

ORDINANCE NO. 2012-126

AN ORDINANCE AUTHORIZING THE TRANSFER OF A PARCEL OF LAND KNOWN AS 311 NORTH MANTUA STREET, KENT, OHIO, FROM THE DOWNTOWN URBAN REDEVELOPMENT CORPORATION (DKC) TO THE CITY OF KENT, OHIO, AND ACCEPTING SAID TRANSFERRED PROPERTY, AND DECLARING AN EMERGENCY.

WHEREAS, the DKC owns a parcel of property known as 311 North Mantua Street, Kent, Ohio; and

WHEREAS, the DKC and the City of Kent agree that it is appropriate to transfer said parcel of property into the City of Kent's name at this time; and

WHEREAS, the City wishes to accept said parcel because there will be little or no redevelopment of said parcel of property; and

WHEREAS, the parcel needs to be transferred as soon as possible to remove the parcel as a taxable parcel from the County Auditor's records.

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 the Kent City Council does hereby authorize the City Manager, or his designee, to accept the parcel of land from the Kent Downtown Urban Redevelopment Corporation (DKC), marked Exhibit "A", 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: 12/19/2012 _____
DATE MAYOR AND PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

I hereby certify that Ordinance No. 2012- 126 was duly enacted this 19th day of
December, 2012, by the Council of the City of Kent, Ohio.

CLERK OF COUNCIL

EXHIBIT "A"

PARCEL ONE: Situated in the City of Kent, County of Portage and State of Ohio and known as being Lot NO.5 and the southerly half of Lot NO.5 of Earl and Utley's subdivision survey in township lot No. 25 as surveyed by R. A. Ashman, Deputy County Surveyor and records as survey No. 324 of Portage County and most particularly described as follows: Commencing at a stake in the easterly line of Mantua Street and 282.21 feet south 22° 35' W from the northwest corner of Lot No. 1 of said subdivision survey and running thence south 67° 25' E. 198 feet to a stake; thence south 22° 35' W. 90 feet to a stake; thence north 67° 25' W. 198 feet to an iron stake in the easterly line of Mantua Street and thence northerly 22° 35' E. along the easterly line of Mantua Street, 90 feet to the place of beginning.

PARCEL TWO: Situated in the City of Kent, County of Portage and State of Ohio and known as being a part of township Lot Number Twenty-five (25) and a part of subdivision Number Eighty-four (8) and bounded by beginning at the S.E. Corner of a lot of land now owned by William E. Christian, which fronts on the Easterly side of N. Mantua Street, and running thence Easterly along the South line of such lot of William R. Christian if extended, to the Westerly line of River Street, a distance of about 59.3 feet; thence N.W. along the Westerly line of River Street, to where such line would intersect the North line of such lot of William E. Christian, if extended, a distance of 89.38 feet; thence westerly along such North line, if extended, to the N.E. Corner of said lot now owned by William R. Christian a distance of about 31.2 feet; and thence Southerly along the East end line of said lot owned by William R.

Christian, to the place of beginning, a distance of about Eighty-five (85) feet, more or less. Being all the land directly East of said lot of William R. Christian, and extending the same of equal width, to the Easterly line of River Street.

However, excepting therefrom the following described property:

Exception 1: Situated in the City of Kent, County of Portage and State of Ohio, and known as being a part of Lot No. Twenty-five (25) in Franklin Township and part of subdivision 84 and Parts of Lots No. Five (5) and Six (6) in a survey made for Thomas Earl and Horace Utley, January 1836, by R. A. Ashman, County Surveyor, and recorded as survey No. 324 in the Portage County Surveyor Records, and bounded and described as follows:

Beginning on the south line of Lot No.6 in said Earl and Utley survey at an iron pipe N. 67 deg. 25' W, 68.8 feet from the southeast corner of said Lot No.6; thence N. 22 deg. 35' E 90 feet to the southwest corner of land in Lot NO.5 of Earl and Utley, now owned by the C.L. Gaugler Machine Company, passing over an iron pipe set 5 feet S. 22 deg. 35' W, from said southwest corner; thence S. 67 deg. 25' E. 99.00 feet to a cross cut in concrete on the west line of River Street; thence S. 4 deg. 21' W. along said line of River Street 94.90 feet to an iron pipe at the northeast corner of land of A. L. Burdick; thence N. 67 deg. 25' W. 128.65 feet to the place of beginning and containing 0.235 of an acre of land of which 0.142 of an acres is in Lot NO.5 and Lot NO.6 of the Earl and Utley Survey and 0.093 of an acre in subdivision 84 as surveyed April 24, 1942 by C.D. Dodge, Registered Surveyor No. 1682.

Exception 2: Situated in the City of Kent, County of Portage and State of Ohio and known as being a piece of land forty feet (40) front on Mantua Street and running back of equal width, off the south side of the following described piece or parcel of land, to-wit: Commencing at a stake in the easterly line of Mantua Street and 252 21/100 feet south 22 deg. 35' west from the northwest corner of subdivision No. One (1) of Earl and Utley's subdivision survey on Lot 25, and a part of Sub. Div. 46, as surveyed by E.A. Ashman, Deputy County Surveyor and recorded as Survey 324 of Portage County, and runs south 67 deg. 25' east 129.2 feet to a stake; thence south 22 deg. 35' west, 9 feet to a stake; thence north 67 deg. 25' west 129.2 feet to an iron stake in the easterly line of Mantua Street; thence North 67 deg. 35' east along the easterly line of Mantua Street. 90 feet to the place of beginning, containing .27 acres, more or less. Being part of same land deeded to Robert Christian by W.1. Caris and wife by deed dated July 7, 1890 and recorded August 25th 1890 in Portage County Records of deeds in Vol. 157 page 282. The piece herein intended to be conveyed has a front on Mantua Street of Forty (40) feet and runs back of equal width 129.2 feet, and contains 0.12 acre of land more or less