

ORDINANCE NO. 2007- 04

**AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AMENDMENT FOR BIOSYN TECHNOLOGIES, LTD FOR THE PREMISES KNOWN AS 211 EAST SUMMIT STREET, KENT, OHIO AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Kent wishes to create uniform rental rates for its incubator space on East Summit Street; and

**WHEREAS**, changing rental rates to make them uniform has created the need to amend leases for said space; and

**WHEREAS**, time is of the essence to put all the tenants, including Biosyn Technologies, Ltd on the same rate schedule.

**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 to execute the Lease Amendment with Biosyn Technologies, Ltd for 211 East Summit Street, Kent, Ohio in substantial conformity with the amendment marked as Exhibit 1, 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: 01/17/07 \_\_\_\_\_  
DATE MAYOR AND PRESIDENT OF COUNCIL

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

I hereby certify that Ordinance No. 2007- 04 was duly enacted this 17 day of January, 2007 by the Council of the City of Kent, Ohio.

\_\_\_\_\_  
Linda M. Copley, Clerk of Council

**LEASE AMENDMENT**

THIS AMENDMENT is for the lease, dated February 6, 2004, by and between the CITY OF KENT, OHIO (“Lessor”) and BIOSYN TECHNOLOGIES, LTD. (“Lessee”), for the space known as 211 East Summit Street, Kent, Ohio.

SECTION III, Rent, is hereby amended to read as follows:

1. There shall be no rent due from January 1, 2007 through April 30, 2007.
2. The rent due for May, 2007 is \$449.96.
3. The monthly rent due from June 1, 2007 through January 31, 2008 is Five Hundred Dollars (\$500.00).
4. The annual rent due from February 1, 2008 through January 31, 2009 is Six Thousand Dollars (\$6,000.00), payable in twelve (12) equal monthly installments of Five Hundred Dollars (\$500.00).

This Lease Amendment is executed this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

**BIOSYN TECHNOLOGIES, LTD. LESSEE**

**CITY OF KENT, OHIO, LESSOR**

By: \_\_\_\_\_  
James M. Spear  
Chief Administrative Officer

By: \_\_\_\_\_  
David Ruller, City Manager

**APPROVED AS TO FORM:**

\_\_\_\_\_  
James R. Silver, Law Director

**EXHIBIT 1**