

ORDINANCE NO. 2022-023

AN ORDINANCE ACKNOWLEDGING THE NORTHERN JURISDICTIONAL BOUNDARY RECORDED ON THE TAX MAP FOR THE ANNEXATION OF TERRITORY PETITION PASSED BY THE COUNCIL OF THE VILLAGE OF KENT, OHIO, ON THE 26TH DAY OF NOVEMBER 1917 DOES NOT ALIGN WITH THE LEGAL DESCRIPTION OF THE 1917 PETITION AND TO CORRECT THE ERROR, CITY OF KENT AFFIRMS THE NORTHERN JURISDICTIONAL BOUNDARY IS THE CENTER OF THE CUYAHOGA RIVER AND PARCEL 12-050-00-00-011-000 AND PARCEL 12-050-00-00-012-000, CURRENTLY RECORDED BY PORTAGE COUNTY IN THE BOUNDARY OF FRANKLIN TOWNSHIP, ARE WITHIN THE JURISDICTIONAL BOUNDARY OF THE CITY OF KENT; AND DECLARING AN EMERGENCY.

WHEREAS, the legal representative for the property owner of Parcel 12-050-00-00-011-000 and Parcel 12-050-00-00-012-000 contacted the City of Kent and Franklin Township regarding an error on the northern jurisdictional boundary of the 1917 tax map recorded for the "Annexation of Territory Petition" dated the 26th day of November 1917; and

WHEREAS, the legal description of the "Annexation of Territory Petition," dated the 26th day of November 1917, specifies the center of the Cuyahoga River as the northern jurisdictional boundary line for the Village of Kent, but the tax map actually places the northern jurisdictional boundary south of the Cuyahoga River; and

WHEREAS, the City acknowledges the tax map recorded in 1917 does not accurately depict the northern jurisdictional boundary, as specified in the legal description of the "Annexation of Territory Petition," dated the 26th day of November 1917; and

WHEREAS, the City agrees with the property owner of Parcel 12-050-00-00-011-000 and Parcel 12-050-00-00-012-000 the northern jurisdictional boundary, as specified in the "Annexation of Territory Petition," dated the 26th day of November 1917, is in the center of the Cuyahoga River, which situates the parcels within the jurisdictional boundary of the City of Kent.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, that:

SECTION 1. Kent City Council does hereby affirm the northern jurisdictional boundary specified in the "Annexation of Territory Petition" dated the 26th day of November 1917, is the center of the Cuyahoga River and that Parcel 12-050-00-00-011-000 and Parcel 12-050-00-00-012-000, all attached hereto as Exhibit A, are within the jurisdictional boundary of the City of Kent.

SECTION 2. 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. 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: April 6, 2022
Date

EFFECTIVE: April 6, 2022
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 ORDINANCE No. 2022-023, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON April 6, 2022.

(SEAL)

Amy Wilkens
AMY WILKENS
CLERK OF COUNCIL

David Golubski, Esq.
250 S Chestnut St, Ste 23
Ravenna, OH 44266

RECEIVED
JAN 20 2022

January 12, 2022

LAW DEPARTMENT
CITY OF KENT

City of Kent, c/o Law Director Hope Jones
320 S Depeyster Street
Kent, OH 44240

Dear Ms. Jones:

I represent Crooked River Land Company in the replat of lots in the Riverbend Subdivision. The replat includes Portage County parcels 12-050-00-00-011-000 and 12-050-00-012-000. These two parcels are currently listed and taxed as being in Franklin Township. However, during a title search, it was discovered that these parcels were annexed into the City of Kent in 1917. Please see the annexation documents that are attached to this letter. Please share this information with the Kent City Council.

I have contacted the Portage County Auditor and requested a change to the property and tax records to correctly show these parcels as being in the City of Kent. I am writing this letter to inform the Franklin Township Trustees and the City of Kent of this information. Corresponding letters were sent to both parties.

Please feel free to contact my office if you have any questions regarding this matter.

Sincerely,



David M. Golubski, Esq.

The State of Ohio County of Portage ss.
 In Re. Application of the Village of Kent for
 Annexation of Territory.

