

**To:** Members of Dublin City Council

**From:** Dana L. McDaniel, City Manager

**Date:** July 20, 2021

**Initiated By:** Robert E. Ranc, Jr., Deputy City Manager/Chief Operating Officer  
Paul A. Hammersmith, PE, Director of Engineering/City Engineer  
C. Aaron Stanford, PE, Deputy Director of Engineering - Utilities  
Stephen A. Beros, EI, Engineering Technician I  
Philip K. Hartmann, Assistant Law Director

**Re:** Ordinances 36-21 and 37-21 – Acquisition of Right-of-Way – Bright Road 12-inch Water Main Extension (19-023-CIP)

## Summary

The Bright Road 12-inch Water Main Extension Project (19-023-CIP) (the “Project”) will provide for a 12-inch water main extension on Bright Road to complete a water main connection between the Emerald Parkway/Bright Road roundabout and an existing 12-inch water main at the Villages of Inverness. This will provide a looped water main connection for Riverside Woods, Bryson Cove, Hanna Hills, Kiplinger Estates, the Glenbriar neighborhood, Dublin Scioto High School, and the Washington Township Fire Department Station 92. Currently, there is a single 12-inch water main supplying water beyond the Emerald Parkway/Hard Road intersection. Additionally, this water main extension will serve the Areas 4A, 4B and 4C utility extension areas.

The design and property acquisition for this project were programmed in 2019 with the construction programmed in 2020. The design commenced in the later part of 2019, which was followed by the property acquisition that commenced in 2020. The property acquisition has taken longer than anticipated. The current schedule is to advertise the project for bid in late 2021. Once the construction contract has been executed, construction activities are expected to commence in late 2021 or early 2022.

The Project requires the acquisition of property interest from two (2) property owners along the south side of Bright Road as shown on the attached Location Map. The City has participated in good faith discussions with both property owners and has arrived at mutually agreeable terms with both property owners.

## Acquisitions

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

- McKitrick Properties, Inc.
- Stephen T. Newcomb (transferred from Iacovetta Properties LTD - 12.23.2020)

The property acquisitions consist of the following property interests from each of the named property owners, as depicted in the maps attached:

Property Owner(s)	Parcel Number	Property Interests and Acreage	Auditor Parcel ID Number	Acquisition Price
McKittrick Properties, Inc. 3865 Bright Road	2-WD	Fee Simple WD for Right-of-Way, 0.172 acre of which 0.0800 acres ± is P.R.O. <sup>1</sup> )	273-008610-00	\$16,193.00
Stephen T. Newcomb 3985 Bright Road	1-WD	Fee Simple WD for Right-of-Way, 0.025 acres	273-008606-00	\$4,000.00

A Good Faith Offer Letter, the appraisal report and associated information, were provided to both property owners in 2020.

These Ordinances authorize the City Manager to execute all necessary conveyance documents and contracts to formally acquire the necessary property interest.

### **Recommendation**

Staff recommends adoption of Ordinances 36-21 and 37-21 at the second reading/public hearing on August 16, 2021 as these ordinances authorize the City Manager to execute all necessary conveyance and contract documents to formally accept the necessary property interests described above.

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<sup>1</sup> P.R.O. stands for Present Road Occupied, which means that this portion of the acquisition is already encumbered with a roadway easement.

RECORD OF ORDINANCES

Ordinance No. 37-21

Passed , 20

**AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR AND ACCEPT A 0.025-ACRE FEE SIMPLE WARRANTY DEED FOR RIGHT-OF-WAY, WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS, FROM STEPHEN T. NEWCOMB, FROM THE PROPERTY LOCATED AT 3985 BRIGHT ROAD FOR THE PUBLIC PURPOSE OF CONSTRUCTING A NEW WATER LINE EXTENSION, AND OTHER PUBLIC IMPROVEMENTS.**

**WHEREAS,** the City of Dublin (the "City") is preparing to construct the Bright Road Waterline Project (the "Project"); and

**WHEREAS,** the Project requires that the City obtain a fee simple warranty deed, without limitation of existing access rights, to be held by the City as public right-of-way, from the parcel identified as Franklin County Parcel Number 273-008606-00, owned by Stephen T. Newcomb ("Grantor"), as described in the attached Exhibits A and depicted in the attached Exhibits B; and

**WHEREAS,** the City and the Grantor participated in good faith discussions and have come to mutually agreeable terms for the acquisition of the necessary property interest for the sum of \$4,000.00, which is the appraised value of the property interest; 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 the 0.025-acre fee simple warranty deed, without limitation to existing access rights, to be held by the City as public right-of-way and for various public improvements, from Stephen T. Newcomb, for \$4,000.00, as more fully described and depicted in the attached Exhibits.

**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 \_\_\_\_\_, 2021.

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

ATTEST:

\_\_\_\_\_  
Clerk of Council

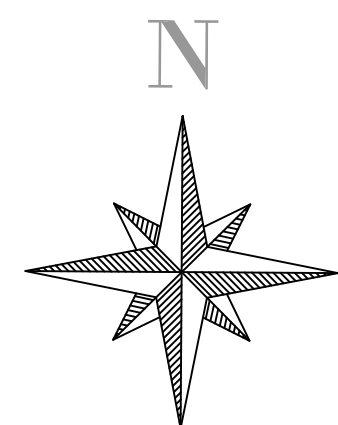




## LOCATION MAP

### BRIGHT ROAD 12-INCH WATERMAIN EXTENSION

### RIGHT-OF-WAY ACQUISITION





**EXHIBIT A**

Ver. Date: 06/28/2021

**PARCEL 1-WD  
BRIGHT ROAD WATERLINE  
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE  
IN THE FOLLOWING DESCRIBED PROPERTY  
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

