

Ordinance No. 107-09

Passed December 14, 2009

11/3/09-rm
(Comm. & Econ. Dev.)

Ordinance No. 107-09

An ordinance implementing Section 3735.65 through 3735.70 of the Ohio Revised Code, establishing and describing the boundaries of a Community Reinvestment Area in the City of North Canton, designating a Housing Officer to administer the program, creating a Community Reinvestment Housing Council and a Tax Incentive Review Council.

WHEREAS, the General Assembly of the State of Ohio, by the enactment of Ohio Revised Code ("ORC") §3735.65-70 (herein sometimes referred to as the "Community Reinvestment Area Program") has heretofore authorized municipal corporations to designate Community Reinvestment Areas ("CRAs") within the State in order to provide an incentive for new residential, commercial or industrial development and/or rehabilitation in such areas by making available real property tax exemptions for such new development or rehabilitation; and

WHEREAS, there has been prepared and submitted to this City Council a housing survey, which is on file with the Housing Officer, covering a proposed CRA located in the City of North Canton, and which survey shows the facts and conditions relating to existing structures and undeveloped areas to the North Canton CRA, including among other things, evidence of deterioration and lack of new construction, or repair or rehabilitation of substantial portions of the area and which proposed CRA is designated and described in Exhibit A attached hereto and made a part hereof, and is herein called North Canton Community Reinvestment Area ("North Canton CRA"); and

WHEREAS, there has been recommended to this City Council the approval of the designation of the North Canton CRA described in Exhibit A as a Community Reinvestment Area, and this City Council has been apprised of such housing survey, and the facts and conditions relating to the North Canton CRA; and this City Council has determined that the new construction and rehabilitation in such Area would serve to encourage economic stability, maintain real property values, and generate new employment opportunities and would be in the best interests of the City;

WHEREAS, the City desires to incorporate the existing Main Street and Valley View areas into the new North Canton CRA with additional area in order to more efficiently administer the CRA; and

WHEREAS, the City intends that the new North Canton CRA shall absorb the Main Street and Valley View CRA's; and

WHEREAS, the construction of new housing and remodeling of existing structures in the North Canton CRA constitutes a public purpose for which real property exemptions may be granted.

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

- Section 1. Based upon the aforesaid recommendations and upon said housing survey, and on this City Council's own knowledge of the facts and conditions existing in the North Canton CRA, this City Council hereby finds and determines that: the North Canton CRA constitutes an area in which housing facilities are located and new housing construction and repair of existing facilities or structures is discouraged.
- Section 2. Pursuant to Section 3735.66 of the Ohio Revised Code, the North Canton CRA is hereby established and designated as a Community Reinvestment Area meeting the requirements of the Ohio Revised Code Sections 3735.65-3735.70, and said North Canton CRA is hereby established and designated in the area described and depicted in Exhibit A attached hereto.

