ORDINANCE NO. 2017-25

AN ORDINANCE AUTHORIZING THE TRANSFER OF THREE (3) PARCELS OF LAND FROM KENT DOWNTOWN COMMUNITY URBAN REDEVELOPMENT CORPORATION (DKC) TO THE CITY OF KENT, OHIO, TO DEVELOP PARKING FOR 315 GOGULER AVENUE, AND ACCEPTING SAID TRANSFERRED PROPERTY, AND DECLARING AN EMERGENCY.

WHEREAS, DKC owns three (3) parcels of land known as 17-025-10-00-079-000, 17-025-10-00-061-000 and 17-025-30-00-002-000, copies of the legal descriptions being attached hereto as Exhibit "A"; and

WHEREAS, DKC and the City of Kent agree that it is appropriate to transfer said parcels of property into the City of Kent's name at this time; and

WHEREAS, the City of Kent wishes to accept said parcels to allow for the development of parking for 315 Goguler Avenue, Kent, Ohio; and

WHEREAS, the transfer is done at no cost to the City except for filing fees and costs; and

WHEREAS, the parcels need to be transferred as soon as possible to allow the development to proceed in a timely manner.

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 the Kent City Council does hereby authorize the City Manager, or his designee, to accept the transfer of three (3) parcels of land from DKC to the City of Kent, Ohio, those parcels being 17-025-10-00-079-000, 17-025-10-00-061-000 and 17-025-30-00-002-000 and more described on Exhibit "A" attached hereto and incorporated herein.

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: [Signature] Jerry T. Fiala
Date April 19, 2017 Mayor and President of Council

EFFECTIVE: April 19, 2017

ATTEST: [Signature] Tara Grimm, CMC
Date Clerk of Council


[Signature]
TARA GRIMM, CMC
CLERK OF COUNCIL
(SEAL)
Situated in the City of Kent, County of Portage, and the State of Ohio, and being part of Original Lot 25 in the Township of Franklin and being all of the tract of land transferred to The Kent Downtown Urban Redevelopment Corporation, as recorded in O.R.V. 60, Page 192, and further described as follows to wit:

Beginning at a drill hole found at the southwest corner of Brady Leap Condominiums (Plat 2005-83) on the east right of way line of North Mantua Street (60’ r/w), thence South 22°07’19” West, along the east right of way line of North Mantua Street, a distance of 109.74 feet to a ½” iron pipe found, thence South 67°48’53” East, along the north line of tracts of land now or formerly owned by the R.E.Sr. & C.L. Reitz (D.V. 1021, page 970) and T.W. Long & D.M. Delaney (File #200507687), a distance of 198.26 feet to a ½” iron pipe found, which is the True Place of Beginning for the property herein described;

1. Thence North 21°47’32” East, along the east line of a tract of land now or formerly owned by The City of Kent, (File #200511173 - Parcel 1), a distance of 61.27 feet to a ½” iron pipe found;

2. Thence South 68°42’33” East, along the south line of the aforesaid City of Kent tract, a distance of 59.73 feet to a 5/8” iron bar found on the west right of way line of Gougler Avenue (60’ r/w);

3. Thence South 03°42’26” West, along the west right of way line of Gougler Avenue, a distance of 56.26 feet to a 5/8” iron bar found;

4. Thence North 74°21’06” West, along the north line of the aforesaid T.W. Long & D.M. Delaney tract, a distance of 77.64 feet to the True Place of Beginning of the herein described parcel.

Containing 0.0911 acres of land, based on a field survey by Beth A. Pearson, P.S. #8430 in April of 2017.

The basis of bearing is Grid North, Ohio State Plane Coordinate System, North Zone, NAD83.

17-025-10-00-079
0.0911 acre parcel – page 2

Subject to all legal highways and any easements or restrictions of record.

