

ORDINANCE NO. 2017-149

AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN 315 RFK, LLC, AN OHIO LIMITED LIABILITY COMPANY, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A PERPETUAL EASEMENT FOR STORM WATER MANAGEMENT PURPOSES OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, REPAIRING AND MAINTAINING STORM WATER SYSTEMS, 0.013 ACRES OF REAL PROPERTY, IN EXCHANGE FOR THE VACATION OF SEVERAL EXISTING EASEMENTS ACROSS GRANTOR'S PROPERTY; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Council desires to obtain a permanent easement of 0.013 acres of real property from 315 RFK, LLC; and

WHEREAS, 315 RFK, LLC is willing to grant a perpetual easement in said property in exchange for the vacation of several existing easements; and

WHEREAS, the City needs the property for storm water management purposes to repair, maintain, install, construct and reconstruct storm sewers; and

WHEREAS, time is of the essence because the sooner the City acquires the necessary easement for this project, the sooner construction may begin.

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:

SECTION 1. That Council does hereby accepts and authorizes the City Manager or his designee to execute the agreement between 315 RFK, LLC. and the City of Kent to obtain a perpetual easement of 0.013 acres of real property for storm water management purposes to repair, maintain, install, construct and reconstruct the storm sewers in exchange for the vacation of several existing easements; said Agreement marked as Exhibit "A", on file in the Council office.

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 15, 2017  
Date

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

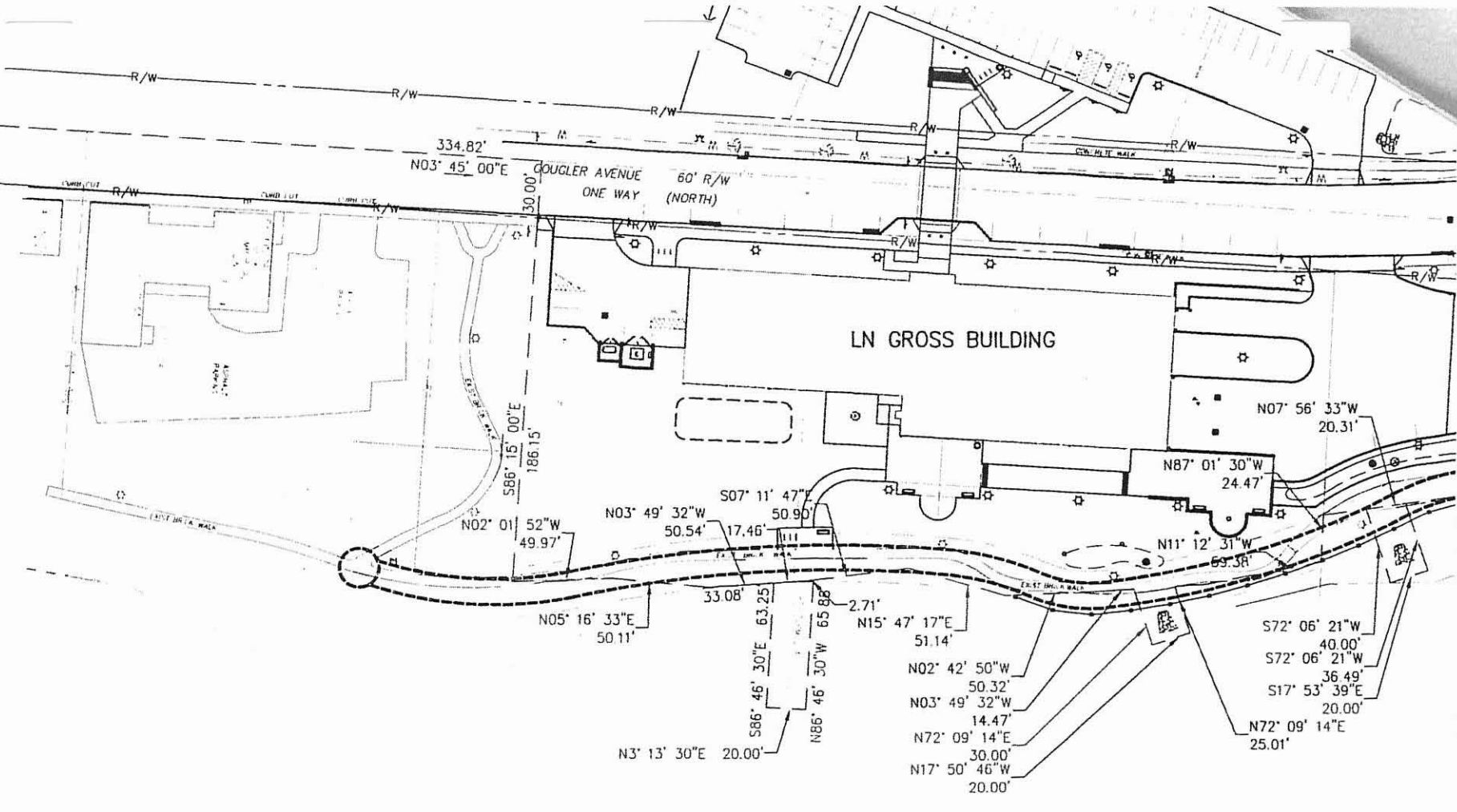
EFFECTIVE: November 15, 2017  
Date

ATTEST: Tara Grimm  
Tara Grimm, CMC  
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 ORDINANCE No. \_\_\_\_\_, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON \_\_\_\_\_, 20\_\_\_\_\_.

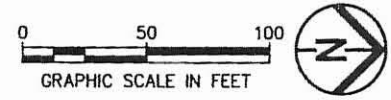
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TARA GRIMM, CMC  
CLERK OF COUNCIL  
(SEAL)

3700



**KENT RIVERSIDE LANDING**  
**RENAISSANCE 2000**  
**315 GOUGLER AVE KENT OHIO 44240**  
**STORM OUTFALL EASEMENT**

**Environmental Design Group**  
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 Akron, OH 44311 Fax 330.375.1590  
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0.013 acres