Ordinance No. 107=09Passed December 14, 2009

- Section 3. Within the North Canton CRA, new construction and remodeling of existing residential, commercial and industrial structures are hereby declared to be a public purpose and eligible for an exemption from real property taxation. Only residential, commercial and industrial improvements consistent with the applicable zoning regulations within the North Canton CRA will be eligible for exemptions.
- Section 4. With the North Canton CRA, the percentage of the tax exemption on the increase in the assessed valuation resulting from improvements to commercial and industrial real property and the period of those exemptions shall be negotiated on a case-by-case basis in advance of the commencement of construction or remodeling consistent with ORC §3735.67. The results of such negotiations as approved by this City Council will be set forth in writing in Community Reinvestment Area Agreements as outlined in ORC §3735.671.
- Section 5. For residential property, a tax exemption is hereby authorized on 100% of the increase in the assessed valuation resulting from improvements as described in ORC §3735.67 and shall be granted upon proper application by the property owner and certification thereof by the City's designated Housing Officer. Residential applications must be filed with the Housing Officer no later than six months after completion of construction, unless such time period is extended in writing by the Housing Officer. The following periods of real property tax exemption shall apply to all residential property:
- (a) 10 years, for the remodeling of dwellings containing not more than 2 units, and upon which the cost of remodeling is at least \$15,000, as described in ORC §3735.67(D)(1).
 - (b) 12 years, for the remodeling of dwellings containing more than 2 units, and upon which the cost of remodeling is at least \$50,000, as described in ORC §3735.67(D)(2).
 - (c) 15 years, for construction of dwellings as described in ORC §3735.67(D)(3).
- Section 6. All commercial and industrial projects are required to comply with the state application fee requirements of ORC §3735.672(C). This Council hereby determines that the City shall waive collection of the local annual monitoring fee of one percent of the amount of taxes exempted in connection with the North Canton CRA Program.
- Section 7. To administer and implement the provisions of the North Canton CRA Program in accordance with ORC §3735.65-70, the City's Director of Economic Development is hereby designated as the Housing Officer. The Housing Officer is authorized and directed to receive applications and grant real property tax exemptions for new structures or remodeling completed after the date of passage of this Ordinance, and is further authorized and directed to make annual inspections of properties within the North Canton CRA for which exemptions have been granted, and to keep the Housing Council and TIRC (as defined below) apprised of any revocations of CRA tax exemption made for lack of adequate property maintenance or compliance with a CRA agreement in accordance with ORC §3735.68.
- Section 8. A North Canton Community Reinvestment Area Housing Council (the "Housing Council") shall be established, consisting of two members appointed by the Mayor of the City, two members appointed by the City Council, one member appointed by the Planning Commission of the City and two residents of the City, appointed by a majority of the first five members, which appointments are hereby authorized to be made. Terms of the members of the Housing Council shall be for three years. An unexpired term resulting from a vacancy in the Housing Council shall be filled in the same manner in which the initial appointment was made. The Mayor of the City, the City Council and Planning Commission are hereby authorized and directed to make their respective appointments to the Housing Council and those five appointed members are authorized to appoint the final two members. The

Ordinance No. 107-09

Passed December 14, 2009

Housing Council shall make an annual inspection of the properties within the North Canton CRA for which an exemption has been granted and shall hear appeals under ORC §3735.70 from property owners whose North Canton CRA applications have been denied or tax exemptions revoked by the Housing Officer.

Section 9. A North Canton Tax Incentive Review Council (the "TIRC") shall be established pursuant to ORC §5709.85. The TIRC shall consist of three representatives appointed by the Board of County Commissioners, two representatives appointed by the Mayor of the City with concurrence of this City Council, the County Auditor (or his/her designee) and a representative of each affected board of education located in the North Canton CRA. At least two members of the TIRC shall be residents of the City. The TIRC shall review annually the compliance of all agreements involving the grant of exemptions for commercial or industrial real property improvements under ORC §3735.67 and shall make written recommendations to the Council as to the continuation, modification or termination of said agreements based upon the performance of those agreements.

Section 10. This City Council reserves the right to re-evaluate the designation of the North Canton CRA after December 31, 2014, and on a biennial basis thereafter, at which time this City Council may direct the Housing Officer not to accept any new applications for exemptions as described in ORC §3735.67, with respect to any additional construction or remodeling thereafter commenced.


Section 11. The Mayor of the City is hereby authorized and directed to petition the State Director of Development ("DOD") to confirm the findings contained within this ordinance.

Section 12. A copy of this Ordinance shall be forwarded to the Stark County Auditor; and a copy of this Ordinance shall also be published in the a newspaper of general circulation in the City once a week for two consecutive weeks immediately following its passage.

Section 13. It is found and determined that all formal actions of this Council and of any of its committees concerning and relation to the passage of this Ordinance were adopted in an open meeting of this Council or of any of its committees, 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, including Ohio Revised Code §121.22.

Section 14. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

North Canton, OH
Passed: 12/14/09


MAYOR

SIGNED: 12/15, 2009

ATTEST:


CLERK OF COUNCIL

Ordinance No. 107-09Passed December 14, 2009**Exhibit A****Description of Proposed****North Canton Community Reinvestment Area Consolidation and Expansion**

Being known as approximately 2,172 Acres of land more or less in The City of North Canton, Stark County and Hoover Township (Previously Part of Plain Township), Ohio, and being further described as follows:

Beginning at the intersection of the east right of way line of Wise Avenue N.W., with the centerline of West Maple Street, this being the true point of beginning;

Thence, north approximately 160.0 feet along the east right of way line of Wise Avenue to a point being the northwest corner of said Out Lot 248;

Thence, east approximately 250.0 feet along the north line of Out Lot 248 to a point at the northeast corner of Out Lot 248;

