

RESOLUTION NO. 2017-23

RESOLUTION APPROVING THE APPLICATION FOR RENEWAL OF CARTER LUMBER INC. FOR THE PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT LOCATED ON HOWE ROAD AND SUNNYBROOK ROAD IN THE CITY OF KENT, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, Carter Lumber, Inc. are the owners of thirty-three (33) parcels on Howe Road and Sunnybrook Road, totaling 1,604.21 acres in the City of Kent; said lands presently used for agricultural purposes, and known as (Parcel No., Acreage):

- 01-038-00-00-033-000, 74.97; 04-001-00-00-002-001, 7.59; 04-001-00-00-003-000, 72.61; 04-001-00-00-004-000, 24.72; 04-001-00-00-004-002, 24.73; 04-001-00-00-006-000, 56.21; 04-015-00-00-001-000, 17.88; 04-015-00-00-012-000, 100.00; 04-016-00-00-010-000, 5.14; 04-017-00-00-033-001, 15.46; 04-018-00-00-024-000, 28.72; 04-018-00-00-028-000, 51.00; 04-018-00-00-029-000, 56.68; 04-020-00-00-010-000, 26.32; 04-022-00-00-003-000, 71.33; 04-059-00-00-001-000, 39.00; 04-060-00-00-004-000, 99.00; 04-060-00-00-005-000, 20.00; 04-061-00-00-030-000, 30.13; 04-072-00-00-001-000, 106.76; 28-063-00-00-001-000, 60.14; 28-063-00-00-002-000, 51.19; 28-078-00-00-003-000, 125.95; 28-090-00-00-001-002, 66.07; 28-100-00-00-012-005, 118.81; 36-005-00-00-009-003, 87.60; 45-003-00-00-012-000, 49.02; 45-004-00-00-016-000, 12.45; 45-016-00-00-005-001, 9.54; 45-016-00-00-007-000, 6.31; 45-016-00-00-008-000, 14.86; 45-016-00-00-009-000, 24.75; 45-016-00-00-012-001, 49.28.

WHEREAS, on March 7, 2017 an application for renewal was filed with the Clerk of Council of the City of Kent to place said lands in an "Agricultural District" pursuant to Ohio Revised Code Section 929.02. A Public Hearing regarding the application was posted and advertised on March 8, 2017 in accordance with Article XII, Section 12.05 of the Kent City Charter and was held on April 5, 2017 at 6:55 p.m.

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 authorize the Clerk of Council to return the hereby approved renewal application of Carter Lumber, Inc. and for placement of certain parcels on Howe Road and Sunnybrook Road, as herein described, in an Agricultural District.

SECTION 2. 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 3. 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 or effective in the earliest period allowed by law.

PASSED: April 19, 2017 Date

Jerry T. Fiala Mayor and President of Council

EFFECTIVE: April 19, 2017 Date

ATTEST: 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 RESOLUTION No. \_\_\_\_\_, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON \_\_\_\_\_, 20\_\_\_\_\_.

TARA GRIMM, CMC CLERK OF COUNCIL (SEAL)