN TO THE PUBLIC WITHOUT CHARGE.

WHEREAS, the City of Dublin (the "City") is preparing to construct Phase 2 of the new University Boulevard (the "Project"); and

WHEREAS, the Project requires that the City obtain the following property interests from the parcel identified as Franklin County Parcel Number 273-005584, owned by Medex, Inc., as described in the attached Exhibits A and depicted in the attached Exhibits B:

- 15-T: a 0.058-acre temporary easement.

NOW, THEREFORE, BE IT RESOLVED 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 considers it necessary and declares its intention to appropriate, for the public purpose of constructing a new roadway which shall be open to the public without charge, the following property rights and easements from Medex, Inc., each of which are described in the attached Exhibits A and depicted in the attached Exhibits B:

- 15-T: a 0.058-acre temporary easement.

Section 2. The City Manager is hereby authorized to cause written notice of the passage of this Resolution to be served upon the owner(s) and person(s) in possession or having an interest of record in the property described in the attached Exhibits A and depicted in the attached Exhibits B, and this notice shall be served according to law.

Section 3. This Resolution shall take effect upon adoption in accordance with 4.04(a) of the Dublin Revised Charter.

Passed this _____ day of _____, 2020.

Mayor – Presiding Officer

ATTEST:

Clerk of Council



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

TEMPORARY EASEMENT

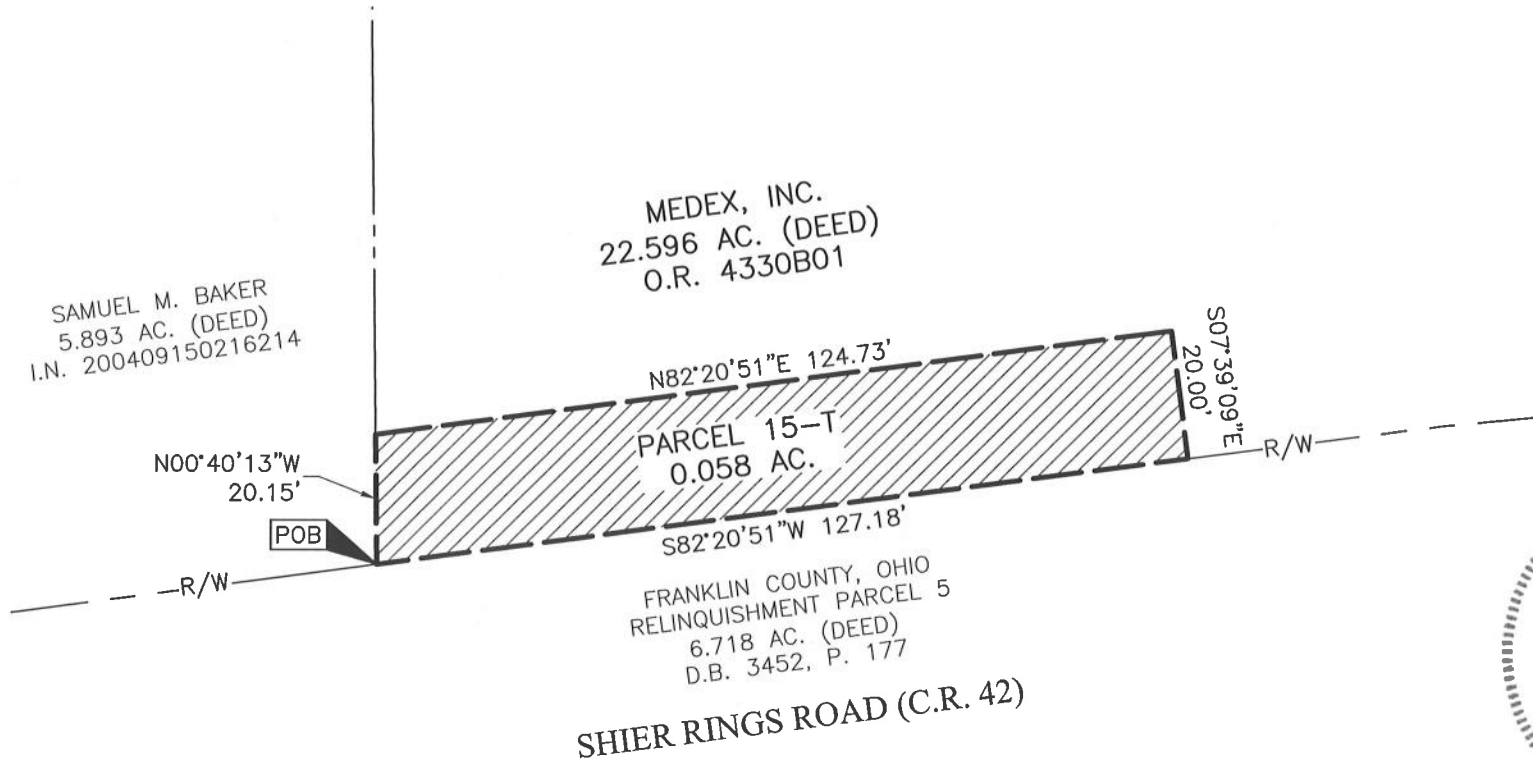
VIRGINIA MILITARY DISTRICT SURVEY NUMBER 2999

CITY OF DUBLIN, COUNTY OF FRANKLIN, STATE OF OHIO

Date: May 29, 2020

Scale: 1" = 30'

Job No: 2019-0835



GRAPHIC SCALE (in feet)

By Heather L. King Date 5/29/20
 Heather L. King
 Professional Surveyor No. 8307