Thence, north approximately 80.0 feet along a portion of the west property line of Out Lot 248 to a point on the south line of Out Lot 280;

Thence, west approximately 250.0 feet along the south line of Out Lot 280 to a point on the east right of way line of Wise Avenue N.W., also being the southwest corner of Out Lot 280;

Thence, north approximately 107.3 feet along a portion of the east right of way line of Wise Avenue N.W. to a point at the northwest corner of Out Lot 289;

Thence, east approximately 174.0 feet along a portion of the north property line of Out Lot 280 to a point at the southwest corner of Out Lot 279;

Thence, north approximately 1,695.4 feet along the west property line of Out Lot 279, lots 3317, 3318, 3319, crossing Terrace Road NW, Lots 3320, 3327, 3228, 3229, 3330, crossing Valleyview Street N.W., Lots 3331, 6988, 3334, 3335, 3336, 3337, 3338, 3339, 3340, 3341, and 3342 to a point on the south right of way line of Portage Street N.W.;

Thence, along the south right of way line of Portage Street N.W. on the arc of a curve to the left in a southwesterly direction having an arc length of approximately 230.0 feet to the point of intersection on the south right of way line of Portage Street N.W., with the west right of way line of Wise Avenue N.W.;

Thence, south approximately 316.0 feet along a portion of the west line of Wise Avenue N.W. to a point at the southeast corner of Lot 6485;

Thence, west approximately 113.0 feet along the south property line of Lot 6485 to a point at the southwest corner of Lot 6485;

Thence, north approximately 288.0 feet along the west property line of Lot 6485 to a point on the original centerline of Portage Street N.W.;

Thence, northeasterly approximately 152.0 feet along the original centerline of Portage Street N.W. to a point on the west property line of Out Lot 100;

Thence, north approximately 1410.0 feet along the westerly Plain Township Line, also being known as the west property line of Out Lots 100, 99, 236, 235, 234, 233, and Lot 4998, to a point at the northwest corner of Lot 4998;

Thence northeasterly approximately 409.3 feet along the north property line of Lot 4998 to a point on the west right of way line of Pittsburg Avenue N.W.;

Thence, along the west right of way line of Pittsburg Avenue N.W. on the arc of a curve to the right in a northerly direction having an arc length of approximately 40.9 feet to a point;

Thence, northeast approximately 452.0 feet crossing Pittsburg Avenue N.W. and along the north property line of Lots 5030, 5031, 5032, and 5033 to a point at the northeast corner of Lot 5033;

Thence, northwesterly approximately 200.0 feet along the west property line of Lots 5037 and 5038 to a deflection point in the west line of Lot 5038;

Thence, north approximately 1430.1 feet along the west property line of Lots 5038, 5039, 5040, 5127, 5041, 5054, 5053, 5052, 5051, 5050, 5049, 5048, 5047, 5046, and 5045 to a point on the south right of way line of Applegrove Street N.W. at the northwest corner of Lot 5045;

Thence, east approximately 379.0 feet along the south right of way line of Applegrove Street N.W., crossing Janet Avenue N.W. and along the south right of way line of Applegrove Street N.W. to a point at the northeast corner of Lot 5042;

RECORD OF ORDINANCES

0059

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 107=09 Passed December 14, 2009

Thence, south approximately 1149.0 feet along the east property line of Lots 5042, 5055, 5056, 5057, 5058, 5059, 5060, 5061, 5062, 5063, 5943, and part of Lot 5942 to a point;

Thence, east approximately 1053.0 feet along the north property line of Lots 5942 and 5941, through Lois Avenue N.W., along the north property line of Lots 5940 and 5939, through Browning Avenue N.W., to a point on the east right of way line of Browning Avenue N.W.;

Thence, north approximately 25.0 feet along the east line of Browning Avenue N.W. and its northerly extension to a point;

Thence, east approximately 280.0 feet through Out Lot 230, to a point on the west property line of Out Lot 231;

Thence, north approximately 1327.3 feet along the west property line of Out Lot 231, the west property line of Lot 5069, crossing Applegrove Street N.W., and along the east right of way line of Ellesmere Avenue N.W. to a point at the northwest corner of Lot 5561;

Thence, east approximately 183.7 feet along the north line of Lots 5561 and 5562 to a point on the west line of Out Lot 358;

