

North Canton City Council  
Street and Alley Committee

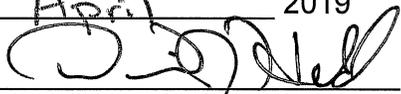
Ordinance No. 31 - 2019

An ordinance approving, confirming and accepting a 60-square foot sidewalk easement, by and between the City of North Canton and Tomier and Kimberly Davenport, regarding Parcel No. 92-08729, Stark County, Ohio, to construct an Americans with Disabilities Act ("ADA") compliant sidewalk around an existing traffic signal pole, located in the center of the existing sidewalk, and declaring the same to be an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

- Section 1. That a sidewalk easement, by and between the City, and Tomier and Kimberly Davenport, regarding Parcel No. 92-08729, Stark County, Ohio, be, and the same is hereby approved, confirmed and accepted, for the purpose of constructing an ADA compliant sidewalk around an existing signal pole.
- Section 2. That the documents more fully describing the parcel and easement are attached hereto and incorporated herein.
- Section 3. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary for the City to construct the ADA compliant sidewalk in a timely manner; wherefore, provided it receives the affirmative vote of six or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor.

Passed in Council this 8 day of April 2019

  
\_\_\_\_\_  
David Held, Mayor

Signed: 4/08 2019

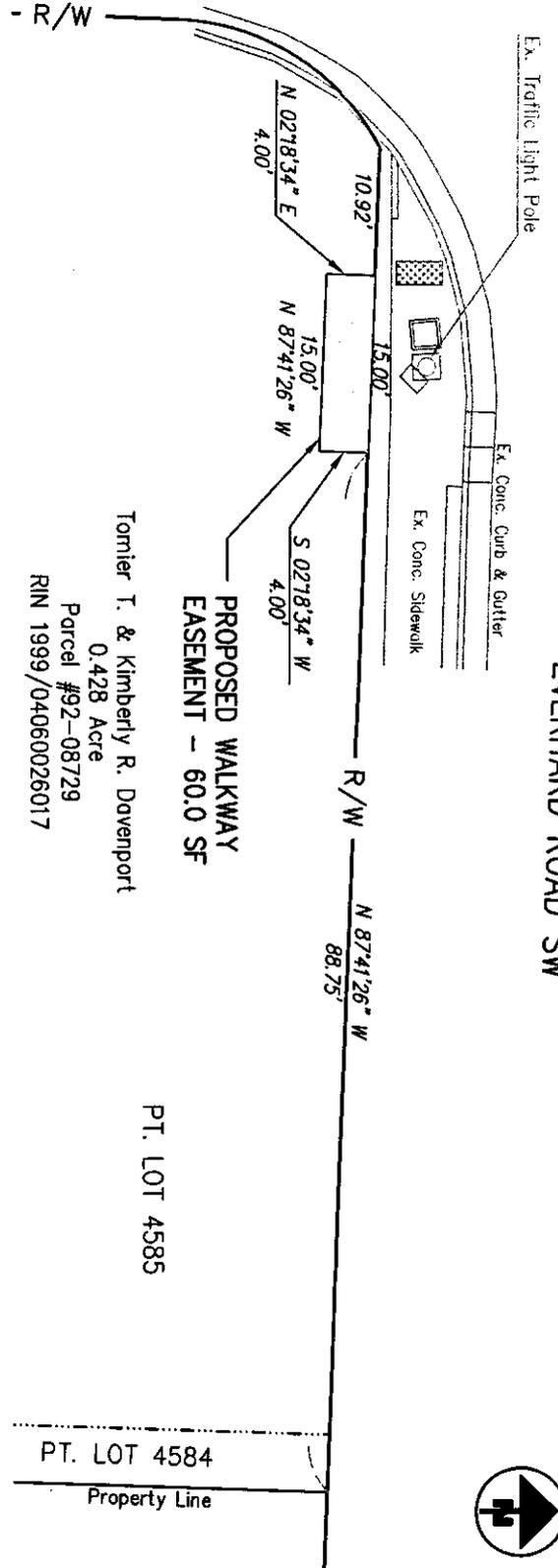
ATTEST:

  
\_\_\_\_\_  
Laura Brown, Director of Finance

EVERHARD ROAD SW



ELBERTA AVE SW 30'



PROPOSED WALKWAY EASEMENT - 60.0 SF

Tomier T. & Kimberly R. Davenport  
0.428 Acre  
Parcel #92-08729  
RIN 1999/04060026017

PT. LOT 4585

PT. LOT 4584  
Property Line

**PUBLIC WALKWAY EASEMENT**

KNOWN ALL MEN BY THESE PRESENTS:

THAT WE THE UNDERSIGNED OWNERS OF LAND DESCRIBED WITHIN THIS EASEMENT GRANT A PERPETUAL EASEMENT FOR WALKWAY PURPOSES OVER THE TRACT OF LAND AS DESIGNATED BY THIS EASEMENT FOR THE CONSIDERATION OF \$1.00, IN HAND PAID, RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED BY THE GRANITOR.

TOMIER T. DAVENPORT

KIMBERLY R. DAVENPORT

STATE OF OHIO  
COUNTY OF STARK  
BEFORE ME A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED THE ABOVE SIGNED OWNERS OF THE LAND SHOWN ON THIS EASEMENT, WHO ACKNOWLEDGE THAT THEY DID SIGN THE FOREGOING INSTRUMENT AND THAT IT WAS THEIR FREE ACT AND DEED ACCORDING TO LAW.

IN TESTIMONY WHEREOF I HAVE HERELINTO SET MY HAND AND OFFICIAL SEAL AT  
THIS \_\_\_\_ DAY OF \_\_\_\_\_ AD 20\_\_

NOTARY PUBLIC

MY COMMISSION EXPIRES \_\_\_\_\_ 20\_\_

THIS EASEMENT HAS BEEN RECOMMENDED FOR ACCEPTANCE BY THE CITY ENGINEER OF THE CITY OF NORTH CANTON, OHIO THIS \_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_

ROBERT GRIMAL, P.E.  
NORTH CANTON CITY ENGINEER

THE AREA OF PUBLIC WALKWAY AS SHOWN HEREON HAS BEEN ACCEPTED FOR EASEMENT AS SHOWN BY THE COUNCIL OF THE CITY OF NORTH CANTON, OHIO BY ORDINANCE NUMBER \_\_\_\_\_ PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_

CLERK OF COUNCIL

I HEREBY CERTIFY THAT THE LANDS OFFERED FOR PUBLIC USE IS FREE FROM ENCUMBRANCES, SIGNED THIS \_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_

TIMOTHY L. FOX  
NORTH CANTON CITY LAW DIRECTOR

RECEIVED FOR RECORD THIS \_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_  
RECORDED IN INSTRUMENT No. \_\_\_\_\_

RICK CAMPBELL  
STARK COUNTY RECORDER

DOCUMENT REVIEWED BY AUDITOR'S TRANSFER OFFICE \*TRANSFER NOT NECESSARY\*

ALAN HARGOLD  
STARK COUNTY AUDITOR

Geib Surveying, LLC  
PROFESSIONAL LAND SURVEYING SERVICES

1878 Wendover Cir NE  
North Canton, Ohio 44720  
PH: 330-705-1616

DRAWN BY: JEG  
CHECKED BY:  
DATE: MARCH 2019

SCALE: 1" = 10'

638 EVERHARD ROAD SW  
**PUBLIC WALKWAY EASEMENT**  
LOCATED IN CITY OF NORTH CANTON  
STARK COUNTY, OHIO  
FOR: CITY OF NORTH CANTON

SHEET  
1 OF 1  
PROJ # 18161