

ORDINANCE NO. 2019-2

AN ORDINANCE ACCEPTING, FOR DEDICATION PURPOSES, TO THE CITY OF KENT, OHIO, THE STREET RIGHT-OF-WAY AT 4263 NEWCOMER ROAD, AND DECLARING AN EMERGENCY.

WHEREAS, Newcomer Development Group (Lappin Farms) has subdivided/consolidated two (2) lots and created subplot 5A and subplot 7; and

WHEREAS, currently the property lines extend to the center of Newcomer Road for subplot 7, 4263 Newcomer Road; and

WHEREAS, as part of this lot split/consolidation, the portion of the property in the road right-of-way is being dedicated to the City of Kent; and

WHEREAS, the City of Kent, Ohio wishes to accept the street right-of-way at 4263 Newcomer Road.

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 accept for dedication purposes, to the City of Kent, the street right-of-way at 4263 Newcomer Road, as shown on a copy of the dedication plat marked as Exhibit "A", attached hereto and made a part thereof.

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 the reason that it is immediately necessary to allow for the conclusion of the dedication process for these phase of the subject subdivision, 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: 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 ORDINANCE No. \_\_\_\_\_, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON \_\_\_\_\_, 20\_\_\_\_.

(SEAL)

\_\_\_\_\_  
TARA GRIMM, MMC  
CLERK OF COUNCIL

**LEGAL DESCRIPTION**  
***Right-of-Way Dedication***  
***Newcomer Road to City of Kent***  
***0.1035 Acres***

Situated in the Original Township of Franklin, (T-3, R-9 Connecticut Western Reserve), County of Portage, and State of Ohio, and known as being part of Original Franklin Township Lot 45, now in the City of Kent, and being all of the area dedicated in Right-of-Way of Newcomer Road in the Newcomer Development Group Subdivision Two, and Dedication of part of Newcomer Road, recorded as Plat Number 2018-78 of Portage County Records and containing 0.1035 acres, 4,508 Sq.Ft. of land, be the same more or less, but subject to all legal highways, and easements of record as determined by a survey performed by Bruce L. Robinson, P.E., P.S. 7774, of B.L. Robinson Engineering & Surveying, Co. in August of 2018.

  
Bruce L. Robinson, P.E., P.S. S-7774

8/30/2018  
Date



EXHIBIT "A"

N 00°28'45" W 5280.20' REC., 5282.10' OBS.  
(TWO MILE STONE TO THREE MILE STONE)

N 00°28'45" W 3506.50' CALC.(COR. OF O.L. 28 & O.L. 45  
TO CENTERLINE INTERSECTION OF NEWCOMER ROAD &  
BUNKER LANE)

N 00°28'45" W 4140.67' CALC.(COR. OF O.L. 28 & O.L. 45  
TO CENTERLINE INTERSECTION OF NEWCOMER ROAD &  
JOHNSON ROAD)

QUAIL HIGHLANDS No. 5  
BOUNDARY LINE

27.50' R/W TO CTY. LINE  
(QUAIL HIGHLANDS NO. 5 PLAN)  
24.82' CALC.

N 00°28'45"  
(S.W. COR. OF  
PROPERTY 1  
NEWCOME  
C.H. 85

R/W SUMMIT COUNTY  
PORTAGE COUNTY

200.00 D&U  
CITY OF KENT

N 00°28'45" W 699.16'  
699.16'

N 00°28'45" W 2432.75' KOLB Dd.,  
2430.31' CALC.

N 00°28'45" W 2630.31' CALC. (COR.  
OF O.L. 28 & O.L. 45 TO COR. OF  
O.L. 45 & O.L. 46 IN CENTERLINE OF  
NEWCOMER ROAD)

R/W DEDICATION  
NEWCOMER ROAD  
0.1035 ACRES

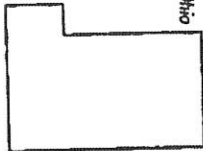


EX. BARN

PP#17-046-00-00-019.003  
NATHAN & BRANDY TIMBERLAKE (J&S)  
08/08/17  
DOCUMENT NUMBER 201713331  
SUB-LOT 3  
PLAT 2017-28

PP#17-046-00-00-019.004  
JASON & NICOLE RICE (J&S)  
08/03/18  
DOCUMENT NUMBER 201812766  
SUB-LOT 4  
PLAT 2017-28

Existing Easement to Ohio  
Edison  
VOL. 719, Pg. 234  
11-18-1980



PP#17-045-00-00-003  
AMY K. KOLB, TRUSTEE  
10-26-2004

PPN 17-045-00-00-001.000  
NEWCOMER DEVELOPMENT GROUP, LLC

S/L 7  
3.6424 ACRES

N18°43'26" W  
205.14'

N89°42'14" W  
286.19'

EX. Cretaceous Street Water Management Ditch

UNDERGROUND UTILITIES  
2 WORKING DAYS  
BEFORE YOU DIG  
1-800-262-2764