Thence, north approximately 1589.5 feet along the west property line of Out Lots 358 and 192, crossing Stratavon Street N.W., along the west line of Lots 7007 and 7006, and through Lot 6731 to a point on the cul de sac right of way line of Arnesby Circle N.W.;

Thence, along a portion of the cul de sac right of way line of Arnesby Circle N.W. on the arc of a curve to the left, in a northeasterly direction, having an arc length of 47.4 feet, to a point at the northwest corner of Lot 7006;

Thence, east approximately 102.3 feet along the north line of Lot 7006 to a point at the southwest corner of Out Lot 357;

Thence, north approximately 104.7 feet along the west line of Out Lot 357 to a deflection point in the west line of Out Lot 357;

Thence, northeasterly approximately 120.0 feet along the west property line of Out Lot 357 to a point at the southwest corner of Out Lot 325;

Thence, north approximately 435.0 feet along the west property line of Out Lot 325 to a point at the northwest corner of Out Lot 325;

Thence, east approximately 620.0 feet along the north line of Out Lot 325 to a point;

Thence, north approximately 350.0 feet along the west property line of Out Lot 325 to a point on the south right of way line of Orion Street N.W.;

Thence, east approximately 1254.5 feet along the south right of way line of Orion Street N.W., the north line of Out Lots 325 and 326, across North Main Street, along the north line of Out Lot 260 to a point at the northeast corner of Out Lot 260;

Thence, south approximately 2389.9 feet along the east line of Out Lots 260, crossing Wilbur Drive N.E., the east line of Out Lots 260 and 198, to a point in the west line of Out Lot 210;

Thence, east approximately 230.0 feet along the north property line of Out Lot 210 to a point in the east line of Out Lot 210;

Thence, north approximately 30.0 feet along the west property line of Out Lot 210 to a point;

Thence, east approximately 390.0 feet along the north property line of Out Lot 210 to a point on the east line of Out Lot 210;

Thence, south approximately 130.0 feet along the east line of Out Lot 210 to a point at the northwest corner of Lot 4437;

Thence, east approximately 295.0 feet along the north line of Lots 4437, 4438 and 4439 to a point in the west line of Lot 4440;

Thence, north approximately 26.8 feet along the west line of Lot 4440 to a point on the west right of way line of Chatham Avenue N.E.;

Thence, southeasterly approximately 152.5 feet along the west right of way line of Chatham Avenue N.E. to a point of curvature;

Thence, along the west right of way line of Chatham Avenue N.E. on the arc of a curve to the right in a southeasterly direction, having an arc length of approximately 128.8 feet, to the termination point of said curve; said point being on the west right of way line of Overland Avenue N.E.;

Ordinance No. 107-09Passed December 14, 2009

Thence, south approximately 494.4 feet along the west right of way line of Overland Avenue N.E., crossing Applegrove Street N.E. and along a portion of the west line of Overland Avenue N.E. to a point of curvature;

Thence, continuing along the west right of way line of Overland Avenue N.E. on the arc of a curve to the right in a southwesterly direction for approximately 88.2 feet to the termination point of said curve;

Thence, continuing southwesterly for approximately 108.4 feet along the west right of way line of Overland Avenue N.E. to a point of curvature;

Thence, continuing along the west right of way line of Overland Avenue N.E. on the arc of a curve to the left, in a southerly direction for approximately 104.0 feet to the termination point of said curve;

Thence, south approximately 213.0 feet along the west right of way line of Overland Avenue N.E. to a point; said point also being the southeast corner of Lot 4269;

Thence, east approximately 848.0 feet, crossing Overland Avenue N.E., and along the north line of Lots 4266, 4263, 4262, 2990, 2991, 2992, 2993, 3115, 3116, 3117, 3118, and 3119, to a point at the southeast corner of Lot 4252;

Thence, northeast approximately 335.0 feet along the southerly line of Lots 4252, crossing Chapel Hill Drive, and along the southerly line of Lot 4290 to a point on the south line of Lot 5254;

Thence, northwesterly approximately 80.0 feet along the south line of Lot 5254 to a point at the southwest corner of Lot 5254;

Thence, northeast approximately 186.5 feet along the west property line of Lots 5254 and 5253 to a point on the south right of way line of Hyacinth Drive N.W.;

Thence, along the south right of way line of Hyacinth Drive N.W. on the arc of a curve to the left in a southeasterly direction for approximately 234.8 feet to the termination point of said curve;