 hking@emht.com

J:\20190835\DWG\04SHEETS\EASEMENTS\20190835-VS-ESMT-TEMP-15.DWG plotted by PHILPOTT, ANDREW on 8/19/2020 1:00:11 PM last saved by APHILPOTT on 5/29/2020 3:15:36 PM
 Xrefs:

**PARCEL 15-T
0.058 ACRE**

TEMPORARY EASEMENT

A temporary easement in, upon and over the described real estates. 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 premises follows]

Situated in the State of Ohio, County of Franklin, City of Dublin, lying in Virginia Military District Survey Number 2999, being on, over, and across that 22.596 acre tract conveyed to Medex, Inc., by deed of record in Official Record 4330B01, (all references are to the records of the Recorder's Office, Franklin County, Ohio) being more particularly described as follows:

BEGINNING in the northerly right-of-way line of said Shier Rings Road (County Road 42), at the southwesterly corner of said 22.596 acre tract, in the southeasterly corner of that 5.893 acre tract to Samuel M. Baker by deed of record in Instrument Number 200409150216214, in the northerly line of that 6.718 acre tract as conveyed to Franklin County, Ohio Relinquishment Parcel 5 by deed of record in Deed Book 3452, Page 177;

Thence North 00° 40' 13" West, with the line common to said 22.596 acre and 5.893 acre tracts, a distance of 20.15 feet to a point;


Thence North 82° 20' 51" East, across said 22.596 acre tract, a distance of 124.73 feet to a point;

Thence South 07° 39' 09" East, across said 22.596 acre tract, a distance of 20.00 feet to the northerly line of said Shier Rings Road, being the line common to said 22.596 acre and 6.718 acre tracts;

Thence South 82° 20' 51" West, with said northerly right-of-way line of said Shier Rings Road, the line common to said 22.596 acre and 6.718 acre tracts, a distance of 127.18 feet to the POINT OF BEGINNING, containing 0.058 acre, more or less.