Before the Commissioners of
 Portage County, State of Ohio:

P E T I T I O N

The Village of Kent respectfully represents that by ordinance duly passed by its Council on the 25th day of November, 1917, the following described territory, to-wit: Situated in Lots 50, 41, 32 and 23 of Franklin Township, Portage County, Ohio, and bounded as follows: Beginning at a point in the east line of Lot 42 of said Township and at the northeast corner of the present corporate limits of said Village of Kent, thence S. 89° 43' E. 540 feet to the center of the Cuyahoga River, thence up stream along the center of said River (through lots 41 and 50) to the point where said center of said river crosses the easterly line of said lot 41, thence south along the easterly side of Lots 41, 32 and 23 to the southeast corner of said lot 23, thence west along the south side of Lot 23 to the south west corner of said lot 23, thence north along the present corporation line to the place of beginning, and contains 460 acres of land, no part of which is contained in any County or City Infirmity.

An accurate map of said territory is hereto attached and a certified copy of said ordinance. Said Village respectfully petitions that said territory may be annexed to said Village.

Village of Kent,
 By Britton S. Johnson, Solicitor.

December 1917.

Transcript of the proceedings of the Board of County Commissioners of Portage County, Ohio, relative to the annexation of territory to the Village of Kent.
 Minutes of the meeting held December 3rd, 1917.

The Board of County Commissioners of Portage County, Ohio, hereby acknowledge receipt of a petition for annexation of certain territory in the Village of Kent, with certified copy of an ordinance duly passed by the council of said village on the 25th day of November 1917 attached hereto, which is herewith received and caused to be filed with the County Auditor for the inspection of any and all persons interested.

Said Board of Commissioners hereby fixes as the time and place for the hearing of such petition: The office of said Commissioners at the Court House at Ravenna, Ohio, at 9 o'clock A.M. Central Standard Time, on the 4th day of February A.D. 1918, and the clerk of the said board is hereby directed to communicate such fact to Britton S. Johnson, Solicitor of said Village, being the person designated in such ordinance as the one authorized to prosecute the proceedings necessary to affect such annexation, that due notice as required by law be given.

Ravenna, Ohio.
 December 3rd, 1917/

To Britton S. Johnson,
 Solicitor of Kent Village:

N O T I C E

Take notice that in relation to the application made in Kent Village in petition for the annexation of certain territory to be annexed to Kent Village, this day filed with the Board of County Commissioners of Portage County, Ohio, that said Board has received such petition and caused the same to be filed with the County Auditor for the inspection of all persons interested herein; that said Board of County Commissioners has fixed as the time and place for the hearing of such petition.

The office of said Commissioners at the Court House at Ravenna, Ohio, at 9 o'clock A.M. Central Standard Time on the 4th day of February A.D. 1918; and that due notice shall be given as required by law by you as the designated person to affect such annexation as provided in the ordinance duly passed by the council of Kent Village on the 25th day of November 1917.

Fred Bechtla
 County Auditor

Record of meeting of February 4, 1918.

A hearing was held at the County Commissioners office on the matter of extending the Kent incorporation lines, and the decision was withheld until February 11th, 1918.

Minutes of meeting February 11th, 1918.

All of the proceedings, description of territory and service of notice having been regular and correctly made.

It was moved by Smith and seconded by Wiseman that the petition filed by the council of the Village of Kent, Ohio, for the annexation of certain territory lying in the township lots No. 50, 41, 32, and 23 of Franklin Township, Portage County, Ohio, which territory is east of and adjacent to the present limits of the said Village of Kent, and specifically described in the said petition as filed with the Board of County Commissioners on the 3rd day of December, 1917, be approved and the request in said petition be granted. All voted "Aye"

I hereby certify that the foregoing is a true copy of the record of proceedings of the Commissioners of Portage County, Ohio, relative to the annexation of certain territory to the Village of Kent, Portage County, Ohio.

Fred Bechtla
 County Auditor

I, A.H. Lawson, being first duly sworn, depose and say that I am Business Manager of The Courier a weekly newspaper of general circulation, printed and published in the county of Portage and State of Ohio, and that the notice hereto annexed was published in said newspaper for six consecutive weeks commencing on the 6th day of Dec. 1917

Printers' Fees, \$.....

Notary Fees, \$.....

Total \$.....