Thence, continuing along the south right of way line of Hyacinth Drive for approximately 81.0 feet to a point of intersection with the west line of Holl Road N.E.;

Thence, in a southwesterly direction approximately 571.8 feet along the west line of Holl Road N.E., crossing Chapple Hill Drive N.E. to a point;

Thence, southeasterly approximately 170.3 feet, crossing Holl Road N.E., and along the south right of way line of Chapple Hill Drive N.E. to a point at the northeast corner of Lot 6155;

Thence, southwest approximately 272.0 feet along the east line of Lot 6155 to a point on the east line of Lot 6156;

Thence, south approximately 67.0 feet along a portion of the east line of Lot 6156 to a point at the southeast corner of Lot 6156;

Thence, southwesterly approximately 311.5 feet along the south line of Lots 6156 and 6157 to a point on the east line of Lot 3099;

Thence, north approximately 190.0 feet along the east line of Lots 3099, 3098, and 3097 to a point at the southeast corner of Lot 3095;

Thence, west approximately 150.0 feet along the south line of Lots 3095 and 3096 to a point on the east right of way line of Dogwood Avenue N.E.;

Thence, north approximately 185.0 feet along the east right of way line of Dogwood Avenue N.E. and across Holl Road N.E., to a point at the southeast corner of Lot 3117;

Thence, west approximately 206.0 feet along the north right of way line of Holl Road N.E. to a point at the southwest corner of Lot 3115;

Thence, south approximately 908.1 feet crossing Holl Road N.E., Lots 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, and 1850, crossing 10th Street N.E., Lot 1855 and Out Lot 65, to a point at the northwest corner of Out Lot 66;

Thence, east approximately 373.8 feet along the north property line of Out Lot 66, across Dogwood Avenue N.E. to a point on the east right of way line of Dogwood Avenue N.E. at the southwest corner of Out Lot 254;

Thence, north approximately 287.3 feet along the east right of way line of Dogwood Avenue N.E. to a point at the northwest corner of Out Lot 254;

Thence, east approximately 286.5 feet along the north property line of Out Lot 254 to a point at the northeast corner of Out Lot 254;

RECORD OF ORDINANCES

0061

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 107-09 Passed December 14, 2009

Thence, south approximately 496.8 feet along the east property line of Out Lot 254, crossing 7th Street N.E. to a point on the south right of way line of 7th Street N.E.;

Thence, east approximately 730.0 feet along the south right of way line of 7th Street N.E. to a point;

Thence, north approximately 200.0 feet, crossing 7th Street N.E. along the west line of Out Lot 66 to a point at the northwest corner of Out Lot 66;

Thence, east approximately 395.2 feet along the north line of Out Lot 66, crossing Woodside Avenue N.E. to a point on the east right of way line of Woodside Avenue N.E.;

Thence, north approximately 324.2 feet along the east right of way line of Woodside Avenue N.E. to a point on the south line of Lot 5194;

Thence, west approximately 25.0 feet along the south line of Lot 5194 to a point;

Thence, north approximately 158.2 feet along the east line of Woodside Avenue N.E. and west property line of Lot 5194 to a point at the northwest corner of Out Lot 5194;

Thence, east approximately 275.0 feet along the north line of Lot 5194 to a point at the northeast corner of Lot 5194;

Thence, south approximately 458.7 feet along the east line of Lot 5194, Out Lots 67, 68 and 70 to a point at the northwest corner of Lot 5703;

Thence, east approximately 276.0 feet along the north line of Lots 5703, 5704, 5705, and Lot 5246 to a point at the northeast corner of Lot 5246;

Thence, south approximately 1710.0 feet along the east line of Lot 5246 and Out Lot 71, crossing 7th Street N.E., the east line of Lot 1850 through Out Lot 73, the east line of 6th Street N.E., east line of Out Lots 74 and 77, crossing 5th Street N.E., east line of Out Lots 75 and 76, Lots 1867, 1868, 1869, 1870, 1871, 1872 and Lot 2988 to a point on the north right of way line of Hower Street N.E.;

Thence, west approximately 40.0 feet along the north right of way line of Hower Street to a point;

Thence southwesterly approximately 242.4 feet, crossing Hower Street N.E. along the east right of way line of Randal Circle N.E. to a point at the southeast corner of Lot 5354;

