

ORDINANCE NO. 2019-125

**AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT IN EXCESS OF THE AMOUNT PAID BY THE CITY OF KENT FOR AN ACCESS EASEMENT AT WEST RIVER PLACE AND THE APPRAISED VALUE OF AN OHIO DEPARTMENT OF TRANSPORTATION'S (ODOT) APPRAISAL, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Kent obtained an access easement to West River Place in Ordinance No. 2019-11; and

**WHEREAS**, the owners believe that the value attributed to the land, sight lines, impact on future leases, proximity to the public, etc., afforded by granting this perpetual easement far exceeds the \$4.80 per square foot paid by the City; and

**WHEREAS**, the owners would like the City to acknowledgment, as a donation, the difference between the actual amount paid for the easement (\$9,144.00) and an appraisal that will be requested should this ordinance pass.

**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 Council does hereby support and direct the Law Director to provide the documentation necessary for the acceptance of a donation in an amount in excess of the amount paid by the City after an ODOT approved appraisal has been performed by a licensed appraiser paid for by West River Place and presented to the City.

**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: November 20, 2019  
Date

Fiala  
Jerry T. Fiala  
Mayor and President of Council

EFFECTIVE: November 20, 2019  
Date

ATTEST: Amy Wilkens  
Amy Wilkens  
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. \_\_\_\_\_, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON \_\_\_\_\_, 20\_\_\_\_\_.

(SEAL)

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AMY WILKENS  
CLERK OF COUNCIL