A.H. Lawson

(SEAL)

Sworn to and subscribed before me this 2nd day of Feb'y A.D. 1918

W.W. Hood Notary Public

Legal notice

Notice is hereby given that a petition, with an ordinance attached thereto duly passed by the council of the village of Kent, Ohio, on the 25th day of November, 1917, has been filed with the County Commissioners of Portage County, Ohio, signed by the Village of Kent by Britton S. Johnson, Solicitor, with plat attached of the proposed territory to be annexed to said village, which is now on file in the Auditor's office at Ravenna, Ohio, praying for the annexation to said village of Kent of the following described territory, to-wit:

Situated in Lots 50, 41, 32 and 23 of Franklin Township, Portage County, Ohio, and bounded as follows: Beginning at a point in the East line of Lot 42 of said township and at the Northeast corner of the present corporate limits of said village of Kent, thence South 89 degrees 43 minutes East 540 feet to the center of the Guyahoga River; thence up stream along the center of said river (through lots 41 and 50) to the point where said center line of said river crosses the Easterly line of said Lot 41; thence South along the Easterly side of Lots 41, 32 and 23 to the Southeast corner of said lot 23; thence West along the South side of lot 23 to the Southwest corner of said Lot 23; and thence north along the present East corporation line to the place of beginning, and contains 460 acres of land, more or less.

Said Board of County Commissioners has fixed February 4, A.D. 1918, at 9 o'clock A.M., Central Standard time, at its office at the Court House at Ravenna, as the time and place for the hearing of such petition.

Britton S. Johnson,

Solicitor of Kent Village.

(D 6-13-20-27-J 3-10)

A P P I D A V I T .

State of Ohio, County of Portage, SS:

Britton S. Johnson, being first duly sworn, deposes and says, that on the 13th day of December 1917, he posted the attached notice, in front of the plant of the Mason Tire and Rubber Company, which is within the territory described in said notice and that same was posted more than six weeks before February 4th, 1918, the date of hearing fixed in said notice.

Britton S. Johnson

Sworn to and subscribed before me this 4th day of February, 1918.

Harry Hodges Notary Public

LEGAL NOTICE.

Notice is hereby given that a petition, with an ordinance attached thereto duly passed by the council of the village of Kent, Ohio, on the 25th day of November 1917, has been filed with the County Commissioners of Portage County, Ohio, signed by the Village of Kent by Britton S. Johnson, Solicitor, with plat attached of the proposed territory to be annexed to said village, which is now on file in the Auditor's office at Ravenna, Ohio, praying for the annexation to said village of Kent, of the following described territory, to-wit:

Situated in Lots 50, 41, 32 and 23 of Franklin Township, Portage County, Ohio, and bounded as follows: Beginning at a point in the east line of Lot 42 of said township and at the Northeast corner of the present corporate limits of said village of Kent, thence South 89 degrees 43' East 540 feet to the center of the Guyahoga River; thence up stream along the center of said river (through lots 41 and 50) to the point where said center line of said river crosses the Easterly line of said Lot 41; thence South along the Easterly side of Lots 41, 32 and 23 to the South-east corner of said lot 23; thence West along the South side of Lot 23 to the South-west corner of said Lot 23; and thence North along the present East corporation line to the place of beginning, and contains 460 acres of land, more or less.

Said Board of County Commissioners has fixed February 4th, A.D. 1918 at 9 o'clock A.M. Central Standard time, at its office at the Court House at Ravenna, as the time and place for the hearing of such petition.

Britton S. Johnson

Solicitor of Kent Village.

Received for record April 24th, 1918 at 3:00 P.M.

Recorded May 7th, 1918

Filed Feb. 7, 1918.

