

To: Members of Dublin City Council

From: Dana L. McDaniel, City Manager

Date: July 20, 2021

Initiated By: Megan D. O'Callaghan, P.E., Deputy City Manager/Chief Finance and Development Officer

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

Jean-Ellen M. Willis, PE, Deputy Director of Transportation & Mobility

Philip K. Hartmann, Assistant Law Director

Re: Ordinances 34-21 and 35-21 – Acquisition of Right-of-Way and Easements for the US33–SR161–Post Road Interchange Improvements (17-013-CIP/ET003)

Summary

The City of Dublin is working cooperatively with project partners at the Ohio Department of Transportation (ODOT) and Union County to improve the interchange at US33–SR161–Post Road. The project was developed in the early 2000's with the original interchange modification study approved in 2001. Detailed design was developed from 2005 through 2008, along with right-of-way acquisition for the majority of the project, and then the design project was put on hold. Meanwhile, phases of the design surrounding the central interchange were constructed, including the Liggett Road relocation in 2008; widening SR 161, realigning and improving the intersection of Industrial Parkway in 2010; and constructing the Eiterman Road roundabout in 2015. The central interchange project was recently revived in 2019 through cooperation of the project partners to complete a full funding package.

In the 2021-2025 Capital Improvements Program (CIP), right-of-way acquisition was programmed for project number ET003 in 2020. Construction for the project is currently programmed to begin in 2022, with an anticipated completion date in 2025.

The project requires the acquisition of property interests from one owner for right-of-way and multiple property owners for updated temporary easements along Post Road and US 33.

Acquisition

The City, through its acquisition agent, has recently come to mutually agreeable terms with two 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 Figures 1 through 3:

Ord. 34-21 and 35-21 – Acquisition of Right-of-Way and Easements for US33–SR161–Post Road Interchange Improvements (17-013-CIP/ET003)

July 20, 2021

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Figure 1. US33 - SR161 - Post Rd Interchange Improvements



Figure 2. Hoffer Parcel



Figure 3. Mount Carmel Temporary Easements

Property Owner	Property Interests	Auditor Parcel ID Number	Acquisition Price
Dennis J. Hoffer (Parcel 100 – 6611 Liggett Road)	0.412 acre Limited Access Right-of Way	273-001894	\$19,800
	1.597 acre parcel (remnant parcel)		\$684,200
	Total =		\$704,000 (price for acquisition of entire parcel)
Mount Carmel Health System, an Ohio Non-Profit Corporation (Parcel 102 - 6594 Liggett Rd)	0.040 acre Temporary Easement 0.069 acre Temporary Easement	273-001902	\$5,450

The details regarding each property acquisition is as follows:

Dennis J. Hoffer: The property is located on the west side of Liggett Road, east of US33, at 6611 Liggett Road, Dublin, Ohio 43016. The City participated in good faith discussions with Dennis J. Hoffer, resulting in mutually agreeable terms for the acquisition of the entire parcel for the appraised value, which is \$704,000. This value includes the limited access right-of-way at \$19,800 and the remaining (remnant) parcel at \$684,200. The limited access right-of-way will be transferred to ODOT.

Mount Carmel Health System, an Ohio Non-Profit Corporation: The property is located on the north side of US33, east of Liggett Road, south of Perimeter Drive, at 6594 Liggett Road, Dublin, Ohio 43016. The City participated in good faith discussions with Mount Carmel Health System, resulting in mutually agreeable terms for the acquisition of the property interest for the appraised value of \$5,450.

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 Ordinances 34-21 and 35-21 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 interest as described above.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 34-21
Passed
, 20

AUTHORIZING THE CITY MANAGER TO EXECUTE AND ACCEPT NECESSARY CONVEYANCE DOCUMENTS AND CONTRACT TO ACQUIRE A 0.040-ACRE TEMPORARY CONSTRUCTION EASEMENT; AND A SECOND 0.069-ACRE TEMPORARY CONSTRUCTION EASEMENT FROM MOUNT CARMEL HEALTH SYSTEM, AN OHIO NON-PROFIT CORPORATION, LOCATED AT 6594 LIGGETT ROAD, FOR THE PUBLIC PURPOSE OF IMPROVING THE INTERCHANGE WHICH SHALL BE OPEN TO THE PUBLIC WITHOUT CHARGE.

