

North Canton City Council
Street and Alley Committee

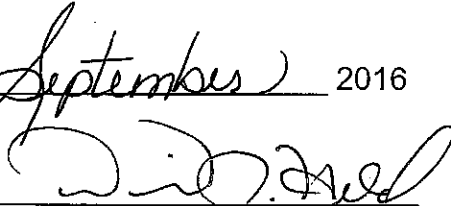
Ordinance No. 56 - 2016

An ordinance approving, confirming and accepting a perpetual storm sewer and drainage easement known as Parcel No. 5609242, and being part of Open Space "C", by and between the City of North Canton, an Ohio charter municipal corporation ("City"), Grantee, and The Sanctuary Owners Association, Inc., Grantor, 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:

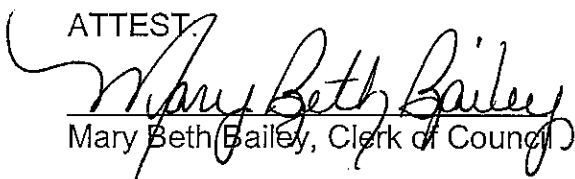
- Section 1. That a perpetual storm sewer and drainage easement known as Parcel No. 5609242, by and between the City, and The Sanctuary Owners Association, Inc., be, and the same is hereby approved, confirmed and accepted.
- Section 2. That attachments regarding this easement more fully describing the parcel and easement are attached hereto and incorporated herein as if fully rewritten 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 have prompt access to the utility as well as sanitary sewer pipes and lines; 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 12th day of September 2016


David Held, Mayor

Signed: 9/12, 2016

ATTEST.


Mary Beth Bailey, Clerk of Council

7. That the Grantors covenants with Grantee that it is well seized of the Easement Area as a good and indefeasible estate in fee simple and has the right to grant and convey the Easement Area in the manner and form described above. Grantors further covenants that it will warrant and defend the premises with the appurtenances thereunto belonging to Grantee against all lawful claims and demands whatsoever for the purposes described herein.
8. That this easement is subject to all matters of record.

IN WITNESS WHEREOF, the undersigned grantor(s) have caused their name to be subscribed to this Perpetual Storm Sewer & Drainage Easement this 24 day of JUNE, 2016.

GRANTOR(S):

The Sanctuary Owners Association, Inc.

By *[Signature]*
 William J. Lemmon
 Its Authorized representative

NOTARY:

STATE OF OHIO)
) SS:
 COUNTY OF Stark)

Before me, a Notary Public in and for said County, personally appeared William J. Lemmon, authorized representative for "The Sanctuary Owners Association, Inc., who acknowledged that he did sign the foregoing instrument and that it is his free act and deed.

IN THE TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal a this 24 Day of JUNE, 2016.

[Signature]
 Notary Public



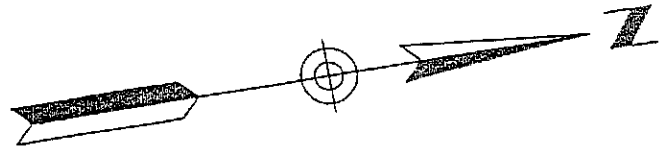
MOLLY R. RYAN,
 Notary Public, State of Ohio
 My Commission Expires April 29, 2017

This instrument prepared by: City of North Canton
 145 North Main Street
 North Canton, OH 4720