John J. Shanley Sr., Recorder

J. C. Morshead Deputy

XX

PROPOSED EXTENSION OF
THE VILLAGE OF KENT OHIO

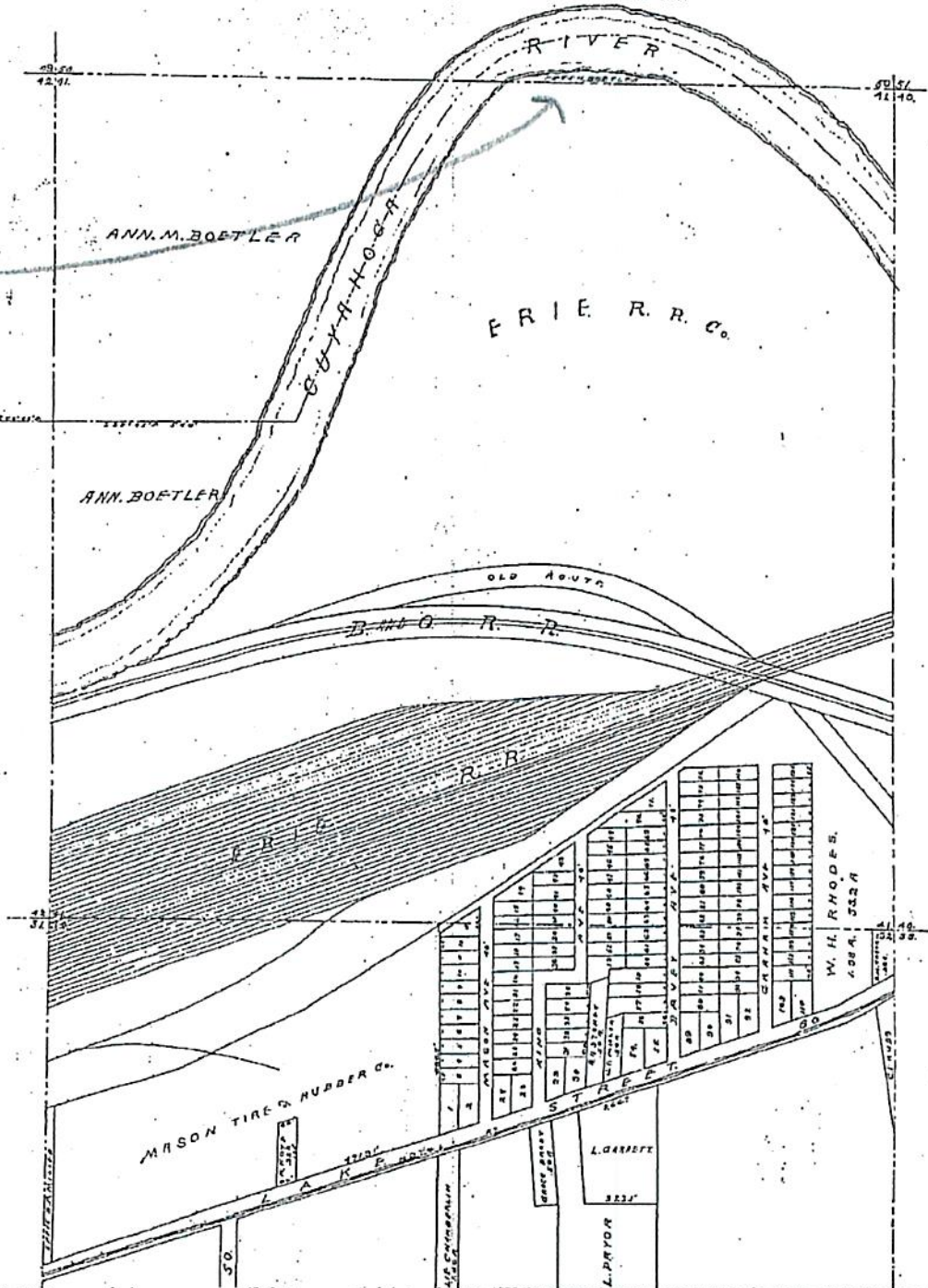
AUTHORIZED BY COUNCIL NOV 26 1917

SCALE 1" = 200'

F. S. ROYER CO.
VILLAGE PLANS

Vol. 04 Pg. 08

Land
Involved
X



Vol. 04 Pg. 08

RECORD OF ORDINANCES.

Ordinance No. 151

Passed, Nov. 26.

1917

An Ordinance.

An Ordinance to authorize annexation of certain territory to the Village of Kent, Ohio.

Be it ordained by the Council of the Village of Kent, State of Ohio:-

Section 1.

That the annexation by ~~the~~ ~~the~~ Village of the following described territory; situated in lots 50-41-32 and 23 of Franklin Township, Puttysburg, Ohio, and bounded as follows. Beginning at a point in the east line of Lot 42 of said township, land at the southeast corner of the present corporate limits of said Village of Kent, thence S. 89° 45' E. ft. to the center of Cuyahoga River, thence up stream along the center of said river (through lots 44 and 50) to the point where said center of said river crosses the center by line of said lot 41, thence north along the eastern side of lots 44, 38, and 23 to the southeast corner of said lot 23, thence north along the present corporation line to the place of beginning, and contains 460 acres of land no part of which is contained in any county or city infirmity; be and the same is hereby authorized.

Section 2.

That the collector be and is hereby authorized to prosecute the proceedings necessary to effect such annexation.

Section 3.

This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed November 26, 1917.
W. W. Reed, Clerk. W. L. Davy, Mayor.

Ordinance No. 152.

An Ordinance to prevent dumping of wooden, inflammable and paper materials and gaseous substances producing noxious odors in the stone quarry south of Summit Street and between the Erie R.R. and Magazine Rd. and permitting the dumping therein of dirt of non-inflammable and non-gaseous matter.

