

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Dave Ruller
Tara Grimm

FROM: Jim Bowling *JB*

DATE: October 17, 2017

RE: Riverside Landing and Portage Hike and Bike Trail Easement Revisions

As part of the redevelopment of Riverside Landing and the upcoming Portage Hike and Bike Trail Project, the existing easements on the Riverside Landing site need to be revised to accommodate both projects. The redevelopment of Riverside Landing includes the restoration of the L.N. Gross Building and the construction of additional public parking. The Portage Hike and Bike Trail Project will extend the bike trail that currently ends at Brady's Leap south to Main Street and include a transition to street level that will replace the existing stairs on the north side of Main Street that have been closed for several years.

Currently on the Riverside Landing property there are two walkway easements and one bike trail easement to accommodate the existing pedestrian walkway and the southern portion of the trail constructed as part of the Fairchild Avenue Bridge Project. These three easements are requested to be vacated and upgraded to one bike trail easement along the entire length of the Riverside Landing Property.

In addition, three small storm sewer easements are required from the City of Kent to provide outlets for two proposed storm water treatment facilities that are located on the Riverside Landing Property and one existing storm outlet.

Attachments to this memo show the three easements to be vacated and the proposed easements to execute.

C: Melanie Baker
Bridget Susel
Rhonda Boyd
Jim Silver
Jennifer Barone
John Idone
Tom Wilke
WMR Associates

EASEMENTS TO BE VACATED

CITY OF KENT, OHIO

PERMANENT WALKWAY EASEMENT

KNOWN ALL MEN BY THESE PRESENTS THAT BRADY'S LEAP PARTNERS, a Limited Partnership, who claims title by instrument recorded in Volume 1162 Page 149 of the Portage County Records, hereinafter referred to as the "Grantors", for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration received to their satisfaction from the City of Kent, a municipal corporation, hereinafter referred to as the "Grantee", do hereby give, grant, bargain and convey unto said Grantee, its successors and assigns forever a perpetual easement to construct, use, maintain, repair and replace a paved walkway together with lights, conduit, and other necessary appurtenances thereto, in, upon and over the lands hereinafter described as follows:

Beginning at the northeast corner of land conveyed to Brady's Leap Partners, by deed recorded in Volume 1162, Page 149 of the Portage County Deed Records;

Thence South 7 degrees 9 minutes 54 seconds East, along the easterly property line of said land conveyed to Brady's Leap Partners, 83.00 feet to a point;

Thence South 1 degree 13 minutes 6 seconds West, along said easterly property line of land conveyed to Brady's Leap Partners, 202.71 feet to a point;

Thence South 0 degrees 31 minutes 35 seconds West, 119.41 feet to a point at the southeast corner of said land conveyed to Brady's Leap Partners;

Thence North 86 degrees 13 minutes 29 seconds West, 12.00 feet to a point in the southerly property line of said lands conveyed to Brady's Leap Partners;

Thence North 5 degrees 38 minutes 21 seconds West, a distance of 120.85 feet to a point;

Thence North 8 degrees 39 minutes 38 seconds East, a distance of 100.26 feet to a point;

Thence North 1 degree 13 minutes 6 seconds East, 102.71 feet to a point;

Thence North 15 degrees 39 minutes 32 seconds West, 86.42 feet to the principal place of beginning and containing 0.156 acres.

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319
APPROVED STATEWIDE TITLE NO. 0000

The Grantor further grants to the Grantee the right to access to the above described real estate to do any and all acts and things which may be necessary, proper or incidental to the construction, use, replacing, repairing, and maintaining of said walkway, lights, and appurtenances.

Grantors to fully use and enjoy said premises, except for the purposes granted to the Grantee and provided the Grantors shall not construct nor permit to be constructed any structures or obstructions on or over said easement.

TO HAVE AND TO HOLD the rights and easement herein granted, for the uses and purposes and upon the conditions herein set forth, unto the said Grantee, its successors and assigns.

IN WITNESS WHEREOF, the Grantors have caused the foregoing instrument to be executed at Kent, Ohio, this 13th day of ~~September~~, 1994.
October

WITNESSED BY:

Carol K Eckman
CAROL K ECKMAN
(print name)

BRADY'S LEAP PARTNERS,
A Limited Partnership ✓

BY [Signature]
Date R. Adams, Partner ✓

Carol A. Lockhart
CAROL A. LOCKHART
(print name)

BY [Signature]
Joanne E. Adams, Partner ✓

BEFORE ME, a Notary Public, in and for said County and State, personally appeared the above named Grantors who acknowledged that they did sign the foregoing instrument and the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Kent, Ohio, this 13th day of October, 1994.

actw 64659
RECEIVED FOR RECORD
10-20 19 94
At 9:32 O'clock

Carol K Eckman
Notary Public

BRADYSLP.EAS
PREPARED BY:
DONALD MARTELL
In Portage County Records
Of Deeds
Vol. 1167 Page 436-437
LINDA K. FANKHAUSER 2 of 2
PORTAGE COUNTY RECORDER
FEE 14.00

CAROL K ECKMAN, Notary Public
State of Ohio
My Commission Expires Aug 31, 1995

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41-1994



#379A

APPROVED STATEWIDE TITLE NO. Doc

CITY OF KENT, OHIO

PERMANENT WALKWAY EASEMENT

KNOWN ALL MEN BY THESE PRESENTS THAT Brady's Leap Partners who claim title by instrument recorded in Volume 1162, Page 149 of the Portage County Records, hereinafter referred to as the "Grantors", for and in consideration of the sum of One Dollar (\$1.00) and other valuable consideration received to their satisfaction from the City of Kent, a municipal corporation, hereinafter referred to as the "Grantee", do hereby give, grant, bargain and convey unto said Grantee, its successors and assigns forever a perpetual easement to construct, use, maintain, repair and replace a paved walkway together with lights, conduit, and other necessary appurtenances thereto, in, upon and over the lands hereinafter described as follows:

Beginning at the southeast corner of land conveyed to Grantors by deed recorded in Volume 1162, Page 149 of the Portage County Deed Records;

Thence South 86 degrees 16 minutes 10 seconds West, along the southerly property line of said land conveyed to Grantors, 12.00 feet to a point;

Thence North 5 degrees 38 minutes 81 seconds West, 120.85 feet to a point;

Thence North 8 degrees 39 minutes 81 seconds East, 90.24 feet to a point, the same being the principal place of beginning for the following described easement;

Thence South 91 degrees 13 minutes 6 seconds West, 32.10 feet to a point;

Thence North 8 degrees 39 minutes 38 seconds East, a distance of 10.02 feet to a point;

Thence North 91 degrees 13 minutes 6 seconds East, a distance of 32.10 feet to a point;

Thence South 8 degrees 39 minutes 38 seconds West, 10.02 feet to the principal place of beginning and containing 0.007 acres.

The Grantor further grants to the Grantee the right to access to the above described real estate to do any and all acts and things which may be necessary, proper or incidental to the construction, use, replacing, repairing, and maintaining of said walkway, lights, and appurtenances.

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Grantors to fully use and enjoy said premises, except for the purposes granted to the Grantee and provided the Grantors shall not construct nor permit to be constructed any structures or obstructions on or over said easement.

TO HAVE AND TO HOLD the rights and easement herein granted, for the uses and purposes and upon the conditions herein set forth, unto the said Grantee, its successors and assigns.

IN WITNESS WHEREOF, the Grantors have caused the foregoing instrument to be executed at Kent, Ohio, this 22nd day of December, 1994.