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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Situated in the State of Ohio, County of Franklin, City of Dublin, Perry Township being located in Lot 11, Quarter Township 2, Township 2, Range 19, of the United States Military Lands being part of a 2.81 acre tract as conveyed to **Stephen T. Newcomb** (hereafter referred to as "Grantor") by the instrument filed as **Instrument Number 202106230109303** (all records herein described are to the records of the Franklin County Recorder's Office), and being further bounded and described as follows:

**COMMENCING** at Franklin County Geodetic Survey monument number 6656, said monument being at an angle point in the existing centerline of right-of-way of Bright Road (R/W width varies – Public);

Thence along the centerline of right-of-way of Bright Road, the following three (3) courses;

- 1) **South 89 degrees 55 minutes 56 seconds West for a distance of 197.22 feet** to a point at an angle point in the centerline of right-of-way of Bright Road;
- 2) **South 87 degrees 43 minutes 35 seconds West for a distance of 133.45 feet** to a 5/8" rebar found at an angle point in the centerline of right-of-way of Bright Road;
- 3) **South 80 degrees 18 minutes 35 seconds West for a distance of 119.91 feet** to a point at the north west corner of a 0.038 acre right-of-way tract known as 10-WD2 conveyed to City of Dublin, Ohio by the instrument filed as Instrument Number 20131217026128 and being the northeast corner of a 0.172 acre right-of-way tract conveyed to City of Dublin, Ohio by the instrument filed as 201209040129523;

Thence leaving the said centerline and along the westerly line of the said 10-WD2 tract and being the easterly line of the said 13-WD tract, **South 03 degrees 07 minutes 42 seconds West for a distance of 33.47 feet** to a point (being referenced by a 1" iron pin with cap that reads "B&N Leroy" being South 03 degrees 07 minutes 17 Seconds West 0.14 feet), said point being on the existing southerly right-of-way line of Bright Road, being the southwest corner of the said 10-WD2 tract, the southeast corner of the said 13-WD tract, the northwest corner of a 3.978 acre tract conveyed to McKitrick Properties Inc., an Ohio corporation by the instrument filed as Official Record volume 12527, page J16, and being the northeast corner of the Grantor, said pint being the **TRUE POINT OF BEGIINNING** of the parcel herein described;

Thence along the Grantor's easterly line and the westerly of the said McKitrick Properties Inc. tract, **South 03 degrees 07 minutes 17 seconds West for a distance of 10.63 feet** to an iron pin set (passing a 1" iron pin with cap that reads "B&N Leroy" at a distance of 0.14 feet) to an iron pin set;

Thence crossing through the lands of the Grantor, **South 81 degrees 17 minutes 49 seconds West for a distance of 207.32 feet** to a point (being referenced by a 1" iron pin with cap that reads "B&N Leroy" being South 02 degrees 42 minutes 42 seconds West at a distance of 0.11 feet), said point being on the existing southerly right-of-way line of Bright Road, being on the Grantor's northwest corner, the northeast corner of a 3.164 acre tract conveyed to Stewart A. Maier by the instrument filed as Instrument Number 202011040174117, being the southeast corner of a 0.136 acre right-of-way tract known as 12-WD as conveyed to City of Dublin, Ohio by the instrument filed as Instrument Number 201105160062622, and being the southwest corner of the said 13-WD tract;

Thence along the Grantor's northerly line, the said existing southerly right-of-way line of Bright Road, and the southerly line of the said 13-WD tract, **North 78 degrees 27 minutes 04 seconds East for a distance of 203.20 feet** to a point (reference by a 1" iron pin with cap that reads "B&N Leroy" being South 06 degrees 52 minutes 46 seconds East at a distance of 0.18 feet), said point being at a Point of Curvature in the existing southerly right-of-way line, the north line of the Grantor and the southerly line of the said 13-WD tract;


Thence along the Grantor's northerly line, the said existing southerly right-of-way line of Bright Road, and being the southerly line of the said 13-WD2 tract, and along a curve to the right having a Delta angle of **00 degrees 15 minutes 21 seconds**, a Radius of **1470.00 feet**, an Arc length of **6.56 feet**, and a Chord which bears **North 78 degrees 33 minutes 48 seconds East with a chord distance of 6.56 feet** to the **TRUE POINT OF BEGINNING** of the parcel herein described.

The above description contains a total area of **0.025 acres**, 0.0000 acres of which are located within the Present Road Occupied (P.R.O.) all of which is located within Franklin County Auditor's parcel number 273-008606.

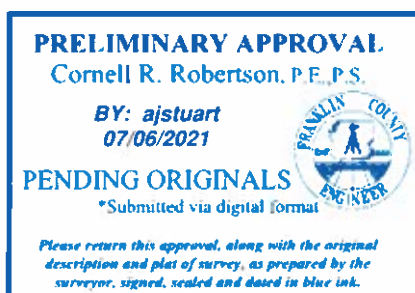
Bearings described herein are based on Grid North, referenced to the Ohio State Plane Coordinate System (South Zone) and the North American Datum of 1983 (20111 Adjustment), as established utilizing a GPS survey and an NGS OPUS solution.

This description was prepared under the direct supervision of Andrew T. Jordan, Registered Professional Surveyor No. 8759 on December 02, 2019, is based on an actual field survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

American Structurepoint, Inc.

  
Andrew T. Jordan  
Registered Professional Surveyor No. 8759

7-6-2021  
Date



**Exhibit "B"**  
**PARCEL 1-WD**  
**Acquired from**  
**IACOVETTA PROPERTIES LTD**

0 15' 30'

SCALE: 1"=30'