

**RESOLUTION NO. 2015-42**

**A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE IN .1118 ACRES OF CERTAIN REAL PROPERTY OWNED BY THE STATE OF OHIO FOR THE PURPOSE OF COMPLETING THE RIGHT OF WAY ACQUISITION FOR THE RE-CONSTRUCTION OF THE EAST SUMMIT STREET IMPROVEMENT PROJECT OF STREET WIDENING, CHANGING THE GRADE, DRIVEWAY, SIDEWALK CONSTRUCTION, AND GRADING IN FURTHERANCE OF PUBLIC ROADWAY IMPROVEMENTS ON EAST SUMMIT STREET BETWEEN SR 261 AND DEPEYSTER STREET, IN THE CITY OF KENT, OHIO AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City desires to complete the right of way acquisition for the re-construction of the East Summit Street Improvement project for street widening, changing the grade, driveway, sidewalk construction, and grading in furtherance of public roadway improvements on East Summit Street between SR 261 and Depeyster Street, in the City of Kent, Ohio, and

**WHEREAS**, negotiations between duly authorized representatives of the City and the owners of the parcel described in the resolution have failed to result in any determination of reasonable compensation for the parcel described in Section 1 below, acceptable to the City and the Owner.

**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 it is deemed necessary and it is hereby declared to be the intent of this Council to appropriate all right, title and interest in fee simple in .1118 acres of certain real property owned by the State of Ohio, for the purpose to complete the right of way acquisition for the re-construction of the East Summit Street Improvement project of street widening, changing the grade, driveway, sidewalk construction, and grading in furtherance of the East Summit Street public roadway improvements, in the City of Kent, Ohio. The parcel to be appropriated is situated at 202 North Lincoln Street, Kent, Ohio and is more fully described on Exhibit "A" attached hereto.

**SECTION 2.** That the City Manager be and he is hereby authorized and directed to cause written notice of the adoption of this Resolution to be given to each owner, person in possession, or person having an interest of record in the above-described parcel. This notice shall be served by the City Manager, or by a person designated by him for that purpose, by personally handing a copy of this notice to this owner or person or his authorized agent, or by leaving a copy thereof at the usual place of residence of this owner or person or if this owner, person or agent cannot be found, by publication once a week for three (3) consecutive weeks in an English newspaper of general circulation in the City of Kent. A return of service shall be made in the manner provided by law.

**SECTION 3** 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 4.** 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: 02/18/2015  
DATE

\_\_\_\_\_  
MAYOR AND PRESIDENT OF COUNCIL

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

I hereby certify that Resolution No. 2015- 42 was duly enacted this 18th day of February, 2015, by the Council of the City of Kent, Ohio.

\_\_\_\_\_  
CLERK OF COUNCIL

## EXHIBIT "A"

Situated in the City of Kent, County of Portage, and State of Ohio, being part of Original Lots 4, 5, 13, 14 and 15 of Franklin Township, this and all further references made to the Portage County Recorder records, being part of a parcel of land, now or formerly owned by State of Ohio, and being more fully described as follows:

Beginning at a point at the intersection of the existing Centerline of Right of way line of East Summit Street, Centerline Station 90+01.39 and the existing Centerline of Right of way line of South Lincoln Street, Centerline Station 10+00.00.

Thence N 89°36'52" E, 32.35 feet, along the existing centerline of Right of way line of East Summit Street and the North line of Lot 13 Franklin Township, to a point, said point being located 00.00 feet Left of East Summit Street Centerline Station 89+88.30 and the **True Point of Beginning** for the described parcel of land;

Thence continuing N 89°36'52" E, 44.38 feet, along the North line of Lot 13 Franklin Township, to a rebar set, said point being located 30.00 feet Left of East Summit Street Centerline Station 90+66.44;

Thence S 47°51'07" E, 20.25 feet, along the existing northerly Right of way line of East Summit Street to a rebar set, said point being located 30.00 feet Left of East Summit Street Centerline Station 90+86.69;