WITNESSED BY:

Dale R. Adams
Joanne E. Adams
Carol K Eckman
Joanne E. Adams

BRADY'S LEAP PARTNERS,
A Limited Partnership

BY Dale R. Adams
Dale R. Adams, Partner

BY Joanne E. Adams
Joanne E. Adams, Partner

BEFORE ME, a Notary Public, in and for said County and State, personally appeared the above named Grantors who acknowledged that they did sign the foregoing instrument and the same is their free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Kent, Ohio, this 22nd day of December, 1994.

Carol K Eckman
Notary Public

This Document Prepared by:
Donald H. Martell, Law Director 68419

^{ASTA} CAROL K ECKMAN, Notary Public
State of Ohio
My Commission Expires Aug 31, 1995

BRADYSLP.2

RECEIVED FOR RECORD
12/27 19 94
At 11:15 O'clock

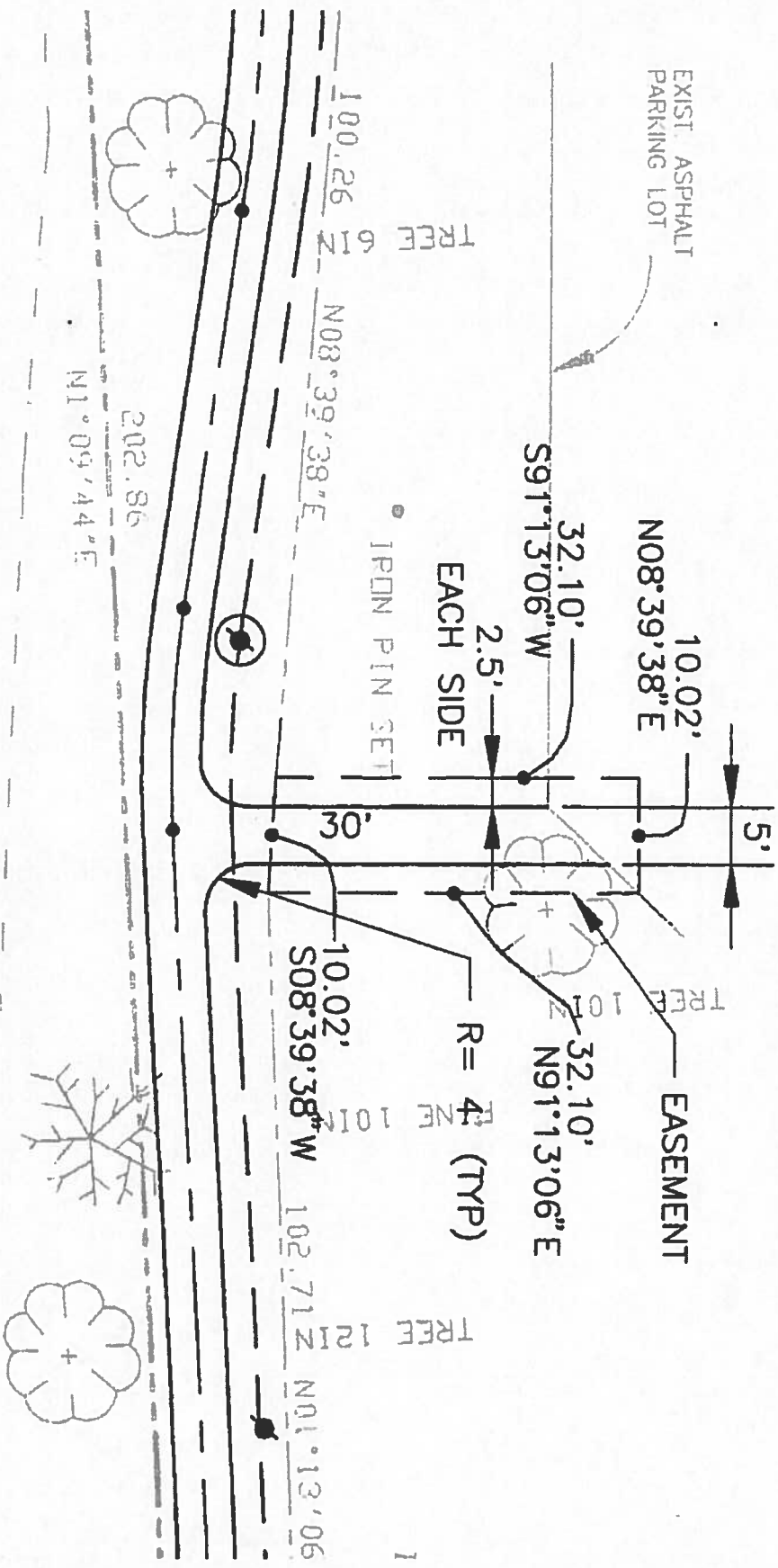
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PORTAGE COUNTY RECORDER
FEE 18.00

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BRADYS LEAP PARTNERS



557G

ODOT RE 210
Rev. 09/03

EDVC
LPA Pmt. By LPA

Return to: O.R. Colan Associates
22710 Fairview Center Drive
Fairview Park, OH 44126

STANDARD HIGHWAY EASEMENT DEED

KNOW ALL MEN BY THESE PRESENTS THAT: Kent Downtown Community Urban Redevelopment Corporation, the Grantor(s) herein, in consideration of the sum of \$16,824.00, to be paid by City of Kent, the Grantee herein, does hereby grant, bargain, sell, convey and release to said Grantee, its successors and assigns forever, an easement, which is more particularly described in Exhibit A attached hereto, within the following described real estate:

PARCEL(S): 84 SHV
POR-Crain Avenue

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF
Prior Instrument Reference: Instr. #200337512, Instr.#200309814, Warranty Deed Official Records Volume 488 Page 165 & Warranty Deed Official Records Volume 56 Page 995 Portage County Recorder's Office.

And the said Grantor(s), for themselves and their successors and assigns, hereby covenants with the said Grantee, its successors and assigns, that they are the true and lawful owner(s) of said premises, and is lawfully seized of the same in fee simple, and have good right and full power to grant, bargain, sell, convey and release the same in the manner aforesaid, and that the same are free and clear from all liens and encumbrances whatsoever, except: (a) easements, restrictions, conditions, and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules, and regulations; and (d) any and all taxes and assessments not yet due and payable; and that Grantor(s) will warrant and defend the same against all claims of all persons whomsoever.

**NO TRANSFER
REQUIRED**

**IANET ESPOSITO
AUDITOR**

JUN 27 2008

IN WITNESS WHEREOF Kent Downtown Community Urban Redevelopmemnt Corporation has caused its name to be subscribed by Howard Boyle, its duly authorized agent on the 14th day of March, 2007.

KENT DOWNTOWN COMMUNITY URBAN REDEVELOPME[✓]MNT CORPORATION

By: [Signature]
Howard Boyle, President

STATE OF OHIO, COUNTY OF PORTAGE ss:

BE IT REMEMBERED, that on the 14th day of March, 2007, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Howard Boyle, who acknowledged being the President, and duly authorized agent of Kent Downtown Community Urban Redevelopmemnt Corporation, and who signed or acknowledged the signing of the foregoing instrument to be the voluntary act and deed of said entity.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

[Signature]
VINCENT A. PROQUATE
NOTARY PUBLIC
My Commission expires: 8/2/10



This document was prepared by or for the State of Ohio, Department of Transportation, on forms approved by the Attorney General of Ohio.