Beth A. Pearson, PS
Registered Surveyor #8430

04/05/2017
Situated in Franklin Township Lot No. 25, City of Kent, County of Portage, State of Ohio: Being part of an unrecorded Earl & Utley Subdivision, Beginning at the intersection of the easterly right of way of Mantua Street (60’) and the northerly right of way of Park Avenue (54’) as witnessed by a 1/2” iron pipe found, said paint being the True Place of Beginning, thence North 32° 00’ 00” East along the easterly right of way of Mantua Street, 355.95 feet to a point, as witnessed by a 3/8” iron rod found, said point being the Place of Beginning of the parcel herein described. Thence South 58° 02’ 00” East along the northerly line of land now or formerly owned by Ronald E. Reitz and Cheryle L. Reitz, as recorded in Deed Volume 1021 Page 0970 in Portage County Records of Deeds, a distance of 128.00 feet to a point as witnessed by 1/2” iron pipe found. Thence North 32° 00’ 00” East along the westerly line of land now or formerly owned by Gladys V. Richardson, as recorded in Deed Volume 1045 Page 0620 in Portage County Record of Deeds, a distance of 60.00 feet to a point, said point being on the southerly line of land now or formerly owned by Kirk Donald MacLean & Mary Lou MacLean, as recorded in Deed Volume 1015, Page 0492 in Portage County Record of Deeds, as witnessed by a 5/8” iron pin set. Thence North 58° 02’ 00” West, along the southerly line of land now or formerly owned by MacLean, aforementioned, a distance of 128.00 feet to a point on the easterly right of way of Mantua Street, as witnessed by a 3/8” iron rod found. Thence along said right of way South 32° 00’ 00” West, a distance of 60.00 feet to a point, and the Place of Beginning, and containing 0.1763 acres of land, be the same more or less, but subject to all legal highways, pursuant to a Survey (0016-B) dated, June 06, 2000, by O&H Survey Group, L.L.C. and Thomas J. O’Hara, Ohio Registered Surveyor No. 7995. Bearings used hereon are to an assumed meridian and are used to denote angles only. The basis of bearings for this survey is North 32° 00’ 00” East, along the centerline of Mantua Street, as witnessed by two iron pin monuments found in monument box assemblies. The intent of this description is to describe a parcel of land now or formerly owned by Clifford Wayne Laney & Helen R. Laney, as recorded in Deed Volume 0149, Page 0174, in Portage County Record of Deeds. All iron pins noted as being set are 5/8” x 30” long steel rebar, bearing a plastic cap “OHARA 7995”.


SITUATED IN THE CITY OF KENT, COUNTY OF PORTAGE AND STATE OF OHIO AND KNOWN AS BEING PART OF ORIGINAL FRANKLIN TOWNSHIP LOT 25 AND IS FURTHER DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT ON THE EASTERLY LINE OF GOUGLER AVENUE, 60' WIDE, AT ITS INTERSECTION WITH THE NORTHERLY LINE OF SAID ORIGINAL FRANKLIN TOWNSHIP LOT 25;

THENENCE ALONG THE EASTERLY LINE OF GOUGLER AVENUE SOUTH 05 DEGREES 29 MINUTES 07 SECONDS EAST A DISTANCE OF 60.16 FEET BUT TO AN IRON ROD FOUND AT THE NORTHWEST CORNER OF LANDS NOW OR FORMERLY OWNED BY KENT DOWNTOWN COMMUNITY URBAN REDEVELOPMENT CORP. (OR56/995) AND THE TRUE PLACE OF BEGINNING;

THENENCE ALONG THE NORTHERLY LINE OF THE SAID LANDS NOW OR FORMERLY OWNED BY KENT DOWNTOWN COMMUNITY URBAN REDEVELOPMENT CORP. NORTH 84 DEGREES 30 MINUTES 53 SECONDS EAST A DISTANCE OF 85.52 FEET TO A POINT;

THENENCE SOUTH 34 DEGREES 33 MINUTES 08 SECONDS EAST A DISTANCE OF 45.02 FEET TO AN IRON ROD SET AND PASSING OVER AN IRON ROD SET AT A DISTANCE OF 6.00 FEET;

THENENCE SOUTH 07 DEGREES 11 MINUTES 49 SECONDS EAST A DISTANCE OF 161.42 FEET TO AN IRON ROD SET IN THE SOUTHERLY LINE OF SAID LANDS NOW OR FORMERLY OWNED BY KENT DOWNTOWN COMMUNITY URBAN REDEVELOPMENT CORP.;

THENENCE ALONG THE SOUTHERLY LINE OF THE SAID LANDS NOW OR FORMERLY OWNED BY KENT DOWNTOWN COMMUNITY URBAN REDEVELOPMENT CORP. NORTH 86 DEGREES 43 MINUTES 27 SECONDS WEST A DISTANCE OF 123.30 FEET BUT TO AN IRON ROD FOUND IN THE EASTERLY LINE OF GOUGLER AVE. AT THE SOUTHWEST CORNER OF SAID LANDS NOW OR FORMERLY OWNED BY KENT DOWNTOWN COMMUNITY URBAN REDEVELOPMENT CORP.;

THENENCE ALONG THE EASTERLY LINE OF GOUGLER AVENUE NORTH 03 DEGREES 49 MINUTES 48 SECONDS EAST A DISTANCE OF 59.62 FEET TO AN ANGLE IN SAID EASTERLY LINE;

THENENCE CONTINUING ALONG THE EASTERLY LINE OF GOUGLER AVENUE NORTH 05 DEGREES 29 MINUTES 07 SECONDS WEST A DISTANCE OF 123.08 FEET BUT TO THE TRUE PLACE OF BEGINNING AND CONTAINING A TOTAL OF 0.4783 ACRES OF LAND BE THE SAME MORE OR LESS AS SURVEYED AND DESCRIBED IN MARCH 2003 BY DON TROCCHIO REGISTERED SURVEYOR NO.6445;

NOTE: BEARINGS USED ARE GRID NORTH, NAD83 OHIO STATE PLANE RECTANGULAR COORDINATES, NORTH ZONE