Thence along a curve to the Right (C4) a distance of 151.56 feet, having a radius of 570.87 feet, a delta angle of 15°12'40" and whose long chord bears S 55°27'26" E, a chord distance of 151.11 feet to a rebar set, said point being located 50.00 feet Left of East Summit Street Centerline Station 92+36.47;

Thence S 47°51'07" E, 213.55 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 50.00 feet Left of East Summit Street Centerline Station 94+50.00;

Thence S 44°02'00" E, 100.11 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 41.97 feet Left of East Summit Street Centerline Station 95+51.74;

Thence S 50°19'32" E, 107.16 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 41.99 feet Left of East Summit Street Centerline Station 96+58.90;

Thence S 39°41'16" W, 4.00 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 37.99 feet Left of East Summit Street Centerline Station 96+58.90;

Thence S 50°19'33" E, 393.62 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 38.00 feet Left of East Summit Street Centerline Station 100+52.55;

Thence N 39°23'24" E, 3.00 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 41.00 feet Left of East Summit Street Centerline Station 100+52.54;

Thence along a curve to the Left (C5) a distance of 31.55 feet, having a radius of 104.02 feet, a delta angle of 17°22'48" and whose long chord bears S 59°17'20" E, a chord distance of 31.43 feet to a rebar set, said point being located 45.87 feet Left of East Summit Street Centerline Station 100+83.59;

Thence along a curve to the Left (C6) a distance of 20.22 feet, having a radius of 16.00 feet, a delta angle of 72°23'52" and whose long chord bears N 75°49'20" E, a chord distance of 18.90 feet to a rebar set, said point being located 61.12 feet Left of East Summit Street Centerline Station 100+94.75;

Thence N 39°38'35" E, 3.17 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 64.29 feet Left of East Summit Street Centerline Station 100+94.76;

Thence S 49°05'36" E, 33.92 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 63.53 feet Left of East Summit Street Centerline Station 101+28.67;

Thence S 48°39'06" E, 30.92 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 62.60 feet Left of East Summit Street Centerline Station 101+59.58;

Thence along a curve to the Left (C7) a distance of 33.19 feet, having a radius of 23.49 feet, a delta angle of 80°57'04" and whose long chord bears S 7°53'11" E, a chord distance of 30.50 feet to a rebar set, said point being located 42.00 feet Left of East Summit Street Centerline Station 101+82.07;

Thence S 50°22'36" E, 17.93 feet, along the proposed right of way to a rebar set, said point being located 42.00 feet Left of East Summit Street Centerline Station 102+00.00;

Thence S 50°22'34" E, 199.98 feet, along the proposed right of way to a rebar set, said point being located 42.00 feet Left of East Summit Street Centerline Station 103+99.98;

Thence S 52°57'15" E, 100.10 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 46.50 feet Left of East Summit Street Centerline Station 104+99.98;

Thence S 50°21'28" E, 34.64 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 46.49 feet Left of East Summit Street Centerline Station 105+34.62;

Thence S 59°02'50" E, 26.61 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 50.50 feet Left of East Summit Street Centerline Station 105+60.92;

Thence S 50°22'36" E, 100.12 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 50.50 feet Left of East Summit Street Centerline Station 106+61.05;

Thence S 45°03'20" E, 43.18 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 46.50 feet Left of East Summit Street Centerline Station 107+04.04;

Thence S 50°22'39" E, 298.38 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 46.50 feet Left of East Summit Street Centerline Station 110+02.42;

Thence S 54°19'06" E, 85.71 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 52.39 feet Left of East Summit Street Centerline Station 110+87.92;

Thence along a curve to the Left (C8) a distance of 51.16 feet, having a radius of 70.00 feet, a delta angle of 41°52'27" and whose long chord bears S 75°15'20" E, a chord distance of 50.03 feet to a rebar set, said point being located 73.44 feet Left of East Summit Street Centerline Station 111+33.31;