X
BONNIE M. HOWE
PORTAGE CO. RECORDER

20 0811789 3278

RECEIVED FOR RECORD
AT 8:39:11
FEE 44.00

INDEXED

EXHIBIT A

RX 271
Rev. 09/06

PJD
PARCEL
CTY-RTE-SEC
Version Date

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84-SHV
POR-CRAIN_AVENUE
12/01/06

**PARCEL 84-SHV
POR-CRAIN_AVENUE
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF KENT, PORTAGE 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 Kent, Portage 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 City of Kent, County of Portage and State of Ohio, being part of Lot 25 of Original Franklin Township, T-3-N, R-9-W, being a parcel of land lying on the right side of the centerline of right-of-way of S.R. 43 (Gougler Avenue) (60 feet), as shown on the POR-CRAIN AVENUE plans made for the City of Kent, Ohio by ARCADIS G & M of Ohio, Inc. and as recorded in Reception Number _____ of the records of Portage County, Ohio and being located within the following described points in the boundary thereof:

Commencing at a 1" bar in a monument box found at the intersection of the centerline of right-of-way of Rockwell Street (49.5 feet) and the centerline of right-of-way of S.R. 43 (Gougler Avenue) (60 feet), said monument box at Station 634+26.46 on the centerline of right-of-way of S.R. 43 (Gougler Avenue);

Thence South 78° 05' 42" East 31.44' along the centerline extension of Rockwell Street to the easterly right-of-way line of S.R. 43 (Gougler Avenue) at Station 634+17.06, 30.00' right of the centerline of right-of-way of said S.R. 43 (Gougler Avenue);

Thence South 05° 28' 50" East 148.98' along the easterly right-of-way line of S.R. 43 (Gougler Avenue) to the northwesterly corner of a parcel of land now or formerly owned by Kent Downtown Community Urban Redevelopment Corporation (Grantor) recorded in Instrument Number 200337512, at Station 632+68.09, 30.00' right of the centerline of right-of-way of said S.R. 43 (Gougler Avenue);

Thence North 84° 31' 10" East 85.53' along the northerly property line of said Kent D.C.U.R.C. parcel to Station 632+68.08, 115.53' right of the centerline of right-of-way of said S.R. 43 (Gougler Avenue);

Thence South 34° 34' 54" East 1.97' along the easterly property line of said Kent D.C.U.R.C. parcel to the intersection with the westerly line of the proposed Public Access easement at Station 632+66.36, 116.49' right of the centerline of right-of-way of said S.R. 43 (Gougler Avenue); also being the TRUE PLACE OF BEGINNING of the easement herein described:

1. Thence South 34° 34' 54" East 43.06' continuing along the easterly property line of said Kent D.C.U.R.C. parcel to Station 632+28.74, 137.43' right of the centerline of S.R. 43 (Gougler Avenue);
2. Thence South 07° 09' 52" East 161.42' continuing along the easterly property line of said Kent D.C.U.R.C. parcel to the southerly property line at Station 630+91.46, 153.29' right of the centerline of S.R. 43 (Gougler Avenue);

EXHIBIT A

RX 271
Rev. 09/06

PID 18466
PARCEL 84-SHV
CTY-RTH-SEC POR-CRAIN_AVENUE
Version Date 12/01/06

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84-SHV
POR-CRAIN_AVENUE
12/01/06

3. Thence North 86° 42' 48" West 9.84' along the southerly property line of said Kent D.C.U.R.C. parcel to the westerly line of the proposed Public Access easement parallel with and 12.00' left of the Bike Path centerline, at Station 630+91.37, 143.46' right of the centerline of S.R. 43 (Gougler Avenue);
4. Thence along the arc of a curve to the right, said curve having a delta of 20° 02' 07", a radius of 92.00', a tangent of 16.25' and a chord of 32.01' with a chord bearing of North 18° 30' 32" East, an arc distance of 32.17' to a point of tangency, said point being at Station 631+20.64, 131.36' right of the centerline of right-of-way of S.R. 43 (Gougler Avenue);
5. Thence North 08° 29' 28" West 166.52' through said Kent D.C.U.R.C. parcel to the northerly property line of said parcel to the TRUE PLACE OF BEGINNING.

The above described parcel contains 3042 square feet of land, which includes 0 square feet in the present road occupied, resulting in a net take of 1979 square feet of land of which is contained within Portage County Auditor's Permanent Parcel Number 170253000002, 595 square feet of land of which is contained within Permanent Parcel Number 170253000003, and 468 square feet of land of which is contained within Permanent Parcel Number 170253000004 and subject to all legal highways and easements of record.

Grantor herein retains the right to use said lands for any and all other purposes provided that such does not interfere with nor impair the exercise of the easement herein granted.

This description was prepared by Angela M. Metz, E.I. in December 2006 under the direct supervision of Charles A. Hauber, Registered Surveyor Number 8034 and is based on a field survey performed by Finkbeiner, Pettis & Strout, Inc. (now known as ARCADIS G & M of Ohio, Inc.) in 2004 under the direction and supervision of Michael E. Durbin, Registered Surveyor Number 7528.

Bearings in this description are based on the Ohio Coordinate System, NAD83(86), North Zone.

Grantor claims title by instrument(s) of record in Instrument Number 200337512 of the records of Portage County.

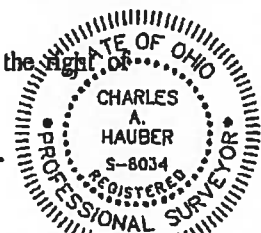
The stations referred to herein are from the centerline of right-of-way of S.R. 43 (Gougler Avenue) as found on the City of Kent Right-of-Way Plan POR-CRAIN AVENUE.

Iron pins set in the above description are 5/8 inch diameter by 30 inch long rebars with a plastic cap stamped "HAUBER 8034" or a drill hole depending upon the nature of the material that is present at each corner after construction.

Grantor conveys all of the property described above, except they reserve the right of ingress and egress to and from S.R. 43 (Gougler Avenue) for himself and his heirs, executors, administrators and assigns.

Grantor, for himself and his heirs, executors, administrators and assigns, reserves the right of ingress and egress to and from any residual area.

This instrument prepared by ARCADIS G & M of Ohio, Inc. for the City of Kent, Ohio.



Ch A Hauber
20 Dec. 2006

* R/W ENCROACHMENT - TO BE REMOVED UNLESS NOTED
 DND - DO NOT DISTURB
 (T) - MISC. ITEM TO BE TAKEN
 (S) - SAVE

POR - CRAIN AVENUE
 CITY OF KENT
 FRANKLIN TOWNSHIP - R-9-W, T-3-N
 PART OF ORIGINAL LOTS 24, 25, 30 & 31
 PORTAGE COUNTY, OHIO

