

ORDINANCE NO. 2024 – 034

AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE FOLLOWING AGREEMENTS WITH THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING TEMPORARY, PERMANENT AND UTILITY EASEMENTS, FOR RIGHT-OF-WAY PURPOSES, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY FOR THE PROJECT KNOWN AS EAST MAIN STREET IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Council desires to obtain temporary, permanent and utility easements and are granted the easements from the following:

- 1) Debra Paisley – Temporary Easement - \$1,890
- 2) United Church of Christ of Kent, Ohio – Permanent Easement - \$102,320, Utility Easement - \$1,800 and Temporary Easement - \$28,590

WHEREAS, the City needs the property for right-of-way purposes to install, construct and reconstruct the roadway and sidewalks for the project known as East Main Street Improvement Project; and

WHEREAS, time is of the essence because the sooner the City acquires the necessary right-of-way for this project, the sooner construction may begin.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio:

**SECTION 1.** That Council does hereby accept and authorizes the City Manager or his designee to execute the agreements for the City of Kent to obtain temporary, permanent and utility easements for right-of-way purposes to install, construct and reconstruct the roadway and sidewalks for the project known as East Main Street Improvement Project in substantial conformity with the terms of the Agreements marked as Exhibit "A", on file in the Council office.

**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: April 17, 2024  
Date

EFFECTIVE: April 17, 2024  
Date

ATTEST: Amy Wilkens  
Amy Wilkens, CMC  
Clerk of Council

Jerry T. Fiala  
Jerry T. Fiala  
Mayor and President of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. 2024-024 ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON April 17, 2024.

(SEAL)

Amy Wilkens  
AMY WILKENS, CMC  
CLERK OF COUNCIL