Thence, west approximately 325.7 feet along the south line of Lots 5354, 1886, 1885, 1884, 1883, 1882, and 1881 to a point at the northeast corner of Lot 1889;

Thence, south approximately 320.5 feet along the east line of Lots 1889, 1890, and Out Lot 79 to a point on the north line of Lot 1892;

Thence, east approximately 375.8 feet along the north property line of Lot 1892 to a point at the northeast corner of Lot 1892;;

Thence, south approximately 150.0 feet along the east line of Lots 1892 and 1893 to a point at the southeast corner of Lot 1893;

Thence, west 524.4 feet along the south line of Lot 1893 to a point on the east right of way line of Woodside Avenue N.E.;

Thence, south approximately 218.0 along the east right of way line of Woodside Avenue N.E., crossing Fredericksburg Court N.E. to a point at the northwest corner of Lot 1895;;

Thence, east approximately 703.4 feet along the north property line of Lots 1895, 1896, 1897, 1898, 1899 and 1900 to a point on the west right of way line of Sutton Avenue N.E.;

Thence, south approximately 196.0 feet along the west right of way line of Sutton Avenue N.E. to a point on the north right of way line of East Maple Street;

Thence, west approximately 177.9 feet along the north right of way line of East Maple Street to a point at the southwest corner of Lot 1900;

Thence, south approximately 409.2 feet, crossing East Maple Street, the east property line of Out Lot 81 and its southwesterly extension to a point;

Thence, west approximately 215.0 feet crossing Clearmount Avenue S.E. to a point on the west right of way line of Clearmount Avenue S.E. at the northeast corner of Lot 2665;

Thence, south approximately 675.3 feet along the west right of way line of Clearmount Avenue S.E. to a point at the northeast corner of Lot 3084;

Ordinance No. 107-09Passed December 14, 2009

Thence, east approximately 718.4 feet, crossing Clearmount Avenue S.E. and along the north line of Lots 3083, 3082, 3081, 3080, 3079, and 3078 to a point on the west line of Lot 6661;

Thence, north approximately 1029.2 feet along a portion of the west line of Lot 6661, 6659, 6658, 6657 and Out Lots 309 and 116, to a point on the south right of way line of East Maple Street;

Thence, east approximately 860.0 feet along the south right of way line of East Maple Street to a point on the east line of Lot 5160;

Thence, south approximately 405.8 feet along the east line of Lot 5160 to a point at the southeast corner of Lot 5160;

Thence, west approximately 180.0 feet along the south property line of Lots 5160, 5159 and Out Lot 122 to a point at the northeast corner of Out Lot 310;

Thence, south approximately 669.8 feet along the east property line of Out Lot 310, lots 6655 and 6652, crossing Edgewood Street S.E., and Out Lot 311 to a point at the northwest corner of Lot 6641;

Thence, east approximately 1017.4 feet along the north property line of Lots 6641, 6640, 6639, 6638, 6637, Out Lot 314 and Out Lot 315 to a point at the northeast corner of Out Lot 315;

Thence, south approximately 1332.4 feet along the east line of Out Lot 315 to a point on the north right of way line of Schneider Street S.E.;

Thence, west approximately 230.4 feet along the north right of way line of Schneider Street S.E. to a point;

Thence, southwesterly approximately 669.4 feet crossing Schneider Street S.E. and along the east property line of Lots 4799, 4800, 4801, and 4802 to a point;

Thence, easterly approximately 30.0 feet along a portion of the north line of Lot 4802 to a point;

Thence, southwesterly approximately 249.8 feet along the east property line of Lot 4802 and Out Lot 219 to a point on the north line of Out Lot 219;

Thence, easterly approximately 12.0 feet along the north line of Out Lot 219 to a point on the north line of Out Lot 219;

Thence, southwesterly approximately 126.3 feet along a portion of the east line of Out Lot 219 to a point;

Thence, west approximately 51.3 feet along a portion of the south line of Lot 4895 and Out Lot 219 to a point;

Thence, southwesterly approximately 374.6 feet along a portion of the east line of Out Lot 219 to a point at the southeast corner of Out Lot 219;