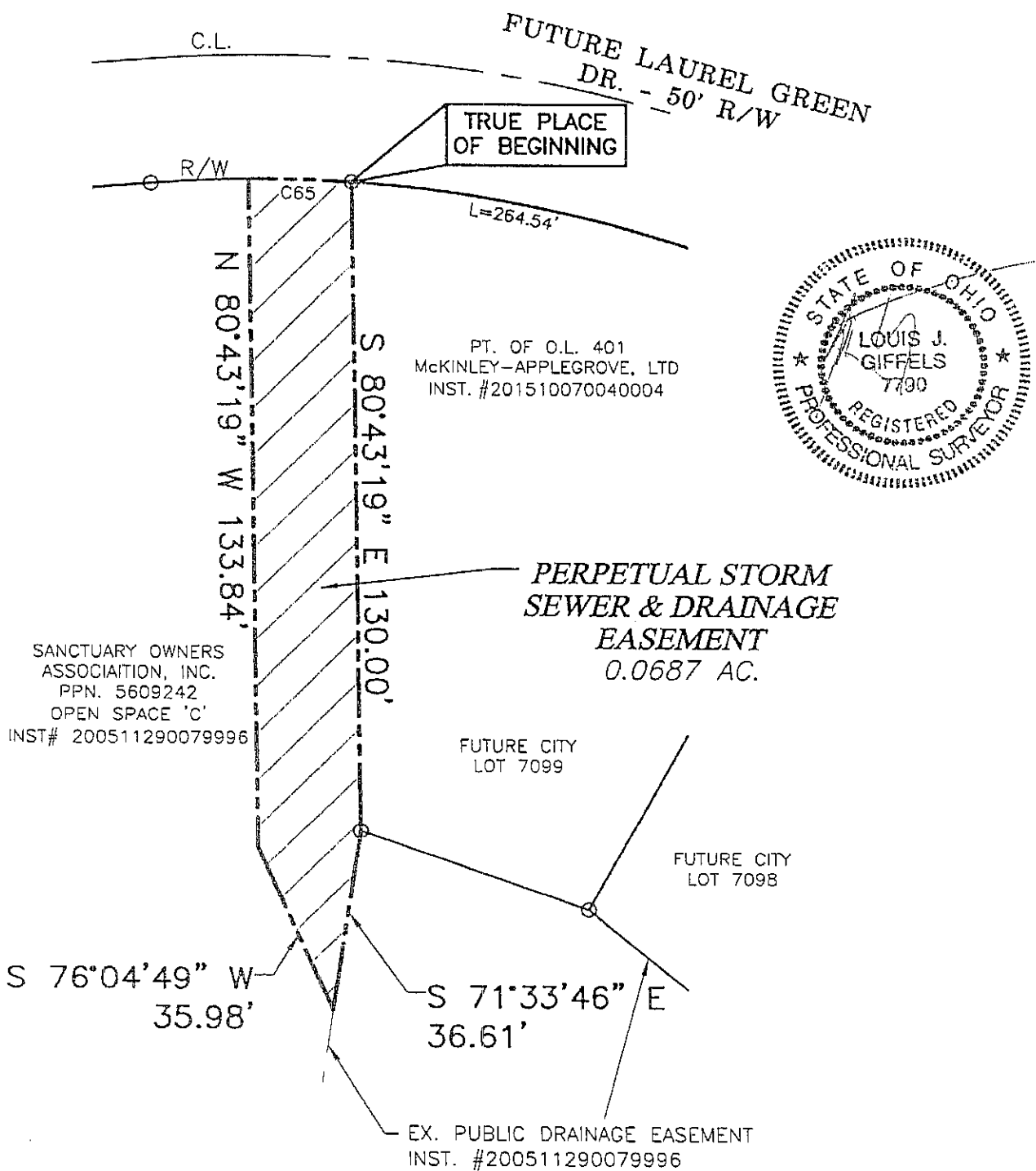
CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD LENGTH	CHORD BEARING
C65	20.02'	260.00'	4°24'42"	10.01'	20.01'	N 11°26'54" E

SITUATED IN THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO AND KNOWN AS BEING PART OF OPEN SPACE "C" AS SHOWN ON THE PLAT ENTITLED "THE SANCTUARY NO. 1", AS RECORDED IN INST.

#200511290079996 OF THE STARK COUNTY RECORDS



SCALE: 1" = 30'



PERPETUAL STORM SEWER & DRAINAGE EASEMENT EXHIBIT "A"

PREPARED BY:

GBC DESIGN, INC.

565 White Pond Dr.
Phone 330-836-0225

Akron, OH 44320
Fax 330-836-5782

DATE: JUNE 22, 2016

PROJECT No. 311358E

GBC DESIGN, INC.

565 White Pond Drive • Akron, OH 44320-1123 • Phone 330-836-0228 • Fax 330-836-5782 • www.GBCdesign.com

July 28, 2015
Revised June 23, 2016

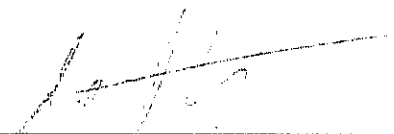
EXHIBIT "B"
Sanctuary Owners Association, Inc. Property
City of North Canton
Storm Sewer Drainage Easement
Area = 0.0687 Acres

Situated in the City of North Canton, County of Stark, and State of Ohio and known as being part of Open Space 'C' as shown on the Plat entitled "The Sanctuary No. 1", as recorded in Inst. #200511290079996 of the Stark County records, and more fully described as follows:

Beginning at a 1" rebar found at a northwesterly corner of said Open Space 'C', said point being the True Place of Beginning for the parcel of land herein described in the following five (5) courses;

1. Thence S 80° 43' 19" E, along a southerly line of lands now or formerly owned by McKinley-Applegrove, Ltd., as recorded in Inst. #201510070040004 of the Stark County records, also being a southerly line of future City Lot 7099, a distance of 130.00 feet to a 1" rebar found;
2. Thence S 71° 33' 46" E, along a southerly line of an existing public drainage easement as recorded in said Inst. #200511290079996, a distance of 36.61 feet to a point;
3. Thence S 76° 04' 49" W, along a new line of easement, a distance of 35.98 feet to a point;
4. Thence N 80° 43' 19" W, along a new line of easement, a distance of 133.84 feet to a point;
5. Thence along an easterly line of future Laurel Green Drive, along the arc of a circle curving to the right, having a central angle of 04° 24' 42", a radius of 260.00 feet, a tangent of 10.01 feet, a chord of 20.01 feet, a chord bearing N 11° 26' 54" E, and an arc length of 20.02 feet to the True Place of Beginning, and containing 0.0687 Acres of land, more or less, as surveyed in July, 2015 by Louis J. Giffels, P.S. Reg. No. 7790, with GBC Design, Inc., but subject to all legal highways and any restrictions, reservations, or easements of record.

*The Basis of Bearing for this legal description is the plat of Sanctuary No. 1 as recorded in Instrument No. 200511290079996 of the Stark County records.


Louis J. Giffels, P.S. Reg. No. 7790

