

RESOLUTION NO. 2019-11

A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ACCEPT AN GENERAL PURPOSE EASEMENT FROM WEST RIVER PLACE, AND DECLARING AN EMERGENCY.

WHEREAS, West River Place will grant a general purpose easement to the City of Kent to enable construction of a bike stair from the Main Street Bridge and widening of the existing trail. The total area of the easement will be 5,715 square feet; and

WHEREAS, the upgrading of the general purpose easement allowing for shared use is being offered by West River Place as a donation to the City of Kent which amount is valued at \$9,144.00; and

WHEREAS, the City of Kent now holds and existing easement in the trail area which will be vacated upon the filing of the new easement.

NOW, THEREFORE, BE IT RESOLVED 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 Kent City Council hereby authorizes the City Manager, or his designee, to accept the easement from West River Place, and is more fully described in Exhibit "A", attached hereto and made a part thereof; and to provide West River Place any documentation necessary to memorialize the value of their donation to the City in the amount of \$9,144.00.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 Resolution 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 Resolution is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: January 16, 2019
Date

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

EFFECTIVE: January 16, 2019
Date

ATTEST: Tara Grimm
Tara Grimm, MMC
Clerk of Council

I, TARA GRIMM, 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)

TARA GRIMM, MMC
CLERK OF COUNCIL

EXHIBIT "A"



January 14, 2019

WEST RIVER PLACE, LLC
LEGAL DESCRIPTION
0.1314 ACRE EASEMENT TO THE CITY OF KENT

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 89°-20'-41" East, 60.50 feet along the northerly right-of-way line of West Main Street to the TRUE PLACE OF BEGINNING for the easement area herein described;

COURSE NO. 1: Thence **North 00°-28'-29" West, 21.59 feet** along the extension of and along the easterly face of an existing building;

COURSE NO. 2: Thence **North 42°-29'-59" East, 75.33 feet;**

COURSE NO. 3: Thence **North 18°-43'-06" East, 51.17 feet;**

COURSE NO. 4: Thence **North 06°-03'-46" East, 15.33 feet** to a northerly line of said West River Place, LLC lands;

COURSE NO. 5: Thence **South 86°-09'-45" East, 30.02 feet** along the said northerly line of said West River Place, LLC lands;

COURSE NO. 6: Thence **South 06°-03'-46" West, 19.82 feet** along an easterly line of said West River Place, LLC lands;

COURSE NO. 7: Thence **South 18°-43'-06" West, 100.33 feet** along an easterly line of said West River Place, LLC lands;

COURSE NO. 8: Thence **South 42°-53'-40" West, 32.23 feet** along an easterly line of said West River Place, LLC lands to the northerly right-of-way line of said West Main Street;

The community impact people.

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CIVIL ENGINEERING / LANDSCAPE ARCHITECTURE / PLANNING / SURVEYING / ENVIRONMENTAL SERVICES / CONSTRUCTION MANAGEMENT



January 14, 2019

WEST RIVER PLACE, LLC
LEGAL DESCRIPTION
0.1314 ACRE EASEMENT TO THE CITY OF KENT

COURSE NO. 9: Thence **South 89°-20'-41" West, 42.49 feet** along the northerly right-of-way line of said West Main Street to the True Place of Beginning and containing **0.1314 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.

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