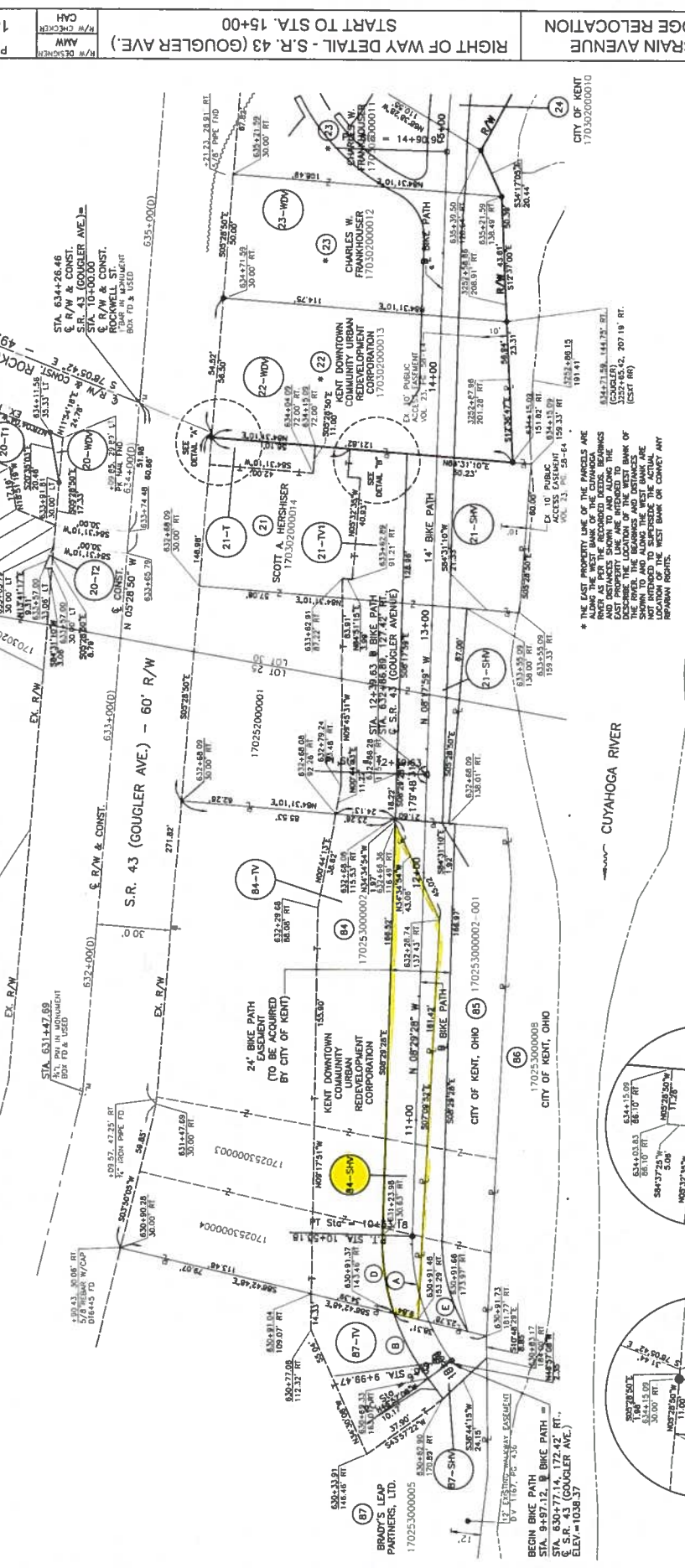
KENT DOWNTOWN URBAN REDEVELOPMENT CORPORATION
 S.R. 43 (GOUGLER AVE.)
 170302000050

KENT DOWNTOWN URBAN REDEVELOPMENT CORPORATION
 S.R. 43 (GOUGLER AVE.)
 170302000050

KENT DOWNTOWN URBAN REDEVELOPMENT CORPORATION
 S.R. 43 (GOUGLER AVE.)
 170302000050

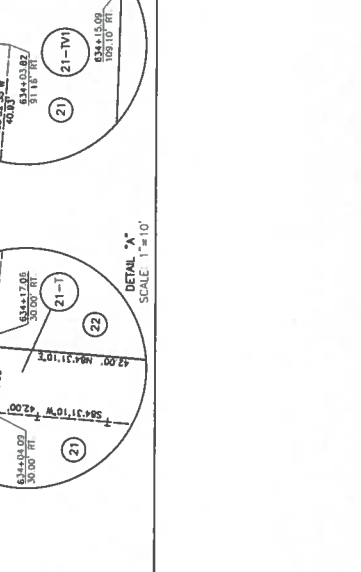
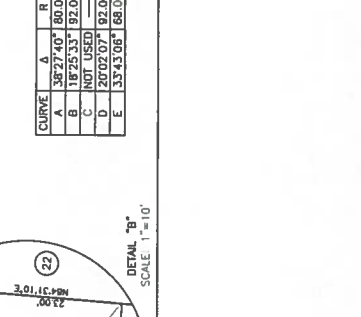
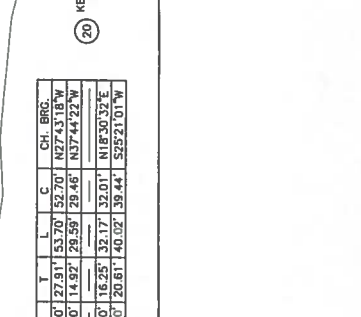
KENT DOWNTOWN URBAN REDEVELOPMENT CORPORATION
 S.R. 43 (GOUGLER AVE.)
 170302000050

KENT DOWNTOWN URBAN REDEVELOPMENT CORPORATION
 S.R. 43 (GOUGLER AVE.)
 170302000050



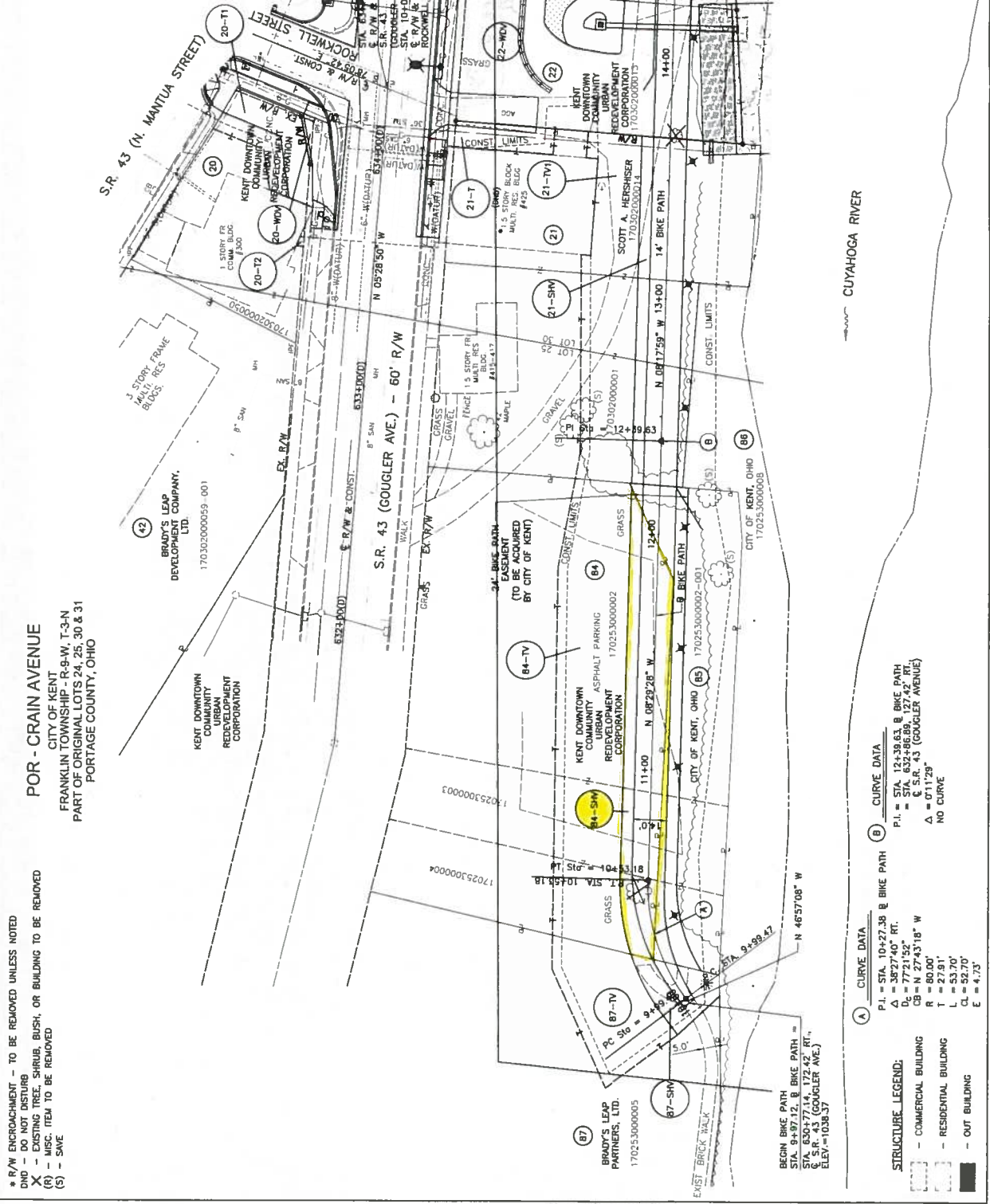
REV.	DATE	DESCRIPTION
1	10/25/07	23.26 ADDED, R4-TV, CAH
2	11/05/07	21-SHW, B7-SHW, S/R
3	12/17/07	21-NV, 21-T, S/R
4	7/14/08	REMOVED 77-SV, 77-T