Thence, west approximately 2391.2 feet along the south line of Out Lot 219, Lots 3226, 3227, 3228, 3229, 3230, 3231, 3232, 3233, 3234, 3235, 3236, 3237, 3238, and Out Lot 135, crossing Clearmount Avenue S.E., Lots 3015, 4039, 4040, 4041, 4042, 3998, and part of Out Lot 177 to a point;

Thence, southwesterly approximately 750.2 feet along the east line of Out Lot 178, 179, 180 and 181 to a deflection point in the east line of Out Lot 181;

Thence, southeasterly approximately 199.6 feet along a portion of the east line of Out Lot 181 and a portion of the east line of Out Lot 182 to a point;

Thence, southwesterly approximately 365.4 feet along a portion of the east line of Out Lot 182, the east line of Lots 3999 and 4000 to a point on the former north right of way line of Easthill Street S.E.;

Thence, west approximately 181.5 feet along the north right of way line of Easthill Street S.E., crossing South Main Street to a point on the west right of way line of South Main Street;

Thence, southeast approximately 1225.0 feet along the west right of way line of South Main Street, crossing Everhard Road S.W. and continuing along the west right of way line of South Main Street to a point on the south line of Out Lot 65;

Thence, west approximately 40.0 feet along the south line of Out Lot 165 to a point at the northeast corner of Out Lot 166;

Thence, south approximately 100.2 feet along a portion of the east line of Out Lot 166 to a point;

Thence, southwest approximately 93.0 feet along a portion of the east line of Out Lot 166 and a portion of the east line of Out Lot 167, to a point;

Ordinance No. 107-09 Passed December 14, 2009

Thence, southwesterly approximately 103.8 feet along a portion of the east line of Out Lot 167 to a point to a point at the northeast corner of Out Lot 168;

Thence, southwesterly approximately 128.8 feet along a portion of the east line of Out Lot 168 to a deflection point;

Thence, southwesterly approximately 208.0 feet along a portion of the east line of Out Lot 168 and a portion of the east line of Lot 3922 to a point in the east line of Lot 3922;

Thence, southwesterly approximately 95.0 feet along a portion of the east line of Lot 3922 to a point at the northeast corner of Lot 3923;

Thence, south approximately 119.0 feet along the east line of Lot 3923 to a point on the north line of Out Lot 172;

Thence, east approximately 23.3 feet along the north line of Out Lot 172 to a point at the northeast corner of Out Lot 172;

Thence, south approximately 181.9 feet along the east line of Out Lot 172 to a point;

Thence, southeast approximately 180.0 feet along the east line of Out Lot 172 to a point;

Thence, southeast approximately 72.5 feet along the east line of Out Lot 172 to a point;

Thence, south approximately 131.0 feet along the east line of Out Lot 172 to a point;

Thence, southwest approximately 267.4 feet along the east line of Out Lot 172 to a point;

Thence, south approximately 120.4 feet along the east line of Out Lot 172 to a point in the south line of Out Lot 172; also being the south City of North Canton Corporation line;

Thence, west approximately 827.0 feet along the south line of Out Lot 172, Lots 4248, 3896, and 4247 to a point at the southwest corner of Lot 4247;

Thence, north approximately 1830.5 feet along the west line of Lots 4247, 3896, 3883, 3882, 3881, 3880, 3879, 3877, 3876, 3874, 3873, and 3871 to a point on the south right of way line of Everhard Road S.W. at the northwest corner of Lot 3871;

Thence, west approximately 565.2 feet along the south right of way line of Everhard Road S.W., crossing Mabry Mill Drive S.W. and along the south line of Everhard Road S.W. to a point on the east line of Out Lot 162;

Thence, south approximately 894.0 feet along the east line of Out Lot 162 to a point at the southeast corner of Out Lot 162;

Thence, west approximately 330.0 feet along the south line of Out Lot 162 and Lot 5887 to a point on the southwest corner of Out Lot 162;

Thence, south approximately 967.4 feet along the east line of Lots 5887, 5888, 5971, 5970 and 5969, crossing Winesap Street S.W. and along the east line of Lot 5889 to a point at the southeast corner of Lot 5889;

Thence, west approximately 1400.0 feet along the south line of Lots 5889, 4631, 4630, 4750, 4629, 4628, 4626, 4624, and 4622 to a point at the southwest corner of Lot 4622;

Thence, north approximately 329.7 feet along a portion of the west line of Lot 4622 to a point at the southeast corner of Lot 4621;

