

ORDINANCE NO. 2019- 20

AN ORDINANCE AMENDING RESOLUTION NO. 2019-12, TO GRANT AN ACCESS EASEMENT TO WEST RIVER PLACE, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent wishes to grant an access easement to West River Place; and

WHEREAS, the easement will be at the northeast corner of West River Places' building to enable access to the rear (east) side of their building and will comprise approximately 200 square feet; and

WHEREAS, the mutually agreed that the City will pay \$4.80/square foot for the access easement for a total of \$960.00.

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 concurring:

SECTION 1. That Council does hereby authorize the City Manager, or his designee, to amend Resolution No. 2019-12 to grant an Access Easement to West River Place which is more fully described in "Exhibit A", attached hereto and made a part thereof, and to pay West River Place an amount not to exceed \$960.00.

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: February 20, 2019
Date

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

EFFECTIVE: February 20, 2019
Date

ATTEST: Dawn Bishop
Dawn Bishop
Interim Clerk of Council

I, DAWN BISHOP, 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.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20____.

(SEAL)

DAWN BISHOP
INTERIM CLERK OF COUNCIL



January 14, 2019

CITY OF KENT
LEGAL DESCRIPTION
0.0046 ACRE EASEMENT TO WEST RIVER PLACE, LLC

Situated in the City of Kent, County of Portage and State of Ohio, known as being part of Lot 25 of Original Franklin Township and being part of the lands conveyed to West River Place, LLC by deed in Instrument Number 200302048 of Portage County Records, said parcel being more fully described as follows:

Beginning at the intersection of the northerly right-of-way line of West Main Street (100 feet wide) and the easterly line of Gougler Avenue (60 feet wide);

Thence North 3°-50'-15" East, 299.80 feet along the easterly right-of-way line of said Gougler Avenue to a 5/8-inch pin found;

Thence South 86°-13'-38" East, 99.43 feet along a northerly line of said West River Place, LLC lands to a 5/8-inch pin found;

Thence South 06°-37'-47" West, 150.23 feet along an easterly line of said West River Place, LLC lands;

Thence South 86°-09'-45" East, 10.00 feet along a northerly line of said West River Place, LLC lands to the easterly line of an existing easement to West River Place, LLC in Instrument Number 200400146, being the TRUE PLACE OF BEGINNING for the easement area herein described;

COURSE NO. 1: Thence **North 06°-37'-47" East, 20.00 feet** along the easterly line of said existing easement to West River Place, LLC;

COURSE NO. 2: Thence **South 86°-09'-45" East, 10.00 feet;**

COURSE NO. 3: Thence **South 06°-37'-47" West, 20.00 feet** to a northerly line of said West River Place, LLC lands;

COURSE NO. 4: Thence **North 86°-09'-45" West, 10.00 feet** along a northerly line of said West River Place, LLC lands to the True Place of Beginning and containing **0.0046 acres** of land, more or less, as determined in January 2019 by Adam D. Treat, P.S. 8058 for **Environmental Design Group** under project number 17-00412-020 and being subject to all legal highways, easements and restrictions of record.

Exhibit A



January 14, 2019

CITY OF KENT
LEGAL DESCRIPTION
0.0046 ACRE EASEMENT TO WEST RIVER PLACE, LLC

The basis of bearings for this survey are from GNSS observations to the Ohio State Plane Coordinates System, North Zone, NAD83 (2011) datum derived through the O.D.O.T. V.R.S. Network.

A handwritten signature in black ink that reads "Adam D. Treat".

ADAM D. TREAT

Ohio Registered Professional Surveyor No. 8058