COURSE	A	B	C	CH. BEG.	CH. END
A	38°27'07"	80.00'	27.81'	53.70'	57.70'
B	18°25'33"	92.00'	14.92'	29.59'	29.66'
C	NOT USED				157.44' ± 22" W
D	20°02'07"	92.00'	16.25'	32.17'	32.01'
E	33°43'06"	68.00'	20.61'	40.02'	39.44'



LEGEND

- Ⓢ - PROPERTY LINE
- Ⓡ - IRON PIN FOUND
- Ⓢ - IRON PIN SET (3/8" REBAR W/ PLASTIC CAP STAMPED "AUBER 8034")
- Ⓢ - PROPOSED MONUMENT ASSEMBLY
- (REC) - RECORD
- (C) - OBSERVED
- (C) - CALCULATED
- Z - LAND HOOK
- UFL - USED FOR LINE
- - TEMPORARY EASEMENT
- - CONSTRUCTION LIMITS
- - MONITORING WELLS



POR - CRAIN AVENUE
CITY OF KENT
FRANKLIN TOWNSHIP - R-9-W, T-3-N
PART OF ORIGINAL LOTS 24, 25, 30 & 31
PORTAGE COUNTY, OHIO

LEGEND

- * R/W ENCROACHMENT - TO BE REMOVED UNLESS NOTED
- DND - DO NOT DISTURB
- X - EXISTING TREE, SHRUB, BUSH, OR BUILDING TO BE REMOVED
- (R) - MISC. ITEM TO BE REMOVED
- (S) - SAVE

CURVE DATA

A
P.L. = STA. 10+27.38
P.I. = STA. 12+38.63
Dc = 3827'40" RT.
CB = N 27°43'18" W
R = 80.00'
T = 27.91'
L = 53.70'
E = 4.73'

B
P.L. = STA. 12+38.63
P.I. = STA. 15+00.00
Dc = 7721'52"
CB = N 17°59'13" W
R = 111.00'
T = 11.00'
L = 124.40'
E = 0.11'28"

STRUCTURE LEGEND:

- - COMMERCIAL BUILDING
- - RESIDENTIAL BUILDING
- - OUT BUILDING

NEW EASEMENTS

**LEGAL DESCRIPTION
TRAIL EASEMENT**

Situated in the City of Kent, County of Portage, State of Ohio, and known as being part of original Franklin Township, Lot No. 25 and being known as a 20-foot wide easement and being more fully described as follows:

Beginning at an iron pin in a monument box found on the center line of Gougler Avenue (60' R/W) at the center line of Park Avenue (60' R/W);

Thence N 03° 45' 00" E along the center line of said Gougler Avenue, 334.82 feet to a point;

Thence S 86° 15' 00" E, 30.00 feet to the east line of said Gougler Avenue and the southwest corner of lands described in deed to Brady's Leap Partners, Limited Partnership as recorded in volume 1162, page 149 of Portage County Records;

Thence S 86° 15' 00" E along the south line of said Brady's Leap Partners Lands, 172.38 feet to the True Place of Beginning for the easement area intended to be described herein;

Thence along the westerly line of said easement the following seventeen (17) courses:

1. N 01° 21' 43" W, 31.14 feet;
2. N 04° 21' 40" W, 31.14 feet;
3. N 04° 46' 59" W, 36.26 feet;
4. N 02° 41' 46" W, 33.96 feet;
5. N 00° 47' 51" W, 29.93 feet;
6. N 01° 20' 19" E, 41.95 feet;
7. N 03° 16' 21" E, 23.12 feet;
8. Northeasterly 42.11 feet along the arc of a curve deflecting to the right having a radius of 112.00 feet and a chord of 41.86 feet that bears N 14° 05' 24" E;
9. Northeasterly 31.03 feet along the arc of a curve deflecting to the left having a radius of 55.00 feet and a chord of 30.49 feet that bears N 08° 40' 43" E;
10. N 08° 35' 25" W, 16.94 feet;
11. N 14° 06' 22" W, 37.14 feet;
12. N 20° 13' 49" W, 22.90 feet;
13. N 25° 44' 46" W, 31.18 feet;
14. N 61° 04' 23" E, 3.00 feet;

CORPORATE
450 Grant Street / Akron, OH 44311
P 330.375.1390 / F 330.375.1590
TF 800.835.1390

CLEVELAND OFFICE
806 Literary Road, 2nd Floor
Suite 206 / Cleveland, OH 44113

COLUMBUS OFFICE
29 West Third Avenue
Columbus, Ohio 43201

envdesigngroup.com

The community impact people.

15. Northwesterly 71.34 feet along the arc of a curve deflecting to the right having a radius of 200.00 feet and a chord of 70.96 feet that bears N 19° 10' 57" W;
16. N 08° 58' 03" W, 138.84 feet to the northeastern line of said Brady's Leap Partners Lands;
17. S 35° 17' 52" E along the east line of said Brady's Leap Partners Lands;

Thence along the easterly line of said Brady's Leap Partners Lands the following eleven (11) courses:

1. S 35° 17' 52" E, 38.51 feet;
2. S 07° 56' 33" E, 161.23 feet;
3. S 87° 28' 07" E, 24.42 feet;
4. S 11° 12' 31" E, 59.58 feet;
5. S 03° 49' 32" E, 50.54 feet;
6. S 02° 42' 50" E, 50.32 feet;
7. S 15° 47' 17" W, 51.14 feet;
8. S 07° 11' 47" E, 50.90 feet;
9. S 03° 49' 32" E, 50.54 feet;
10. S 05° 16' 33" W, 50.11 feet;
11. S 02° 01' 52" E, 49.97 feet to the grantor's southerly line;

Thence N 86° 15' 00" W, 13.77 feet to the True Place of Beginning and containing 0.227 acres of land as determined by Robert J. Warner, P.S. 6931 for Environmental Design Group in August 2017.

Bearings are based on the center line of Gougler Avenue as described in deed volume 1162, page 149 of Portage County Records.

LEGAL DESCRIPTION
STORM DRAIN OUTLET
EXISTING

Situated in the City of Kent, County of Portage, State of Ohio, and known as being part of original Franklin Township, Lot No. 25 and being known as a 20-foot wide easement and being more fully described as follows:

Beginning at an iron pin in a monument box found on the center line of Gougler Avenue (60' R/W) at the center line of Park Avenue (60' R/W);

Thence N 03° 45' 00" E along the center line of said Gougler Avenue, 334.82 feet to a point;

Thence S 86° 15' 00" E, 30.00 feet to the east line of said Gougler Avenue and the southwest corner of lands described in deed to Brady's Leap Partners, Limited Partnership as recorded in volume 1162, page 149 of Portage County Records;

Thence S 86° 15' 00" E along the south line of said Brady's Leap Partners Lands, 186.15 feet to the southeast corner thereof;

Thence N 02° 01' 52" W along the east line of said Brady's Leap Partners Lands, 49.97 feet;

Thence N 05° 16' 33" E along the east line of said Brady's Leap Partners Lands, 50.11 feet;

Thence N 03° 49' 32" W along the east line of said Brady's Leap Partners Lands, 33.08 feet to the True place of beginning for the easement area intended to be described herein;

Thence S 86° 46' 30" E, 63.25 feet;

Thence N 03° 13' 30" E, 20.00 feet;

Thence N 86° 46' 30" W, 65.88 feet to the east line of said Brady's Leap Partners Lands;

Thence S 07° 11' 47" E, along the east line of said Brady's Leap Partners Lands 2.71 feet;

Thence S 03° 49' 32" E along the east line of said Brady's Leap Partners Lands, 17.46 feet to the True Place of Beginning as determined by Robert J. Warner, P.S. 6931 for Environmental Design Group in October 2017

Bearings are based on the center line of Gougler Avenue as described in deed volume 1162, page 149 of Portage County Records.