Be it ordained by the Council of the Village of Kent, Ohio, that of all members thereof, concurring.

Section 1.

That it shall be lawful to dump ashes, dirt and any non-inflammable material, wooden, paper or garbage as herein after provided; into the stone or quarry pit, situated between the Erie R.R. and Magazine Rd. and south of Summit Street in said village and at the premises of the Erie Railroad Co.

Section 2.

It shall be unlawful to dump into said stone quarry any inflammable material, wood or paper of any sort.

Portage County, Ohio - Property Record Card
 Parcel: 12-050-00-00-011-000
 Card: 1

GENERAL PARCEL INFORMATION

Owner CROOKED RIVER LAND COMPANY LTD
 Property Address ST RT 43
 Mailing Address 127 EAST MAIN ST
 RAVENNA OH 44266
 Land Use 501 - RESID UNPLAT 0-09.99 ACRES
 Legal Description LOT 50 NO TRANSFER WITHOUT
 PROPERTY LINE SURVEY

VALUATION

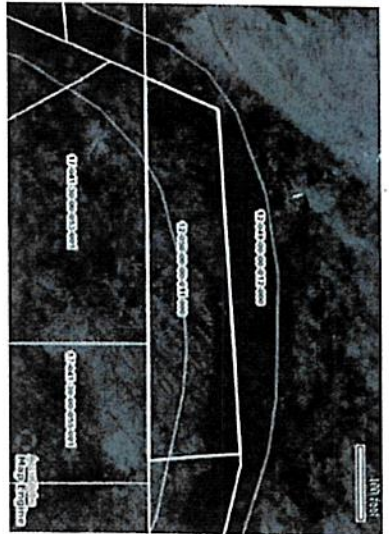
	Appraised	Assessed
Land Value	\$500.00	\$180.00
Improvements Value	\$0.00	\$0.00
CAUV Value	\$0.00	\$0.00
Taxable Value	\$180.00	

LAND

Land Type	Acreage	Depth	Frontage	D. Factor Value
A4 - Undeveloped	1.288	0	0	450

AGRICULTURAL

Land Type	Land Usage	Soil Type	Acres	Value
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A search is unavailable for this parcel.

RESIDENTIAL

ADDITIONS

IMPROVEMENTS

SALES

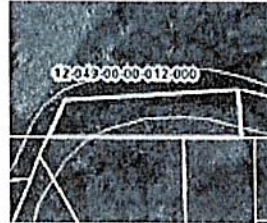
Date	Buyer	Seller	Price
9/21/2021	CROOKED RIVER LAND	CROOKED RIVER LAND COO	0
1/15/2004	CROOKED RIVER LAND CO**PARCEL RE-PLATTED		0
1/15/2004	**PARCEL RE-PLATTED	RIVER BEND EAST INC &	0
12/15/1995	RIVER BEND EAST INC &	Unknown	0

COMMERCIAL

Data For Parcel 12-050-00-00-011-000

Tax Data

Parcel: 12-050-00-00-011-000
Owner: CROOKED RIVER LAND COMPANY LTD
Address: ST RT 43



[+] Map this property.

[Click here to view proposed levy data for this parcel.](#)

Tax Rates

Full Tax Rate: 136.7
Effective Tax Rate: 63.084105

Escrow

Escrow Prepay Program: NO
Escrow Amount Paid: \$0.00

Tax Lien

Tax Lien Sold: NO

Property Tax

	Tax Year 2021 Payable 2022						Total
	Delinquency	Adjust	First Half	Adjust	Second Half	Adjust	
Charge:	\$0.00	\$0.00	\$12.30	\$0.00	\$12.30	\$0.00	
Credit:			(\$6.63)	\$0.00	(\$6.63)	\$0.00	
Rollback:			(\$0.49)	\$0.00	(\$0.49)	\$0.00	
Reduction:			\$0.00	\$0.00	\$0.00	\$0.00	
Homestead:			\$0.00	\$0.00	\$0.00	\$0.00	
Sales Credit:			\$0.00	\$0.00	\$0.00	\$0.00	
Net Tax:	\$0.00		\$5.18		\$5.18		
CAUV Recoupment:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Special Assessments:	\$0.00		\$9.23		\$9.22		
Penalty/Interest:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Net Owed:	\$0.00		\$14.41		\$14.40		\$28.81
Net Paid:	\$0.00		\$0.00		\$0.00		\$0.00
Net Due:	\$0.00		\$14.41	Pay This Amount	\$14.40	Pay This Amount	\$28.81
							Pay This Amount

