

ORDINANCE NO. 2023-067

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN EASEMENT FROM HOMETOWN BANK GRANTING A PERPETUAL ROAD AND PUBLIC UTILITY EASEMENT LOCATED AT 200 WEST WILLIAMS STREET FOR THE PURPOSE OF ACCESS TO THE UNDERGROUND UTILITIES, AND DECLARING AN EMERGENCY.

WHEREAS, Hometown Bank owns the property at 200 West Williams Street (Parcel #17-012-10-00-081-000); and

WHEREAS, the City of Kent needs a perpetual road and public utility easement at 200 West Williams Street in order to maintain, operate, repair, remove and replace underground utilities that cross onto the parcel at the intersection of Walnut and Maple Streets; and

WHEREAS, Hometown Bank is willing to grant the perpetual road and public utility easement on said property to the City of Kent; and

WHEREAS, time is of the essence because the property is up for sale and is working with the City to finalize legislative authorization of the easement so that it is in place prior to the property transfer to a future buyer.

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

SECTION 1. That Council does hereby authorize the City Manager or his designee to execute the agreement from Hometown Bank granting a perpetual road and public utility easement to the City of Kent at 200 West Williams Street for the purpose of maintaining, operating, repairing, removing and replacing underground utilities.

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: October 18, 2023
Date

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

EFFECTIVE: October 18, 2023

ATTEST: Amy Wilkens
Date
Amy Wilkens, CMC
Clerk 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. 2023-067 ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON October 18, 2023.

(SEAL)

Amy Wilkens
AMY WILKENS, CMC
CLERK OF COUNCIL