Thence N 83°48'26" E, 22.95 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 89.89 feet Left of East Summit Street Centerline Station 111+49.30;

Thence N 77°54'16" E, 68.93 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 144.00 feet Left of East Summit Street Centerline Station 111+92.00;

Thence S 50°22'36" E, 65.86 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 144.00 feet Left of East Summit Street Centerline Station 112+57.86;

Thence S 21°32'18" W, 116.77 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 33.00 feet Left of East Summit Street Centerline Station 112+94.11;

Thence S 50°22'36" E, 377.44 feet, along the existing right of way to a rebar set, said point being located 26.95 feet Left of East Summit Street Centerline Station 116+73.12;

Thence S 58°02'40" E, 288.17 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 36.50 feet Left of East Summit Street Centerline Station 119+64.07;

Thence along a curve to the Right (C32) a distance of 154.55 feet, having a radius of 2119.98 feet, a delta angle of 4°10'37" and whose long chord bears S 55°57'21" E, a chord distance of 154.52 feet to a rebar set, said point being located 36.50 feet Left of East Summit Street Centerline Station 121+15.96;

Thence S 57°45'05" E, 29.61 feet, along the existing right of way line of East Summit Street to a rebar set, said point being located 38.71 feet Left of East Summit Street Centerline Station 121+44.97;

Thence S 67°44'25" E, 50.08 feet, along the proposed right of way to a rebar set, said point being located 51.94 feet Left of East Summit Street Centerline Station 121+92.25;

Thence S 51°47'06" E, 100.00 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 51.94 feet Left of East Summit Street Centerline Station 122+92.26;

Thence S 37°32'20" E, 61.78 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 36.74 feet Left of East Summit Street Centerline Station 123+52.14;

Thence S 51°23'21" E, 34.79 feet, along the existing right of way line of East Summit Street to a rebar set, said point being located 36.50 feet Left of East Summit Street Centerline Station 123+86.92;

Thence S 52°38'03" E, 249.37 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 40.20 feet Left of East Summit Street Centerline Station 126+36.27;

Thence N 38°12'54" E, 14.00 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 54.20 feet Left of East Summit Street Centerline Station 126+36.27;

Thence S 51°47'01" E, 8.04 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 54.20 feet Left of East Summit Street Centerline Station 126+44.30;

Thence along a curve to the Right (C9) a distance of 31.53 feet, having a radius of 142.34 feet, a delta angle of 12°41'26" and whose long chord bears S 44°18'50" E, a chord distance of 31.46 feet to a rebar set, said point being located 50.10 feet Left of East Summit Street Centerline Station 126+75.50;

Thence along a curve to the Left (C10) a distance of 46.71 feet, having a radius of 193.70 feet, a delta angle of 13°48'59" and whose long chord bears S 44°52'37" E, a chord distance of 46.60 feet to a rebar set, said point being located 44.50 feet Left of East Summit Street Centerline Station 127+21.76;

Thence S 51°47'06" E, 72.96 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 44.50 feet Left of East Summit Street Centerline Station 127+94.71;

Thence S 54°50'35" E, 155.28 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 49.37 feet Left of East Summit Street Centerline Station 129+52.26;

Thence S 67°29'27" E, 55.55 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 61.29 feet Left of East Summit Street Centerline Station 130+07.18;

Thence N 83°39'10" E, 117.50 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 138.42 feet Left of East Summit Street Centerline Station 130+95.83;

Thence S 39°04'29" E, 21.48 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 132.41 feet Left of East Summit Street Centerline Station 131+16.46;

Thence S 37°51'55" E, 31.77 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 122.88 feet Left of East Summit Street Centerline Station 131+46.76;

Thence S 34°41'53" W, 79.87 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 43.01 feet Left of East Summit Street Centerline Station 131+46.73;