WHEREAS, the City of Dublin (the "City") is preparing to construct the US 33 – SR 161 – Post Road Interchange Improvements project in the future (the "Project"); and

WHEREAS, the Project requires that the City obtain a temporary easement, and a second temporary easement from the parcel identified as Franklin County parcel number 273-001902, owned by Mount Carmel Health System, an Ohio Non-Profit Corporation (the "Grantor"), as described in the attached Exhibits A and depicted in the attached Exhibits B; and

WHEREAS, the City, through its acquisition agent for the Project, and through good faith negotiations with the Grantor, have come to mutually agreeable terms for the acquisition of the necessary property interests for the sum of \$5,450.00; 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 0.040-acre temporary construction easement; and a second 0.069-acre temporary construction easement from Mount Carmel Health System, an Ohio Non-Profit Corporation, for \$5,450.00, said property interest located within the parcel identified as Franklin County parcel number 273-001902, 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 August, 2021.

 Mayor – Presiding Officer

ATTEST:

 Clerk of Council

EXHIBIT A

RX 286 T

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Rev. 06/09

Ver. Date 02/03/2021

PID 80748

PARCEL 102-T2 UNI-33-24.87

TEMPORARY EASEMENT FOR THE PURPOSE OF PERFORMING THE WORK NECESSARY TO PERFORM GRADING FOR 24 MONTHS FROM DATE OF ENTRY BY THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Franklin, Washington Township, V.M.S. 3452, City of Dublin and being part of a tract conveyed to Mount Carmel Health System, an Ohio Non-Profit Corporation, by Instrument Number 200005150094699 of said county records and bounded and described as follows:

BEGINNING at a point on the north existing limited access line of U.S. 33 and the Grantor's south line, 110.00 feet left of U.S. 33 station 28+00.00;

Thence through the Grantor's lands, the following three (3) courses:

1. **North 34 degrees 51 minutes 22 seconds East**, a distance of **10.00 feet** to a point 120.00 feet left of U.S. 33 station 28+00.00;
2. **Southeasterly**, an arc distance of **306.42 feet** on the arc of a curve deflecting to the left, having a central angle of **04 degrees 41 minutes 00 seconds**, a radius of **3748.80 feet** and a chord that bears **South 57 degrees 29 minutes 08 seconds East**, a distance of **306.34 feet** to a point 120.00 feet left of U.S. 33 station 31+16.23;
3. **South 86 degrees 37 minutes 26 seconds West**, a distance of **18.04 feet** to a point on the Grantor's south line and the north existing limited access line of U.S. 33, 110.00 feet left of U.S. 33 station 31+00.76;

Thence on the Grantor's south line and the north existing limited access line of U.S. 33, **Northwesterly**, an arc distance of **292.20 feet** on the arc of a curve deflecting to the right, having a central angle of **04 degrees 27 minutes 15 seconds**, a radius of **3758.80 feet** and a chord that bears **North 57 degrees 22 minutes 15 seconds West**, a distance of **292.13 feet** to the **Point of Beginning**, containing 0.069 acres, of which the present road occupies 0.000 acres, and being part of Franklin County Auditor's Parcel Number 273-001902-00.

The bearings for this description are based the Ohio State Plane Grid Coordinate System, South Zone, NAD83 (1986), as measured using GPS methods through the Franklin County Engineer's stations "FRANK 72", "FRANK 172" and "FCGS 5534".

EXHIBIT A

RX 286 T

Page 2 of 2

Rev. 06/09

This description was prepared and reviewed under the supervision of Steven L. Mullaney, Professional Surveyor No. 7900 from an actual field survey conducted for the City of Dublin, in August, 2020.