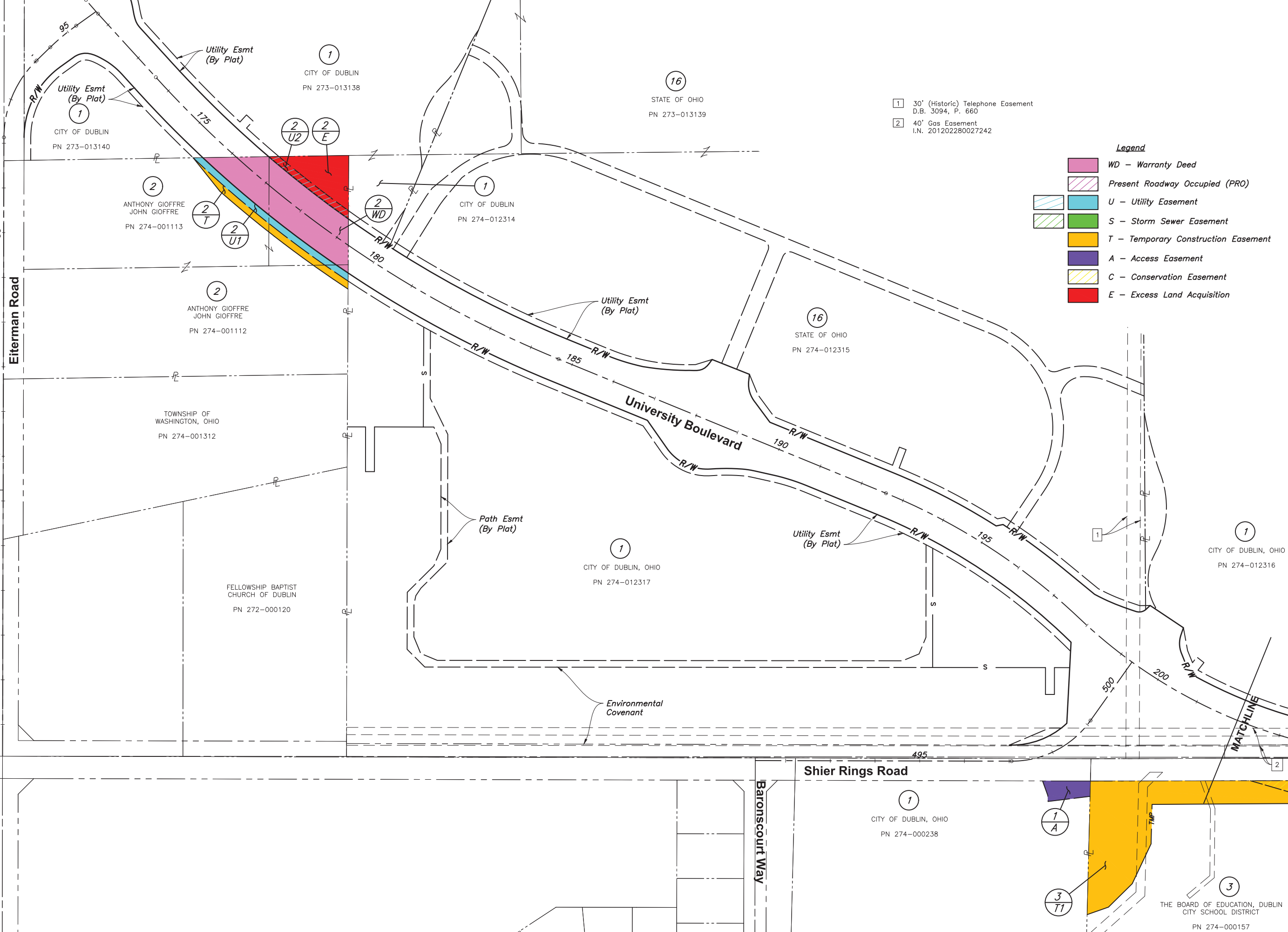


EVANS, MECHWART, HAMBLETON & TILTON, INC.


Heather L. King
Professional Surveyor No. 8307

5/29/20
Date

BATES PROPERTY MANAGEMENT LTD
PN 272-000130



- 1 30' (Historic) Telephone Easement
D.B. 3094, P. 660
- 2 40' Gas Easement
I.N. 201202280027242

Legend

- WD - Warranty Deed
- PRO - Present Roadway Occupied (PRO)
- U - Utility Easement
- S - Storm Sewer Easement
- T - Temporary Construction Easement
- A - Access Easement
- C - Conservation Easement
- E - Excess Land Acquisition

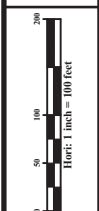
R/W Designer: JAG
R/W Reviewer: FLK

PROPERTY MAP

UNIVERSITY BLVD-PHASE 2/
SHIER RINGS RD & AVERY RD
INTERSECTION IMPROVEMENT

354
357

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R/W Designer: JAG
R/W Reviewer: FLK