CORPORATE
450 Grant Street / Akron, OH 44311
P 330.375.1390 / F 330.375.1590
TF 800.835.1390

CLEVELAND OFFICE
806 Literary Road, 2nd Floor
Suite 206 / Cleveland, OH 44113

COLUMBUS OFFICE
29 West Third Avenue
Columbus, Ohio 43201

envdesigngroup.com

E:\DS Architecture\16-00105-010 Kent Riverside Landing\Survey\Storm Drain - South.docx

The community impact people.

LEGAL DESCRIPTION
STORM DRAIN OUTLET
MIDDLE

CORPORATE
450 Grant Street / Akron, OH 44311
P 330.375.1390 / F 330.375.1590
TF 800.835.1390

CLEVELAND OFFICE
806 Literary Road, 2nd Floor
Suite 206 / Cleveland, OH 44113

COLUMBUS OFFICE
29 West Third Avenue
Columbus, Ohio 43201

envdesigngroup.com

Situated in the City of Kent, County of Portage, State of Ohio, and known as being part of original Franklin Township, Lot No. 25 and being known as a 20-foot wide easement and being more fully described as follows:

Beginning at an iron pin in a monument box found on the center line of Gougler Avenue (60' R/W) at the center line of Park Avenue (60' R/W);

Thence N 03° 45' 00" E along the center line of said Gougler Avenue, 334.82 feet to a point;

Thence S 86° 15' 00" E, 30.00 feet to the east line of said Gougler Avenue and the southwest corner of lands described in deed to Brady's Leap Partners, Limited Partnership as recorded in volume 1162, page 149 of Portage County Records;

Thence S 86° 15' 00" E along the south line of said Brady's Leap Partners Lands, 186.15 feet to the southeast corner thereof and the True Place of Beginning for the easement area intended to be described herein;

Thence along the east line of said Brady's Leap Partners Lands the following seven (7) courses:

1. N 02° 01' 52" W, 49.97 feet;
2. N 05° 16' 33" E, 50.11 feet;
3. N 03° 49' 32" W, 50.54 feet;
4. N 07° 11' 47" W, 50.90 feet;
5. N 15° 47' 17" E, 51.14 feet;
6. N 02° 42' 50" W, 50.32 feet;
7. N 03° 49' 32" W, 14.47 feet to the True Place of Beginning for the easement area intended to be described herein;

Thence N 03° 49' 32" W along the east line of said Brady's Leap Partners Lands, 20.61 feet;

Thence N 72° 09' 14" E, 25.01 feet;

Thence S 17° 50' 46" E, 20.00 feet;

Thence S 72° 09' 14" W, 30.00 feet to the True Place of Beginning as determined by Robert J. Warner, P.S. 6931 for Environmental Design Group in April 2017.

Bearings are based on the center line of Gougler Avenue as described in deed volume 1162, page 149 of Portage County Records.

N:\GOUGLER_AVENUE\315 Riverside Landing (LN Gross)_easements\storm outlets\Storm Drain - Middle.docx

The community impact people.

LEGAL DESCRIPTION
STORM DRAIN OUTLET
NORTH

Situated in the City of Kent, County of Portage, State of Ohio, and known as being part of original Franklin Township, Lot No. 25 and being known as a 20-foot wide easement and being more fully described as follows:

Beginning at an iron pin in a monument box found on the center line of Gougler Avenue (60' R/W) at the center line of Park Avenue (60' R/W);

Thence N 03° 45' 00" E along the center line of said Gougler Avenue, 738.67 feet to a point;

Thence S 87° 28' 07" E, 30.00 feet to the east line of said Gougler Avenue and the northwest corner of lands described in deed to Brady's Leap Partners, Limited Partnership as recorded in volume 1162, page 149 of Portage County Records;

Thence S 87° 28' 07" E along the north line of said Brady's Leap Partners Lands, 124.78 feet to the southeast corner of lands described in deed to the Kent Downtown Community Urban ReDevelopment Corporation;

Thence N 07° 56' 33" W along the east line of said Downtown Community's Lands, 22.04 feet to the True Place of Beginning for the easement area intended to be described herein;

Thence N 07° 56' 33" W along the said east line, 20.31 feet;

Thence N 72° 06' 21" E, 36.49 feet;

Thence S 17° 53' 39" E, 20.00 feet;

Thence N 72° 06' 21" W, 40.00 feet to the True Place of Beginning as determined by Robert J. Warner, P.S. 6931 for Environmental Design Group in April 2017.

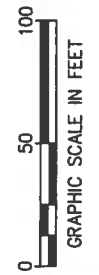
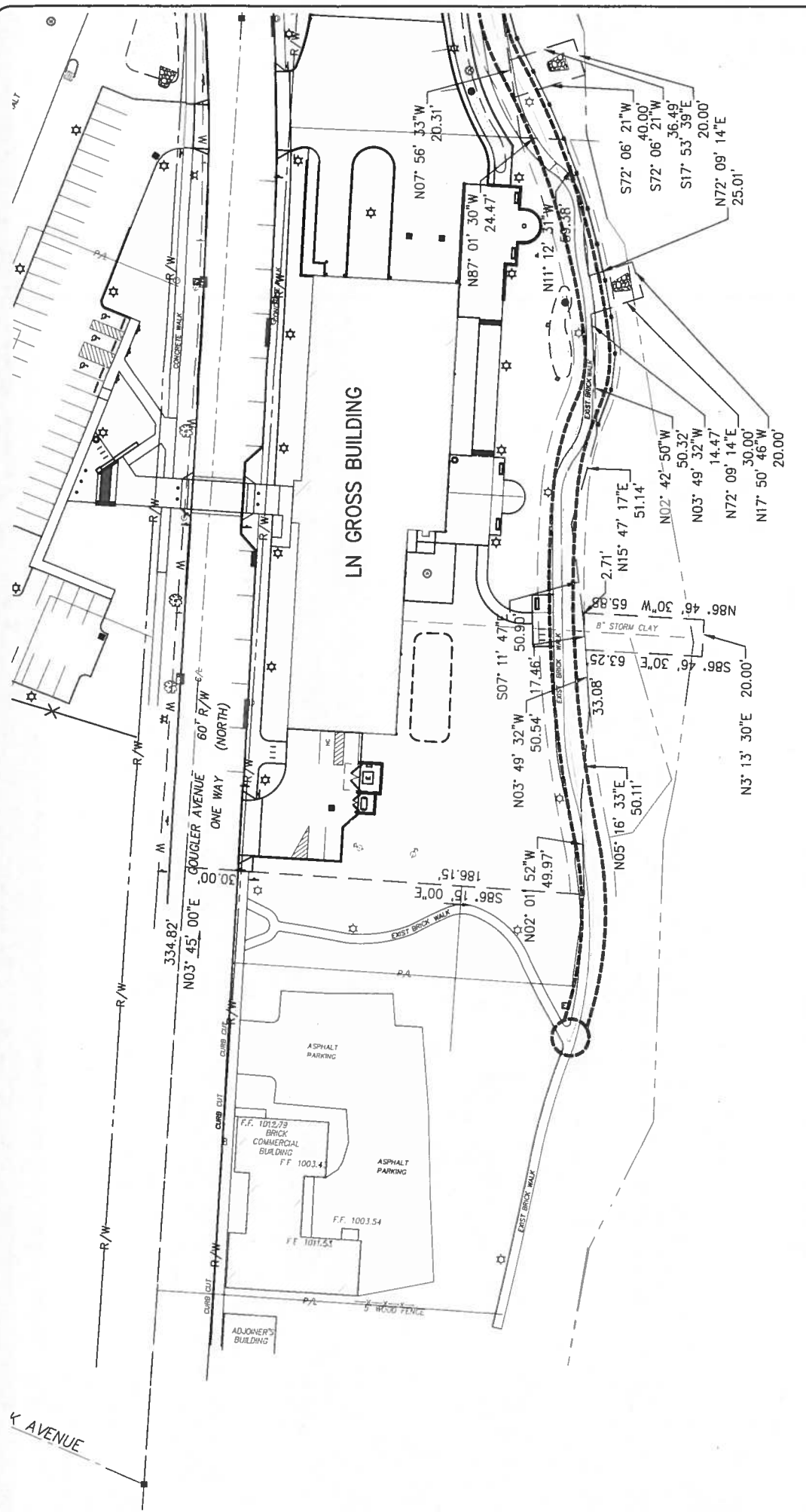
Bearings are based on the center line of Gougler Avenue as described in deed volume 1162, page 149 of Portage County Records.

