

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 2-12

Passed January 17, 20 12

1/10/12-gmk
(Street & Alley)

Ordinance 2-12

An ordinance approving, confirming and accepting Temporary Easements, Warranty Deeds, Removal of Improvements, and Quit Claim Deeds on North Main Street necessary for the North Main Street Reconstruction Project – Phase VI, at a cost not to exceed \$400,000, and declaring the same to be an emergency.

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

Section 1. That the following Temporary Easements for the purpose of performing the work necessary to grade and seed and build a drive, be, and are hereby accepted for the North Main Street Reconstruction Project – Phase VI:

McDonalds Real Estate Company, Parcel 5-T, being part of Lot or Out Lot 197, Auditor's Parcel No. 9208772; Marin Access 6-T1 and T2, being part of Lot or Out Lot 196, Auditor's Parcel No. 9208818; R.L. DeVillie Enterprises LTD, Parcel 10-T1 and T2, being part of Lot or Out Lot 328, Auditor's Parcel No. 9209045; Euro Development LTD, Parcel 11-T1 and T2, being part of Lot or Out Lot 339; Auditor's Parcel No. 9209174; Fifth Third Bank, Parcel 12-T, being part of Lot or Out Lot 6806, Auditor's Parcel No. 9209175; Euro Development LTD, Parcel 14-T1, T2 and T3, being part of Lot or Out Lot 326, Auditor's Parcel No. 9209043; Berlin Commons LTD, Parcel 16-T1 and T2, being part of Lot or Out Lot 260, Auditor's Parcel No. 9207725; Spirit Master Funding III LLC, Parcel 17-T1 and T2, being part of Lot or Out Lot 260, Auditor's Parcel No. 9207852; Autozone Inc., Parcel 20-T, being part of Lot or Out Lot 198, Auditor's Parcel No. 9208392; Albrecht Inc, Parcel 21-T1, T2 and T3, being part of Lot or Out Lot 198, Auditor's Parcel No. 9208903; CNL APF Partnership LP, Parcel 22-T, being part of Lot or Out Lot 198, Auditor's Parcel No. 9207471.

Section 2. That the following Warranty Deeds, be, and are hereby accepted for the North Main Street Reconstruction Project – Phase VI:

McDonalds Real Estate Company, Parcel 5-WD, being part of Lot or Out Lot 197, Auditor's Parcel No. 9208772; Marin Access LLC, Parcel 6-WD, being part of Lot or Out Lot 196, Auditor's Parcel No. 9208818; Kmart Corporation, Parcel 7-WD, being part of Lot or Out Lot 193, Auditor's Parcel No. 9205819; R.L. DeVillie Enterprises LTD, Parcel 10-WD, being part of Lot or Out Lot 328, Auditor's Parcel No. 9209045; Euro Development LTD, Parcel 11-WD1 and WD2, being part of Lot or Out Lot 339, Auditor's Parcel No. 9209174; Fifth Third Bank, Parcel 12-WD, being part of Lot or Out Lot 6806, Auditor's Parcel No. 9209175; Berlin Commons LTD, Parcel 16-WD, being part of Lot or Out Lot 260. Auditor's Parcel No. 9207725; Spirit Master Funding III LLC, Parcel 17-WD, being part of Lot or Out Lot 260, Auditor's Parcel No. 9207852; Autozone Inc, Parcel 20-WD, being part of Lot or Out Lot 198, Auditor's Parcel No. 9208392; Albrecht Inc, Parcel 21-WD, being part of Lot or Out Lot 198, Auditor's Parcel No. 9208903.

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Section 3. That the following Removal of Improvements, be, and are hereby accepted for the North Main Street Reconstruction Project – Phase VI:

RTM Operating Company LLC, Parcel 17-BS, being part of Lot or Out Lot 260, Auditor's Parcel No. 9207852; Autozone Inc, Parcel No. 20-BS, being part of Lot or Out Lot 198, Auditor's Parcel No. 9208392.

Section 4. That the following Quit Claim Deeds, be, and are hereby accepted for the North Main Street Reconstruction Project – Phase VI:

Autozone Inc, Parcel No. 20-QCD, being part of Lot or Out Lot 198, Auditor's Parcel No. 9208392.

Section 5. That the Director of Finance of the City of North Canton, be, and is hereby authorized to draw funds necessary for the payment of the above specified contract from the following appropriations:

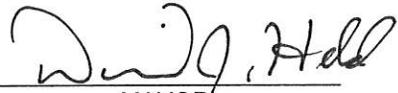
330	CAPITAL IMPROVEMENT FUND	
330.544.5229	Contract Payments	\$400,000

upon receipt of vouchers duly approved by the proper departmental authority.

Section 6. 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.

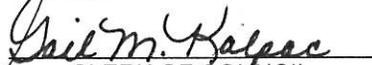
Section 7. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary for the timely effectiveness and recording of the Temporary Easements, Warranty Deeds, Removal of Improvements and Quit Claim Deeds; wherefore, provided it receives the affirmative vote of six (6) 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. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

North Canton, OH
Passed: 1/17/12


MAYOR

SIGNED: 1/17, 2012

ATTEST:


CLERK OF COUNCIL