Thence S 55°33'00" E, 193.03 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 43.00 feet Left of East Summit Street Centerline Station 133+41.00;

Thence S 33°02'01" W, 10.77 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 32.23 feet Left of East Summit Street Centerline Station 133+41.00;

Thence S 55°19'26" E, 10.73 feet, along the existing right of way line of East Summit Street to a rebar set, said point being located 31.89 feet Left of East Summit Street Centerline Station 133+51.91;

Thence S 61°23'51" E, 161.92 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 36.50 feet Left of East Summit Street Centerline Station 135+16.76;

Thence S 62°14'23" E, 44.22 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 36.50 feet Left of East Summit Street Centerline Station 135+60.98;

Thence S 59°37'20" E, 76.64 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 33.00 feet Left of East Summit Street Centerline Station 136+37.55;

Thence S 62°14'23" E, 112.45 feet, along the existing right of way line of East Summit Street to a rebar set, said point being located 33.00 feet Left of East Summit Street Centerline Station 137+50.00;

Thence N 87°34'03" E, 24.94 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 45.54 feet Left of East Summit Street Centerline Station 137+71.56;

Thence S 62°14'23" E, 100.00 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 45.54 feet Left of East Summit Street Centerline Station 138+71.56;

Thence S 38°26'40" E, 31.09 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 33.00 feet Left of East Summit Street Centerline Station 139+00;

Thence S 62°14'23" E, 482.29 feet, along the existing right of way line of East Summit Street to a rebar set, said point being located 33.00 feet Left of East Summit Street Centerline Station 143+82.29;

Thence along a curve to the Left (C11) a distance of 62.73 feet, having a radius of 50.00 feet, a delta angle of 71°53'09" and whose long chord bears N 78°41'05" E, a chord distance of 58.70 feet to a point, said point being located 70.00 feet Left of East Summit Street Centerline Station 144+27.86;

Thence S 62°14'23" E, 64.04 feet, along the proposed right of way line of East Summit Street to a rebar set, said point being located 70.00 feet Left of East Summit Street Centerline Station 144+91.90;

Thence along a curve to the Left (C12) a distance of 58.13 feet, having a radius of 60.47 feet, a delta angle of 55°04'38" and whose long chord bears S 20°48'47" E, a chord distance of 55.92 feet to a point, said point being located 33.00 feet Left of East Summit Street Centerline Station 145+33.83;

Thence S 62°14'23" E, 336.37 feet, along the existing right of way line of East Summit Street to a rebar set, said point being located 33.00 feet Left of East Summit Street Centerline Station 148+70.19;

Thence S 0°36'08" E, 37.50 feet, to the existing centerline of right of way line of East Summit Street to a rebar set, said point being located 00.00 feet Left of East Summit Street Centerline Station 158+00.95;

Thence N 62°14'23" W, 839.37 feet, along the existing centerline of right of way of East Summit Street to a rebar set, said point being located 00.00 feet Left of East Summit Street Centerline Station 140+48.63;

Thence S 0°19'23" E, 37.40 feet, to the existing southerly right of way line of East Summit Street to a rebar set, said point being located 33.00 feet Right of East Summit Street Centerline Station 140+66.24;

Thence N 62°14'23" W, 16.24 feet, along the existing southerly right of way of East Summit Street to a rebar set, said point being located 33.00 feet Right of East Summit Street Centerline Station 140+50.00;

Thence N 65°37'50" W, 250.44 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 47.81 feet Right of East Summit Street Centerline Station 138+00.00;

Thence N 62°14'23" W, 104.98 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 47.81 feet Right of East Summit Street Centerline Station 136+95.02;

Thence N 61°00'44" W, 244.87 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 43.70 feet Right of East Summit Street Centerline Station 134+51.69;

Thence S 10°28'39" W, 58.47 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 99.00 feet Right of East Summit Street Centerline Station 134+70.00;