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COLUMBUS OFFICE
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Columbus, Ohio 43201

envdesigngroup.com



KENT RIVERSIDE LANDING
RENAISSANCE 2000
315 GOUGLER AVE KENT OHIO 44240
STORM OUTFALL EASEMENT

Environmental Design Group
 450 Grant Street Phone 330.375.1390
 Akron, OH 44311 Fax 330.375.1590
 www.envdesigngroup.com



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: October 24, 2017
TO: Dave Ruller, City Manager
FROM: Bridget Susel, Community Development Director *B.S.*
RE: RFQ for Zoning Ordinance Update: Phase I

The Community Development Department has issued a Request for Qualifications (RFQ) for the first phase of a two-phase update to the City's Zoning Ordinance. The RFQ for Phase I is seeking to identify a consultant to work with the City's Community Development planning staff, the Planning Commission, the Board of Zoning Appeals, the Architectural Review Board and the public to identify recommended text amendments to the City's Zoning Code that will eliminate inconsistencies and redundancies in the Code and incorporate updated terminology and planning concepts. Some of the key components that will be evaluated as part of Phase I include:

- Permitted and conditionally permitted uses as listed for the various zoning districts;
- Off-street parking and loading requirements as listed for the various zoning districts;
- Open space requirements as listed for the various zoning districts;
- Definitions and supplementary regulations (Chapters 1103 and 1161);
- Site access, parking and loading; landscaping and buffering (Chapters 1167 & 1168);

Once the needed language updates have been approved and authorized by Kent City Council, the Community Development Department will issue a second RFQ for Phase II which will identify a qualified consultant to complete an update to the 2004 City of Kent *Bicentennial Plan*, which is the City's comprehensive plan.

The RFQ for Phase I was released on October 13, 2017 and responses are due by November 10, 2017.

I am respectfully requesting time at the November 1, 2017 Committee session to discuss the two phases of the Zoning Code with members of Council and to answer any questions they may have regarding either phase of the Zoning Code update process.

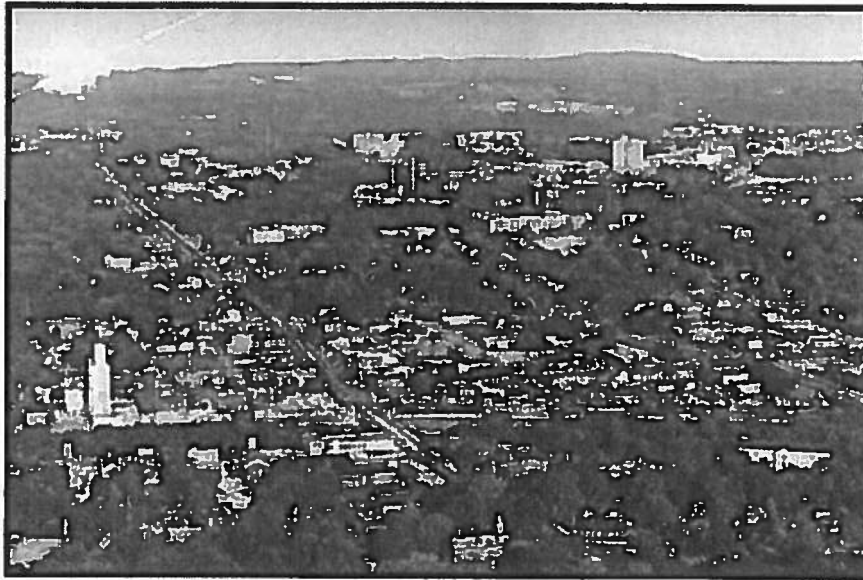
If you need any additional information in order to add this item to the agenda, please let me know.

Thank you.

Attachment

Cc: Tara Grimm, Clerk of Council
Community Development Department Zoning & Planning staff

REQUEST FOR QUALIFICATIONS



Zoning Ordinance Update: Phase I

City of Kent, Ohio

**Proposal Submission Deadline:
3:00 p.m. EST, Friday, November 10, 2017**

INTRODUCTION

The City of Kent, Ohio, is seeking statements of qualifications from consulting firms with zoning and planning expertise to work with the Community Development Department, the Planning Commission, and other associated boards to identify recommended updates to the City's Zoning Code. Attending public meetings with residents, community stakeholders, and members of Kent City Council will be an important component of the process.

This Request for Qualifications (RFQ) is the first phase of a two-phase procurement process, with Phase I consisting of identifying proposed text amendments that will:

- Update the terminology and planning concepts used throughout the Zoning Code;
- Identify and remove inconsistencies, redundancies, and antiquated terminology;
- Improve ease of use by clarifying references and connections to other sections of the Zoning Code.

Once the language updates identified as part of Phase I have been approved and authorized by Kent City Council, the City will issue a second RFQ for Phase II which will involve soliciting qualification statements from consulting firms to complete an update to the City of Kent's 2004 Comprehensive Plan, known as the *City of Kent Bicentennial Plan*.

Interested consulting firms are advised to carefully review the information outlined in this RFQ for Phase I and respond accordingly. All qualification statements must be received no later than November 10, 2017. Specific instructions regarding submission requirements are included in this RFQ.

COMMUNITY PROFILE

The City of Kent is the most populous city in Portage County, Ohio, and is located 6 miles west of the county seat, 10 miles east of Akron, and 31 miles south of Cleveland. The City of Kent covers an area of approximately 9.29 square miles. Kent is home to Kent State University which had a 2016 enrollment of 29,105 students at its main campus and 40,782 students enrolled region-wide.

The U.S. Census American Community Survey (ACS) estimates the City's 2016 population at 30,071. In reviewing the population's age distribution and housing tenure, Kent has characteristics of both a residential community and a campus community. Kent housing stock consists of 61% rental properties and 39% owner-occupied single-family homes, with the City's median home value at \$140,000 and median household income at \$35,619 (in 2015 dollars). Kent State University is the City's largest employer, but several other international companies have their world headquarters located in Kent, including Davey Tree, Smithers-Oasis, and Ametek Corporation.

In partnership with Kent State University and three different private commercial developers, the City of Kent recently completed a \$110 million redevelopment project in the City's downtown central business district. In 2012, the downtown Kent redevelopment project won the State of Ohio Economic Development Project of the Year award and Kent was featured in the *New York Times* and the *Wall Street Journal* as a rising college town. The construction community also recognized the downtown Kent project by naming it the "Mixed Use Project of the Year for Northeast Ohio" and the International Town

Gown Association selected the City and Kent State University as the winner of its prestigious Larry Abernathy award for outstanding town/gown collaboration.

