

ORDINANCE NO. 2010-46

AN ORDINANCE AUTHORIZING THE VACATION OF A PORTION OF ALLEY #5 STREET, THE EASTERN MOST 220.31 FEET OF ALLEY #5, AND DECLARING AN EMERGENCY.

WHEREAS, the Kent City Council wishes to vacate a portion of Alley #5, the eastern most 220.31 feet of Alley #5; and

WHEREAS, pursuant to Ohio Revised Code section 723.05, the City Council of the City of Kent received a Petition from the adjoining property owners to vacate said portion of Alley #5; and

WHEREAS, the City of Kent will retain an easement for storm sewers and sanitary sewers over said portions of Alley #5; and

WHEREAS, Kent City Council is satisfied that there is good cause for such vacation, that it will not be detrimental to the general interest, and ought to be made; and

WHEREAS, time is of the essence to facilitate construction in the area to begin by the fall of 2010.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least two-thirds (2/3) of all members elected thereto concurring:

SECTION 1. That a portion of Alley #5, the eastern most 220.31 feet of Alley #5 be and is hereby vacated.

SECTION 2. That a vacation plat, together with a certified copy of this Ordinance, shall be delivered by the City Engineer to the Portage County Recorder.

SECTION 3. That the City of Kent shall retain an easement for storm sewers and sanitary sewers over said vacated portions of Alley #5.

SECTION 4. 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 5. 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.

I hereby certify that Ordinance No. 2010- 46 was duly enacted on this 19 day of May, 2010 by the Council of the City of Kent, Ohio.

Clerk of Council

PUBLISHED BY TITLE ONLY IN THE RECORD COURIER ON THE ____ DAY OF MAY, 2010, BY LINDA COPLEY, CLERK OF COUNCIL.

Clerk of Council