Thence N 82°42'44" W, 34.22 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 112.00 feet Right of East Summit Street Centerline Station 134+40.00;

Thence N 6°22'33" E, 73.77 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 44.67 feet Right of East Summit Street Centerline Station 134+11.04;

Thence N 65°14'51" W, 80.73 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 55.00 feet Right of East Summit Street Centerline Station 133+33.00;

Thence N 53°32'37" W, 145.54 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 49.89 feet Right of East Summit Street Centerline Station 131+88.88;

Thence along a curve to the Left (C13) a distance of 163.38 feet, having a radius of 116.00 feet, a delta angle of 80°41'54" and whose long chord bears S 85°38'34" W, a chord distance of 150.21 feet to a rebar set, said point being located 144.49 feet Right of East Summit Street Centerline Station 130+72.20;

Thence N 55°03'45" W, 78.53 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 144.13 feet Right of East Summit Street Centerline Station 129+93.66;

Thence N 33°12'25" E, 92.16 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 52.00 feet Right of East Summit Street Centerline Station 129+91.30;

Thence N 55°19'26" W, 34.94 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 52.17 feet Right of East Summit Street Centerline Station 129+56.93;

Thence N 35°02'39" E, 19.00 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 33.17 feet Right of East Summit Street Centerline Station 129+56.84;

Thence N 55°18'13" W, 317.02 feet, along the existing southerly right of way of East Summit Street to a rebar set, said point being located 48.88 feet Right of East Summit Street Centerline Station 126+42.04;

Thence N 23°41'23" E, 33.65 feet, to the Grantors northwesterly corner to a point, said point being located 16.31 feet Right of East Summit Street Centerline Station 126+33.60;

Thence N 55°18'03" W, 469.83 feet, along the northerly line of the Presbyterian Church of Kent, Instrument Number 200813621, to a point, said point being located 44.94 feet Right of East Summit Street Centerline Station 121+64.06;

Thence continuing N 55°18'03" W, 87.46 feet, along the northerly line of the Kent State University, Original Record Volume 277, Page 565, to a point, said point being located 47.27 feet Right of East Summit Street Centerline Station 120+74.65;

Thence N 50°22'36" W, 299.67 feet, along the northerly line of the Kent State University, Original Record Volume 277, Page 565 and Kent Inter-Fraternity Housing Corporation, Volume 816, Page 514, to a point, said point being located 10.39 feet Right of East Summit Street Centerline Station 117+75.28;

Thence S 25°21'24" W, 34.05 feet, to a point on the existing southerly right of way of East Summit Street to a rebar set, said point being located 44.15 feet Right of East Summit Street Centerline Station 117+79.66;

Thence N 59°14'32" W, 156.77 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 57.48 feet Right of East Summit Street Centerline Station 116+28.42;

Thence N 56°17'58" W, 297.72 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 87.88 feet Right of East Summit Street Centerline Station 113+33.44;

Thence along a curve to the Left (C14) a distance of 155.61 feet, having a radius of 116.00 feet, a delta angle of 76°51'35" and whose long chord bears S 85°39'08" W, a chord distance of 144.20 feet to a point, said point being located 188.00 feet Right of East Summit Street Centerline Station 112+29.66;

Thence N 50°22'36" W, 94.66 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 188.00 feet Right of East Summit Street Centerline Station 111+35.00;

Thence N 21°39'53" E, 52.52 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 138.04 feet Right of East Summit Street Centerline Station 111+18.81;

Thence along a curve to the Left (C15) a distance of 115.21 feet, having a radius of 141.00 feet, a delta angle of 46°48'52" and whose long chord bears N 3°44'26" W, a chord distance of 112.03 feet to a rebar set, said point being located 56.59 feet Right of East Summit Street Centerline Station 110+41.88;

Thence N 50°23'41" W, 44.43 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 56.61 feet Right of East Summit Street Centerline Station 109+97.45;