Special Assessments

Assessment: 1 of 1

10-699 STORM WATER DISTRICT

2022-023 Exhibit 'A'

Delinquency	Adjust	First Half	Adjust	Second	Adjust
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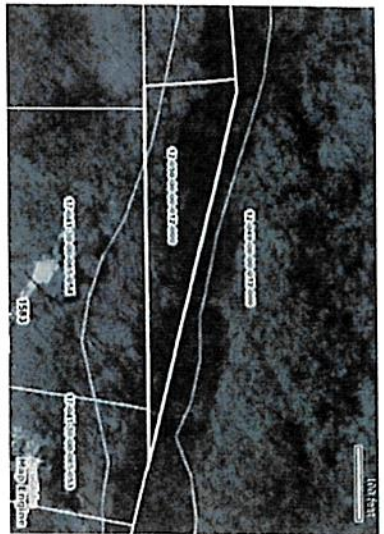
Portage County, Ohio - Property Record Card
 Parcel: 12-050-00-00-012-000
 Card: 1

GENERAL PARCEL INFORMATION

Owner CROOKED RIVER LAND COMPANY LTD
 Property Address ST RT 43
 Mailing Address 127 E MAIN ST
 RAVENNA OH 44266
 Land Use 501 - RESID UNPLAT 0-09.99 ACRES
 Legal Description LOT 50 NO TRANSFER WITHOUT
 PROPERTY LINE SURVEY

VALUATION

	Appraised	Assessed
Land Value	\$300.00	\$110.00
Improvements Value	\$0.00	\$0.00
CAUV Value	\$0.00	\$0.00
Taxable Value	\$110.00	



A sketch is unavailable for this parcel.

RESIDENTIAL

ADDITIONS

IMPROVEMENTS

Land Type	Acreage	Depth	Frontage	D. Factor	Value
A4 - Undeveloped	0.775	0	0	0	270

AGRICULTURAL

Land Type	Land Usage	Soil Type	Acres	Value

SALES

Date	Buyer	Seller	Price
9/21/2021	CROOKED RIVER LAND	CROOKED RIVER LAND COO	
1/15/2004	CROOKED RIVER LAND CO**	PARCEL RE-PLATTED	0
1/15/2004	**PARCEL RE-PLATTED	RIVER BEND EAST INC &	0
12/15/1995	RIVER BEND EAST INC &	Unknown	0

COMMERCIAL

Data For Parcel 12-050-00-00-012-000

Tax Data

Parcel: 12-050-00-00-012-000
 Owner: CROOKED RIVER LAND COMPANY LTD
 Address: ST RT 43



[+] Map this property.

[Click here to view proposed levy data for this parcel.](#)

Tax Rates

Full Tax Rate: 136.7
 Effective Tax Rate: 63.084105

Escrow

Escrow Prepay Program: NO
 Escrow Amount Paid: \$0.00

Tax Lien

Tax Lien Sold: NO

Property Tax

			Tax Year 2021 Payable 2022				Total
	Delinquency	Adjust	First Half	Adjust	Second Half	Adjust	
Charge:	\$0.00	\$0.00	\$7.52	\$0.00	\$7.52	\$0.00	
Credit:			(\$4.05)	\$0.00	(\$4.05)	\$0.00	
Rollback:			(\$0.30)	\$0.00	(\$0.30)	\$0.00	
Reduction:			\$0.00	\$0.00	\$0.00	\$0.00	
Homestead:			\$0.00	\$0.00	\$0.00	\$0.00	
Sales Credit:			\$0.00	\$0.00	\$0.00	\$0.00	
Net Tax:	\$0.00		\$3.17		\$3.17		
CAUV Recoupment:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Special Assessments:	\$0.00		\$9.23		\$9.22		
Penalty/Interest:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Net Owed:	\$0.00		\$12.40		\$12.39		\$24.79
Net Paid:	\$0.00		\$0.00		\$0.00		\$0.00
Net Due:	\$0.00		\$12.40	Pay This Amount	\$12.39	Pay This Amount	\$24.79
							Pay This Amount

Special Assessments

Assessment: 1 of 1

10-699 STORM WATER DISTRICT

2022-023 Exhibit 'A'

Delinquency	Adjust	First Half	Adjust	Second	Adjust
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