

ORDINANCE NO. 2009- 15

AN ORDINANCE ACCEPTING, FOR DEDICATION PURPOSES, THE STREET RIGHT-OF-WAY FROM DON JOSEPH, INC. FOR A PORTION OF STONE WATER DRIVE CONSISTING OF 0.1701 ACRES AND DECLARING AN EMERGENCY.

WHEREAS, Don Joseph, Inc. wishes to offer 0.1701 acres of land to the City of Kent for street right-of-way purposes and dedication along a portion of Stone Water Drive; and

WHEREAS, Don Joseph, Inc. has delivered to the City the necessary dedication plat for the street right-of-way, a copy of which is marked Exhibit "A", and placed on file with the Clerk of Council; and

WHEREAS, the Development Engineer for the City has given her opinion that the 0.1701 acres of street right-of-way for Stone Water Drive should be accepted for dedication purposes; and

WHEREAS, a committee of Council has reviewed the street right-of-way offer for dedication and has recommended to Council that the City accept the street right-of-way as contained on the attached Exhibit "A".

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 0.1701 acres of land from Don Joseph, Inc. for street right-of-way purposes for a portion of Stone Water Drive as the same is shown upon the copy of the dedication plat marked Exhibit "A" on file in the Clerk of Council's office, and incorporated herein.

SECTION 2. That Council does hereby direct the President and Clerk of Council to sign the original dedication plat, evidencing the dedication 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 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: 1/21/09
DATE

MAYOR AND PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

I hereby certify that Ordinance No. 2009-15 was duly enacted this 21st day of
January, 2009, by the Council of the City of Kent, Ohio

CLERK OF COUNCIL