Thence N 39°36'19" E, 11.00 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 45.61 feet Right of East Summit Street Centerline Station 109+97.45;

Thence N 50°43'12" W, 98.58 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 46.20 feet Right of East Summit Street Centerline Station 108+98.87;

Thence N 46°10'09" W, 36.06 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 43.55 feet Right of East Summit Street Centerline Station 108+62.91;

Thence N 50°20'43" W, 93.08 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 43.50 feet Right of East Summit Street Centerline Station 107+69.83;

Thence N 50°22'36" W, 185.62 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 43.50 feet Right of East Summit Street Centerline Station 105+84.21;

Thence N 47°06'52" W, 184.51 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 33.00 feet Right of East Summit Street Centerline Station 104+00.00;

Thence N 50°22'36" W, 221.54 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 33.00 feet Right of East Summit Street Centerline Station 101+78.46;

Thence along a curve to the Left (C16) a distance of 43.46 feet, having a radius of 37.08 feet, a delta angle of 67°09'34" and whose long chord bears N 89°09'34" W, a chord distance of 41.02 feet to a rebar set, said point being located 58.69 feet Right of East Summit Street Centerline Station 101+46.49;

Thence S 50°34'50" W, 11.53 feet, along the proposed southerly right of way of East Summit Street to a rebar set, said point being located 70.02 feet Right of East Summit Street Centerline Station 101+44.30;

Thence along a curve to the Left (C17) a distance of 92.58 feet, having a radius of 125.00 feet, a delta angle of 42°26'09" and whose long chord bears S 26°02'52" W, a chord distance of 90.48 feet to a rebar set, said point being located 25.00 feet Right of Morris Road Centerline Station 17+72.56;

Thence S 89°30'02" W, 25.00 feet, to the existing centerline of right of way of Morris Road to a point, said point being located 00.00 feet Right of Morris Road Centerline Station 17+72.53;

Thence N 0°26'36" W, 227.47 feet, along the existing centerline of right of way of Morris Road to a point, said point being located 00.00 feet Left of East Summit Street Centerline Station 100+00.00;

Thence N 50°18'58" W, 480.79 feet, along the existing centerline of right of way of East Summit Street to a point, said point being located 00.00 feet Left of East Summit Street Centerline Station 100+00.00;

Thence N 47°51'07" W, 485.47 feet, along the existing centerline of right of way of East Summit Street to the point of beginning, and containing **11.087 acres of land**, more or less, of which **1.889 Ac.** are in of Lot 4, **0.083 Ac.** are in of Lot 5, **0.914 Ac.** are in of Lot 13, **8.162 Ac.** are in of Lot 14 and **0.039 Ac.** are in Lot 15 Franklin Township, of which 7.703 acres of land, more or less, are present road occupied.

The above described area, 9.168 acres of land, more or less, of which 6.086 acres of land, more or less, are present road occupied, are contained within Portage County Auditor Parcel Number 17-023-00-00-001.000, 0.039 acres of land, more or less, of which 0.030 acres of land, more or less, are present road occupied, are contained within Portage County Auditor Parcel Number 17-015-00-00-008, and 1.880 acres of land, more or less, of which 1.587 acres of land, more or less, are present road occupied, are contained within Portage County Auditor Parcel Number 17-004-00-00-001.002.

The above description was prepared by, or under the direct supervision of Dan Stankavich, Professional Surveyor No. 7122, on August 15, 2013 and is based on a survey performed by the URS Corporation in February, 2013, by or under the direct supervision of Dan Stankavich, Professional Surveyor No. 7122.

The bearing for the above description are based on the Ohio North Zone State Plane Coordinates, NAD83 (2011) datum.

All rebars set are 5/8" diameter x 30" long with rebar with plastic I.D. Cap stamped "URS CORP."

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Dan Stankavich, P.S.

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Date