Glaus, Pyle, Schomer, Burns, & DeHaven, Inc.
dba GPD Group



Steven L. Mullaney 02/04/21
Steven L. Mullaney, P.S.
Ohio Professional Surveyor No. 7900



GPD GROUP®
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Akron, OH 44311
330.572.2100 Fax 330.572.2101
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EXHIBIT B PARCEL 102-T2

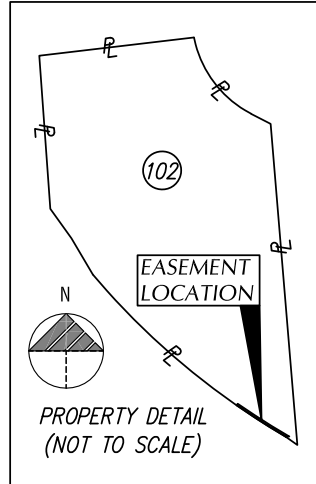
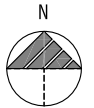
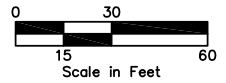
SITUATED IN THE STATE OF OHIO, COUNTY
OF FRANKLIN, TOWNSHIP OF WASHINGTON,
V.M.S. 3452, CITY OF DUBLIN

LEGEND:

	EXISTING PROPERTY LINE
	EXISTING LIMITED ACCESS RIGHT OF WAY
	PROPOSED TEMPORARY EASEMENT
	P.O.B.

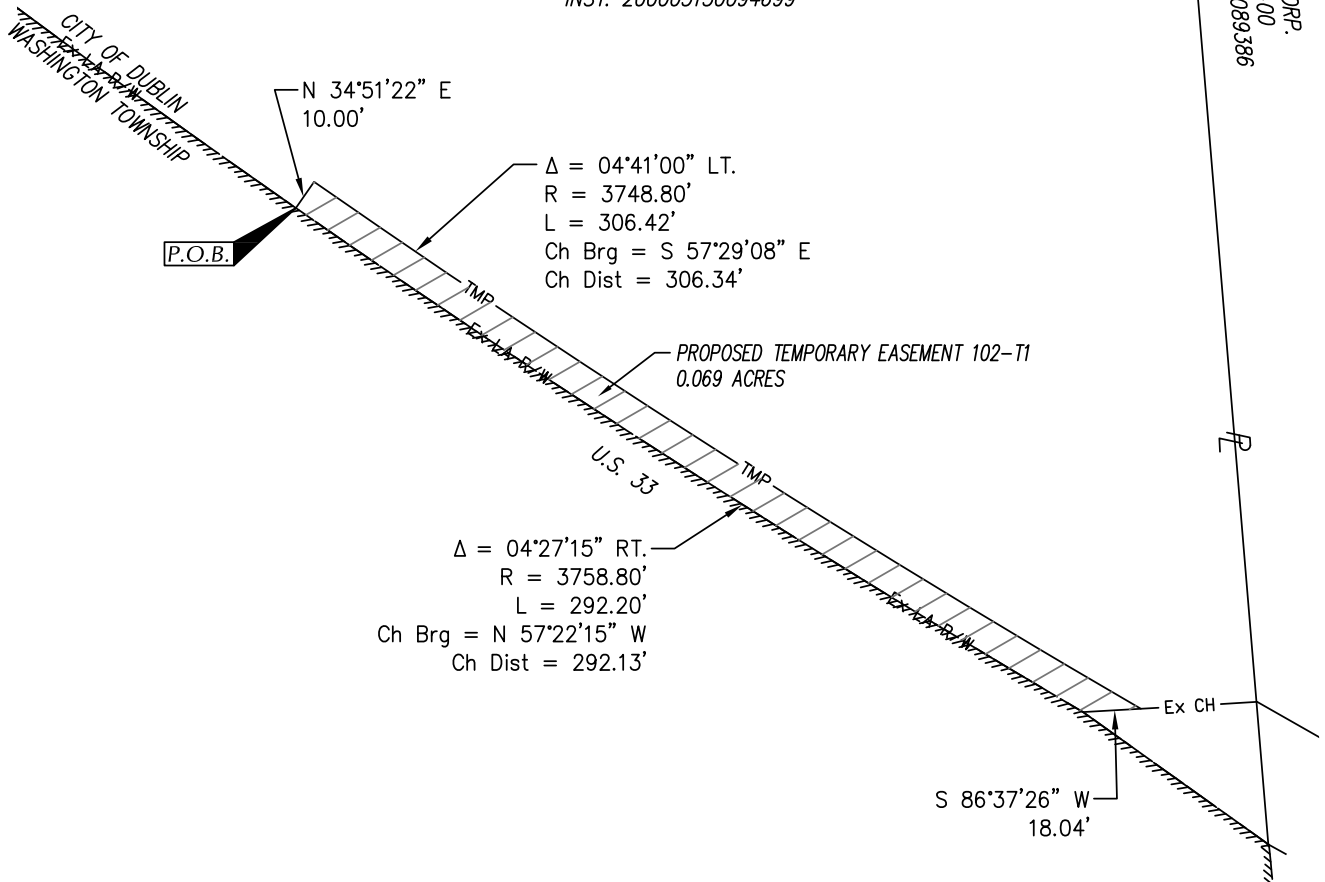
BASIS OF BEARING:

STATE PLANE GRID NORTH, NAD
83 (2011), OHIO SOUTH ZONE.



(102)
MOUNT CARMEL HEALTH SYSTEM,
AN OHIO NON-PROFIT
CORPORATION
273-001902-00
INST. 200005150094699

OHIOHEALTH CORP.
273-01779-00
INST. 200605090089386



Steven L. Mullaney
STEVEN L. MULLANEY, P.S. 7900

02/09/2021
DATE

EXHIBIT A

RX 286 T

Page 1 of 2

Rev. 06/09

Ver. Date 02/03/2021

PID 80748

PARCEL 102-T1 UNI-33-24.87

TEMPORARY EASEMENT FOR THE PURPOSE OF PERFORMING THE WORK NECESSARY TO PERFORM GRADING FOR 24 MONTHS FROM DATE OF ENTRY BY THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION

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BEGINNING at a point on the north existing limited access line of U.S. 33 and the Grantor's south line, 110.00 feet left of U.S. 33 station 19+50.00;

Thence through the Grantor's lands, the following three (3) courses:

1. **North 47 degrees 26 minutes 40 seconds East**, a distance of **10.00 feet** to a point 120.00 feet left of U.S. 33 station 19+50.00;
2. **Southeasterly**, an arc distance of **174.42 feet** on the arc of a curve deflecting to the left, having a central angle of **02 degrees 39 minutes 57 seconds**, a radius of **3748.80 feet** and a chord that bears **South 43 degrees 53 minutes 18 seconds East**, a distance of **174.40 feet** to a point 120.00 feet left of U.S. 33 station 21+30.00;
3. **South 44 degrees 46 minutes 43 seconds West**, a distance of **10.00 feet** to the Grantor's south line and the north existing limited access line of U.S. 33, 110.00 feet left of U.S. 33 station 21+30.00;

Thence on the Grantor's south line and the north existing limited access line of U.S. 33, **Northwesterly**, an arc distance of **174.88 feet** on the arc of a curve deflecting to the right, having a central angle of **02 degrees 39 minutes 57 seconds**, a radius of **3758.80 feet** and a chord that bears **North 43 degrees 53 minutes 18 seconds West**, a distance of **174.87 feet** to the **Point of Beginning**, containing 0.040 acres, of which the present road occupies 0.000 acres, and being part of Franklin County Auditor's Parcel Number 273-001902-00.

