

ORDINANCE NO. 2009- 106

AN ORDINANCE ACCEPTING, FOR DEDICATION PURPOSES, A WATERLINE THAT WAS EXTENDED AND UTILITY EASEMENT MODIFICATION IN LAKES OF FRANKLIN MILLS SUBDIVISION PHASE 1, AND DECLARING AN EMERGENCY.

WHEREAS, the Developer has substantially completed a portion of the sanitary sewer line and water line for the Franklin Mills Subdivision Phase I property with the remaining improvements to be completed later.

WHEREAS, the Developer has delivered to the City the necessary description of the water line, water line and easements to be dedicated, a copy of which is marked Exhibit "A" and placed on file with the Clerk of Council.

WHEREAS, the City has connected to the water line for the properties in question; and

WHEREAS, the Development Engineer for the City has given her opinion that the portion of the completed water line and easements described in the attached sheet for the Franklin Mills Subdivision Phase I property should be accepted for dedication purposes; and

WHEREAS, in accordance with Section 1181.09(a) of the Codified Ordinances, a committee of Council has reviewed whether the requirements of the Subdivision Regulations of the City have been met by the Developer for the subject phase of the subdivision and has recommended to Council that the City accept the easements and section of the completed sanitary sewer line as contained in the description of the Subdivision, attached hereto.

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 the completed section of the sanitary sewer line, water line and easements for said water line for the Franklin Mills Subdivision Phase I property as shown upon the copy of the description marked Exhibit "A", attached hereto and incorporated herein.

SECTION 2. That Council does hereby direct the President and Clerk of Council to sign the original description, evidencing the dedication and approval as authorized herein.

SECTION 3. 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 4. 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: September 16, 2009
DATE

MAYOR AND PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

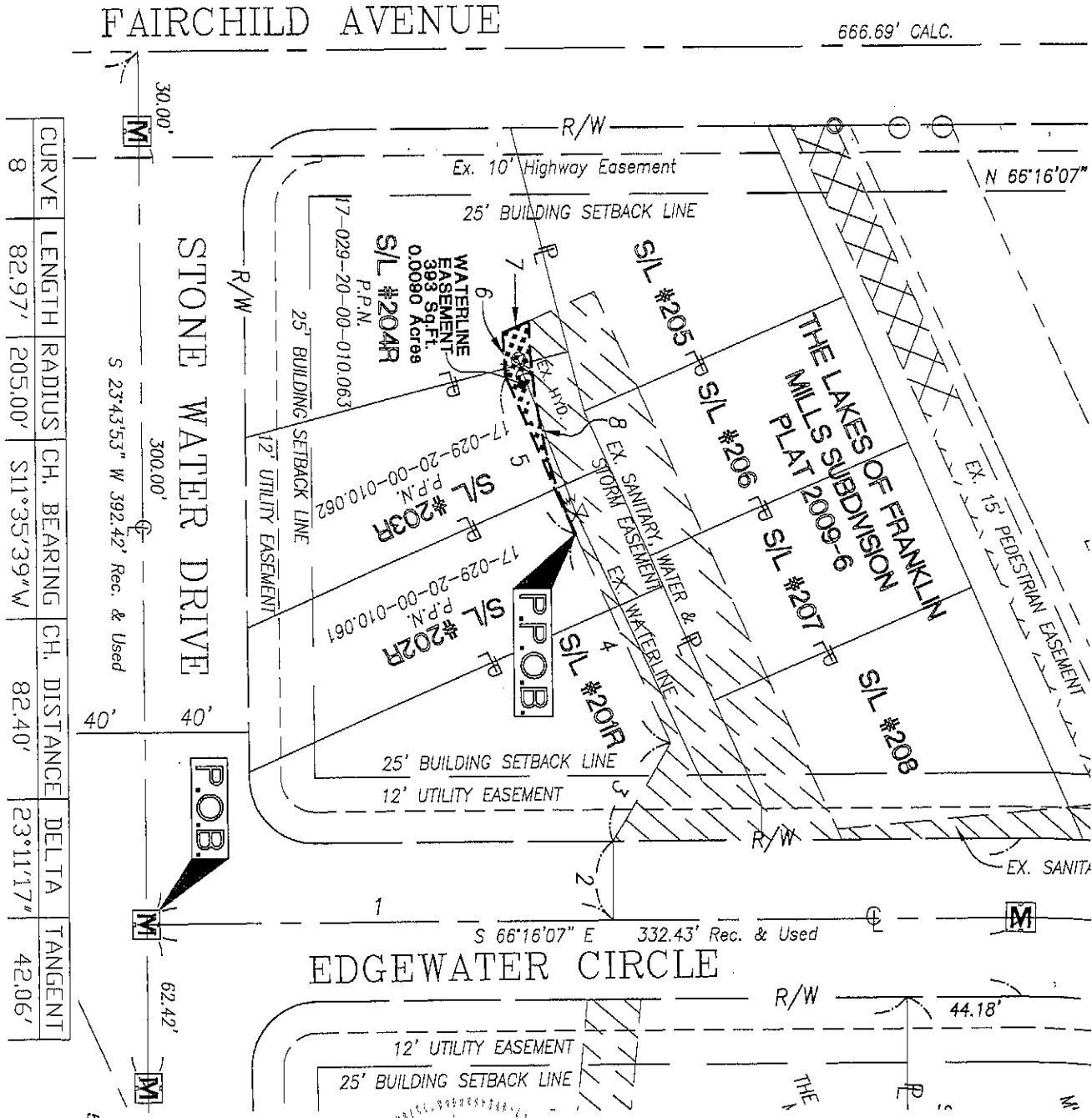
I hereby certify that Ordinance No. 2009- 106 was duly enacted this 16 day of September, 2009, by the Council of the City of Kent, Ohio

CLERK OF COUNCIL

EASEMENT EXHIBIT

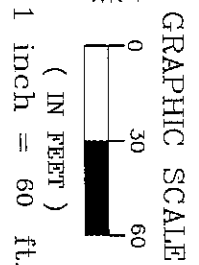
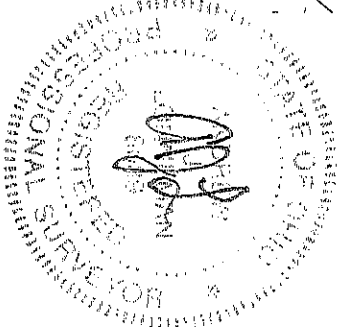
Located in The Lakes of Franklin Mills Subdivision (Plat 2009-6)
 A Waterline Easement Being Part of Sub Lots 202R, 203R & 204R.

NOTE: NUMBERS 1 THRU 8 CORRESPOND TO THE CALL OUTS AS DESCRIBED IN THE ATTACHED LEGAL DESCRIPTION.



CURVE	LENGTH	RADIUS	CH. BEARING	CH. DISTANCE	DELTA	TANGENT
8	82.97'	205.00'	S11°35'39"W	82.40'	23°11'17"	42.06'

LINE	LENGTH	BEARING
1	177.90	S66°16'07"E
2	30.00	N23°43'53"E
3	43.25	N54°27'23"E
4	86.84	N00°00'00"E
5	64.81	N00°00'00"E
6	16.91	N19°47'51"E
7	10.83	S90°00'00"E



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 JOB NO. A1606 - JULY 31, 2009