

ORDINANCE NO. 2020-67

AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 483 SQUARE FEET OF REAL PROPERTY FROM TONI KUNO, 1234 MIDDLEBURY ROAD FOR \$300.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND THE CONSTRUCTION OF THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Council desires to obtain a temporary easement in 483 square feet of real property from Toni Kuno, 1234 Middlebury Road, Kent, Portage County, Ohio; and

WHEREAS, Toni Kuno is willing to grant a temporary easement in said property for \$300.00; and

WHEREAS, the City needs the property for right-of-way purposes for the construction of the Southwest Sanitary Pump Station project.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto:

SECTION 1. That Council does hereby accepts and authorizes the City Manager or his designee to execute the agreement for the City of Kent to obtain a temporary easement for a total of 483 square feet of real property from Toni Kuno, 1234 Middlebury Road for \$300.00 for right-of-way purposes for construction of the Southwest Sanitary Pump Station project in substantial conformity with the terms of the Agreement marked as Exhibit "A", attached hereto and incorporated herein.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: July 15, 2020
Date

EFFECTIVE: July 15, 2020
Date

ATTEST: Amy Wilkens
Amy Wilkens
Clerk of Council

Jerry T. Fiala
Jerry T. Fiala
Mayor and President of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *RESOLUTION No.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

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Rev. 10/2017

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TEMPORARY EASEMENT

Toni Kuno, Widow, the Grantor(s), in consideration of the sum of \$300.00, to be paid by City of Kent, the Grantee, does grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 17-009-20-00-036-000 T

CITY OF KENT – SOUTHWEST SANITARY PUMP STATION

SEE EXHIBIT A ATTACHED

Portage County Current Tax Parcel No. 17-009-20-00-036-000

Prior Instrument Reference: Instrument No. 202000922 and Instrument No. 202001345, Portage County Recorder's Office.

To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is 12 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement(s) interest granted is being acquired by Grantee for a public purpose, namely the construction and maintenance of a sewer and utilities in the name of and for the use of the City of Kent.

IN WITNESS WHEREOF Toni Kuno have hereunto set her hand on the 5th day of May, 2020.

Toni Kuno
TONI KUNO

*Signed by Toni Kuno
Port for Toni Kuno*

STATE OF OHIO, COUNTY OF Portage ss:

BE IT REMEMBERED that on the 5th day of May, 2020, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Toni Kuno, who acknowledged the foregoing instrument to be her voluntary act and deed.

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



AMY F INCORVATI
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
06-17-2024
Recorded in
Summit County

Amy F. Incorvati
NOTARY PUBLIC
My Commission expires: 06/17/2024

This document was prepared by: The City of Kent, Ohio on forms approved by the Ohio Attorney General