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Steven L. Mullaney 02/04/21
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EXHIBIT B PARCEL 102-T1

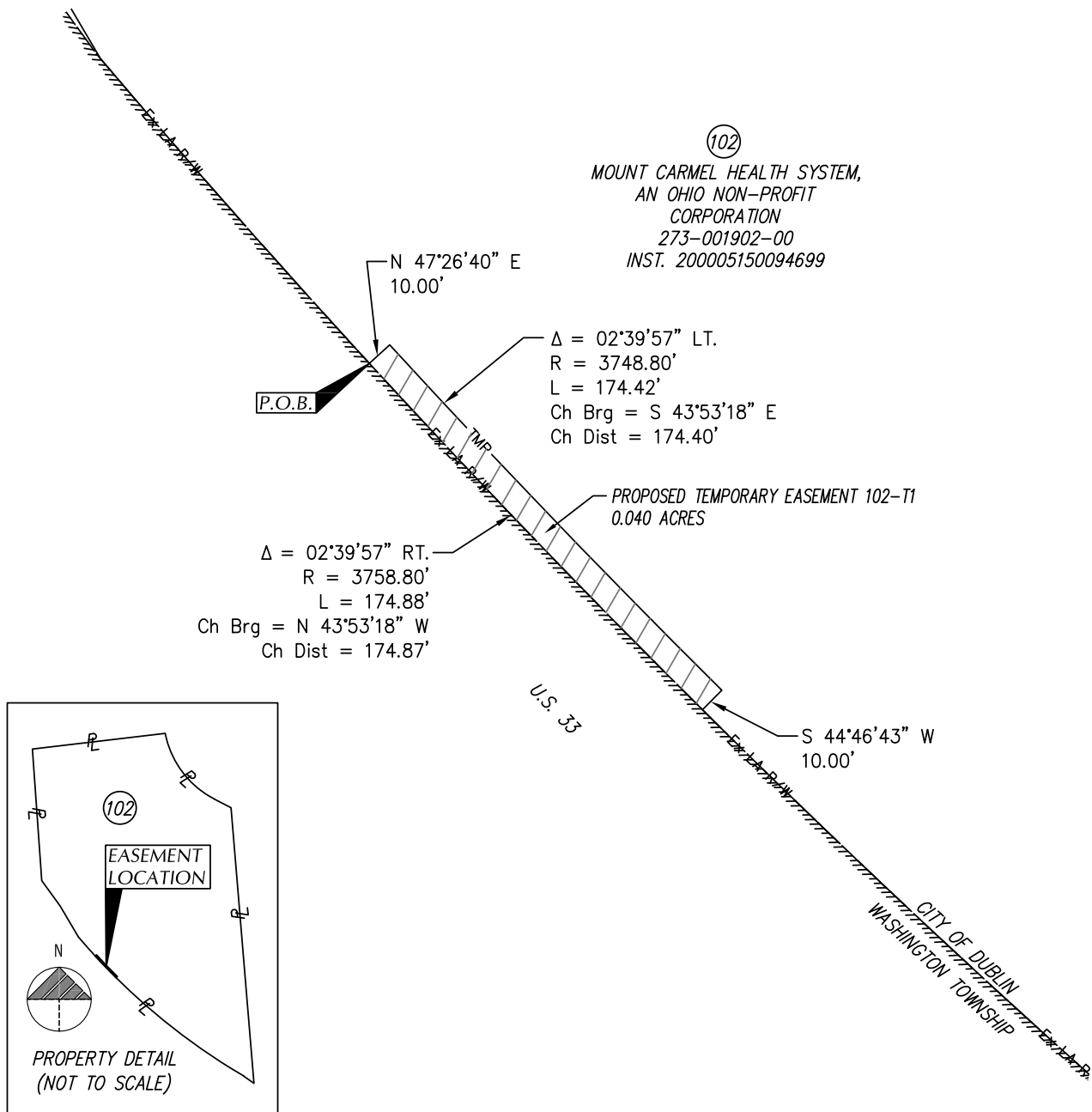
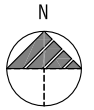
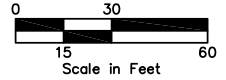
SITUATED IN THE STATE OF OHIO, COUNTY
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LEGEND:

EXISTING PROPERTY LINE
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 PROPOSED TEMPORARY EASEMENT
 P.O.B. POINT OF BEGINNING

BASIS OF BEARING:

STATE PLANE GRID NORTH, NAD
83 (2011), OHIO SOUTH ZONE.



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STEVEN L. MULLANEY, P.S. 7900

02/09/2021
DATE