PROPERTY MAP

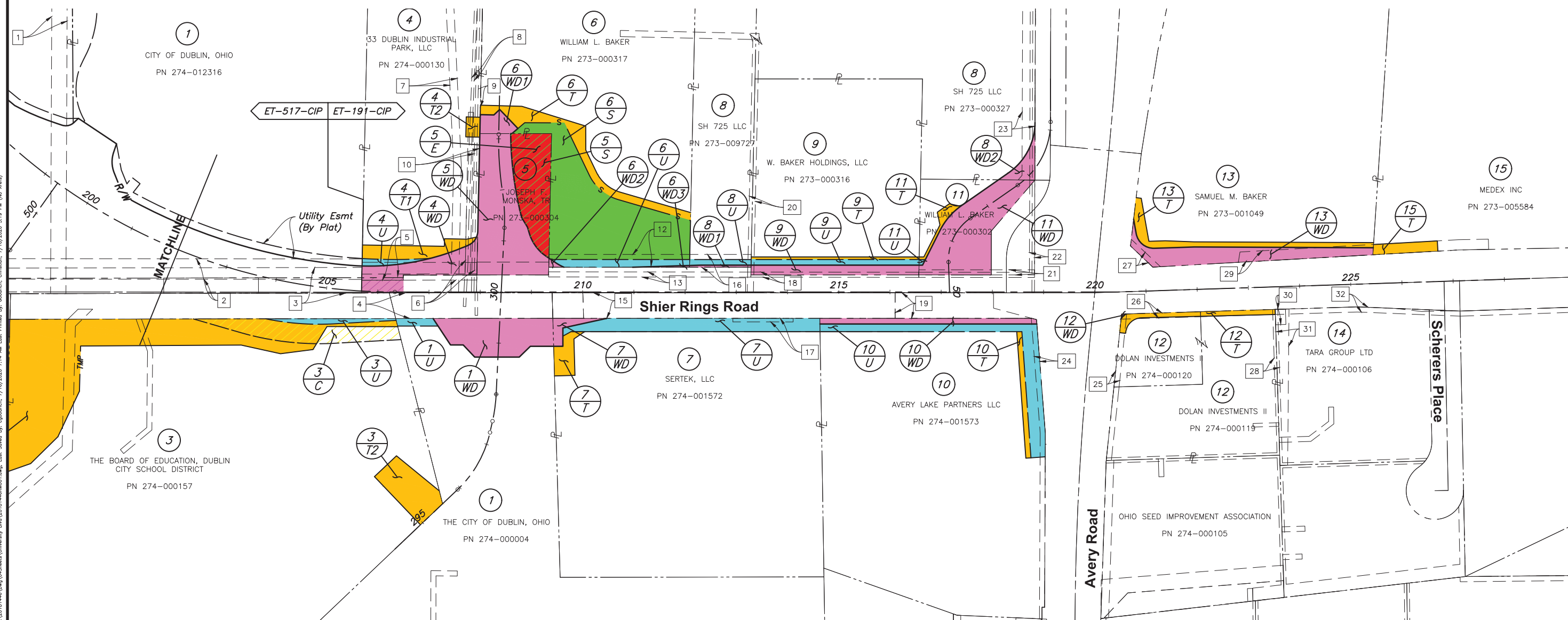
UNIVERSITY BLVD-PHASE 2/
SHIER RINGS RD & AVERY RD
INTERSECTION IMPROVEMENT

355
357

- | | | |
|---|--|--|
| 1 30' (Historic) Telephone Easement
D.B. 3094, P. 660 | 16 25' Gas Easement
I.N. 201311290198227 | 29 Electric Easement
D.B. 3746, P. 416 |
| 2 40' Gas Easement
I.N. 201202280027242 | 17 7' Bike Path Easement
I.N. 201307080113559 | 30 20'X30' Communication Easement
O.R. 05708110 |
| 3 50' Gas Easement
O.R. 13651D08 | 18 10' Gas Easement
D.B. 2864, P. 631 | 31 Utility Easement
I.N. 199707080041306 |
| 4 50' Gas Easement
O.R. 13404G15 | 19 50' Gas Easement
O.R. 13586A05 | 32 10' Electric Easement
D.B. 3566, P. 564 |
| 5 Gas Easement
I.N. 201202280027238 | 20 Electric Easement
D.B. 2838, P. 276 | |
| 6 Communication Easement
O.R. 13856A08 | 21 10' Electric Easement
I.N. 199902080031714 | |
| 7 15' Access Easement
O.R. 13046C08 | 22 10' Gas Easement
D.B. 2861, P. 376 | |
| 8 5' Electric Easement
I.N. 198904210089258
O.R. 13308B04 | 23 Gas Easement
I.N. 201311290198228 | |
| 9 5' Electric Easement
D.B. 2913, P. 369 | 24 10' Electric Easement
I.N. 200908110117078 | |
| 10 10' Communication Easement
O.R. 07527E18 | 25 25' Gas Easement
I.N. 201202280027234 | |
| 11 25' Gas Easement
I.N. 201311290198231 | 26 10' Electric Easement
D.B. 3566, P. 564 | |
| 12 Gas Easement
D.B. 2861, P. 380 | 27 Storm Sewer Easement
I.N. 199712050160800 | |
| 13 50' Gas Easement
O.R. 13586A11 | 28 10' Electric Easement
D.B. 3545, P. 625 | |
| 14 50' Gas Easement
O.R. 13404G17 | | |

Legend

- WD - Warranty Deed
- Present Roadway Occupied (PRO)
- U - Utility Easement
- S - Storm Sewer Easement
- T - Temporary Construction Easement
- A - Access Easement
- C - Conservation Easement
- E - Excess Land Acquisition



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