The Kent community is proud of the fact that in the last seven (7) years, there has been more public and private investment in the Kent economy than has occurred in decades and during this same period, the City also developed more neighborhood initiatives, enacted more neighborhood legislation, and expanded neighborhood services more than at any other time in the prior 25 years.

SCOPE OF WORK

The City of Kent completed a comprehensive update to its zoning ordinance in 2011 and has implemented several other amendments since that time to clarify some definitions and regulations, transition some permitted uses to conditionally permitted uses, and to correct inconsistencies between some related zoning regulations. The professional consulting firm selected for this assignment will work closely with City planning and zoning staff, the Planning Commission, and representatives from other associated boards to identify other sections of the Zoning Code that need to be updated.

The Community Development Department will serve as the point of contact throughout the project and will be responsible for coordinating and implementing the proposed updates to the Zoning Code, pursuant to legislative requirements.

The following is a list of some of the key components of the City's current Zoning Code that are expected to be reviewed for consideration of possible updates:

- Permitted and conditionally permitted uses as listed for various zoning districts;
- Density requirements as listed for various zoning districts;
- Lot requirements as listed for various zoning districts;
- Off-street parking and loading requirements as listed for various zoning districts;
- Open space requirements as listed for various zoning districts;
- Definitions (Chapter 1103);
- Supplementary regulations (Chapter 1161);
- Signage (Chapter 1165);
- Site access, parking and loading (Chapter 1167);
- Landscaping, buffering and screening (Chapter 1168);
- Conditionally permitted use regulations (Chapter 1171);
- Elimination of outdated Zoning Code provisions and the inclusion of Zoning Code best practices;
- Overall identification and elimination of inconsistencies and redundancies between Zoning Code sections;
- Ensure Zoning Code terminology and regulations comply with federal, state, and local fair housing standards and laws;
- Recommendations for changes to formatting, inclusion of matrices, tables, figures, sketches, charts, photos, etc. where such updates will enhance the usability and understanding of the Zoning Code.

In addition to the components listed above, other sections of the City's Zoning Code and/or Kent Codified Ordinances (KCO) may need reviewed for needed updates based upon proposed amendments to the Zoning Code components listed above and recommendations from the selected consulting firm.

DELIVERABLES

The selected consulting firm will prepare any proposed Zoning Code updates in a format agreed upon by the City. Throughout the course of identifying proposed updates, the consulting firm will provide draft versions for review at various stages throughout the project period. The specific deliverables will be subject to further discussion with the selected consulting firm.

SUBMISSION REQUIREMENTS

At a minimum, all submittals must include the following:

1. **Consulting Firm Information:** Name, address, phone number, e-mail for primary contact, the number of professional staff members and list of their specialties who will be assigned to work on this project, including years of experience in their respective specialty fields.
2. **Availability:** A brief statement as to the availability of the key personnel responsible for the project and where the various aspects of the work will be performed.
3. **Time Frame:** Statement on anticipated time frame based on the scope of work as listed in this RFQ. Report on prior experience in delivering services within the prescribed time frame.
4. **Statement of Qualifications:** Provide a summary of the firm's overall background, capabilities, experience and qualifications.
5. **Understanding of Project:** Provide an overview of the consulting firm's understanding and approach that will be utilized for this project, including critical issues that will need to be addressed in order to successfully complete this project.
6. **Examples of Work:** Provide complete or partial samples of work similar in nature to this project.
7. **References:** Provide three (3) references that can speak to firm's ability to perform the scope of work as listed in this RFQ.
8. **Cost Proposal:** Provide cost for completion of the scope of work as listed in this RFQ.
9. Signed and notarized "Noncollusion Affidavit."
10. **Submission Packet:** The entire RFQ response needs to be submitted in a sealed envelope marked "City of Kent, Ohio, Zoning Code Update" on the front.
11. **Deadline:** Responses to this RFQ are due no later than 3:00 p.m., EST, Friday November 10, 2017 and need to be sent or delivered to:

Bridget Susel
Community Development Director
City of Kent
930 Overholt Road
Kent, Ohio 44240

- Any questions regarding the information included in the RFQ must be submitted, via e-mail, to suselb@kent-ohio.org no later than 4:00 p.m., EST, Friday, October 27, 2017. All questions will be responded to via e-mail no later than Tuesday, October 31, 2017 and responses will be forwarded to all persons who received a copy of the RFQ.

OTHER INFORMATION

The City of Kent reserves the right to waive any irregularities or informalities, and the right to accept or reject any and all proposals including, but not limited to, any proposal which does not meet the stated requirements, or any proposal which does not furnish the quality, or offer the availability of materials, or services as required by the specifications, description or scope of work, or proposals from an offeror who lacks experience or financial responsibility, or proposals which are not made to form.

The City of Kent reserves the right to not award a contract to the lowest and most responsive offeror, and may require a new request for qualifications. The City of Kent may rescind the award of any proposal within one (1) week when the public interest will be served thereby. Only sealed proposals received by the City of Kent will be accepted. Proposals submitted by telephone, email or facsimile machines are not acceptable. Any proposals submitted after the stated due date and time will not be accepted.

The City of Kent is an equal opportunity employer and does not unlawfully discriminate on the basis of race, color, religion, sex, national origin, ancestry, military status, familial status, disability, gender identity or sexual orientation.

NONCOLLUSION AFFIDAVIT

PROJECT NAME: _____

CONSULTANT: _____,

being first duly sworn, deposes and says that he/she is _____

_____ (sole owner, a partner, president, secretary, etc.)

of _____, the party making the foregoing PROPOSAL; that such PROPOSAL is not made in the interest of or on behalf of any undisclosed person, partnership, company, association, organization, or corporation; that such PROPOSAL is genuine and not collusive or a sham; that said person has not directly or indirectly induced or solicited any other person to put in false or sham PROPOSAL, and has not directly or indirectly colluded, conspired, connived, or agreed with anyone else to put in a sham PROPOSAL, or that anyone shall refrain from submitting a PROPOSAL; that said person has not in any manner, directly or indirectly, sought by agreement, communication or conference with anyone to fix the PROPOSAL price of said PROPOSAL or of any other PROPOSAL, or to fix any overhead, profit, or cost element of such PROPOSAL price, or of that of any other PROPOSAL, or to secure any advantage against the OWNER awarding the contract or anyone interested in the proposed contract; that all statements contained in such PROPOSAL are true; and, further, that said person has not, directly or indirectly, submitted a PROPOSAL price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid and will not pay any fee in connection therewith, to any corporation, partnership, company, association, organization, depository, or to any member or agent thereof, or to any other individual except to such person or persons as have a partnership or other financial interest with said person in his/her general business.

Signed:

Subscribed and sworn to before me this

_____ day of _____, 20__.

Seal of Notary

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Dave Ruller
Tara Grimm

FROM: Jim Bowling *SB*

DATE: October 20, 2017

RE: Council Agenda Request for AMATS Federal Funding Application -
Mogadore Road Resurfacing

The engineering division is requesting council time to obtain approval to submit to AMATS for Federal Funding to resurface Mogadore Road from Cherry Street to Summit Street. This section of Mogadore Road is the lowest rated of eligible street sections that do not already have outside funding committed, according to ODOT's Pavement Condition Ratings. We are requesting approval to submit to AMATS' Resurfacing program for \$580,000 of construction funding. The total project cost is \$740,000. The \$160,000 local share is anticipated to be part of the annual street and sidewalk program. The funding is anticipated to be available in 2022 (federal Fiscal Years 2022 and 2023).

c: Melanie Baker, Service Director
Pat Homan, Engineering Technician
Jim Silver
file