Thence, west approximately 486.6 feet along the south line of Lots 4621, 4620, and 4619 to a point on the east right of way line of Elberta Avenue S.W.;

Thence, north approximately 307.6 feet along the east right of way line of Elberta Avenue S.W. to a point on the south right of way line of Macintosh Street S.W.;

Thence, east approximately 500.8 feet along the south right of way line of Macintosh Street S.W., crossing Stayman Avenue S.W. to a point on the east right of way line of Stayman Avenue S.W.;

Thence, north approximately 850.0 feet along the east line of Stayman Avenue S.W. to a point;

Thence, west approximately 530.0 feet crossing Stayman Avenue S.W., along the south line of Lots 4582, 4583, 4584, and 4585 and crossing Elberta Avenue S.W. to a point on the west right of way line of Elberta Avenue S.W.;

Thence, south approximately 20.0 feet along the west right of way line of Elberta Avenue S.W. to a point at the southeast corner of Lot 4586;

Ordinance No. 107-09Passed December 14, 2009

Thence, west approximately 764.9 feet along the south line of Lots 4586, 4587, 4588, 4589, 4590, 4591, and 4592 to a point on the east right of way line of Salway Avenue S.W.;

Thence, north approximately 977.4 feet along the east right of way line of Salway Avenue S.W., crossing Everhard Road S.W., to a point of curvature;

Thence, northwesterly along the east right of way line of Salway Avenue S.W. on the arc of a curve to the left, having an arc length of approximately 104.6 feet, to a point of reverse curvature;

Thence, northerly along the east right of way line of Salway Avenue S.W. on the arc of a curve to the right, having an arc length of approximately 96.7 feet, to a point at the northwest corner of Lot 4706;

Thence, west approximately 688.3 feet, crossing Salway Avenue S.W. and along the south line of Lots 4679, 4680, 4681, 4705, and 4704 to a point at the southwest corner of Lot 4704;

Thence, north approximately 212.0 feet along the west line of Lot 4704, crossing Linda Street S.W., to a point on the north right of way line of Linda Street S.W.;

Thence, west approximately 32.9 feet along the north right of way line of Linda Street S.W. to a point at the southwest corner of Lot 4697;

Thence, north approximately 843.1 feet along the west line of Lots 4697, 4696, 4695, 4694, 4693, 4692, 4691 and 5536 to a point at the southeast corner of Lot 5098;

Thence, west approximately 1380.2 feet along the south line of Lot 5098, crossing Chandler Avenue S.W. and along the south line of Lots 5099, 5103, 5104, 5105 and Out Lot 340 to a point on the east line of Out Lot 212;

Thence, southwesterly approximately 235.6 feet along the southeasterly line of Out Lot 212 to a deflection point;

Thence, southwesterly approximately 132.0 feet along the southeasterly line of Out Lot 212 to the most southerly point of Out Lot 212;

Thence, northwesterly approximately 481.3 feet along the southwesterly line of Out Lot 212 to a point on the east right of way line of Whipple Avenue;

Thence, north approximately 1388.4 feet along the east right of way line of Whipple Avenue, crossing Heiser's Way S.W. and along the east right of way line of Whipple Avenue to a point;

Thence, east approximately 12.0 feet along the east right of way line of Whipple Avenue to a point;

Thence, north approximately 1105.3 feet along the east right of way line of Whipple Avenue, crossing Glenwood Street S.W., then continuing along the east right of way line of Whipple Avenue to a point on the north line of Out Lot 335;

Thence, east approximately 175.5 feet along the north line of Out Lot 335 to a point at the southwest corner of Out Lot 131;

Thence, north approximately 560.0 feet along the west line of Out Lot 131 to a point at the northwest corner of Out Lot 131;

Thence, east approximately 655.0 feet along the north line of Out Lots 131 and 335, crossing Lucille Avenue S.W. and along the north line of Lot 3206 to a point at the southwest corner of Out Lot 127;

Thence, northeasterly approximately 46.8 feet along the west line of Out Lot 127 to a point at the southwest corner of Out Lot 108;

Thence, north approximately 418.0 feet along the west line of Out Lot 108 to a point at the southeast corner of Out Lot 249;

Thence, west approximately 393.4 feet along the south line of Out Lot 249 to a point at the northeast corner of Out Lot 268;

Thence, south approximately 203.5 feet along the east line of Out Lot 268 to a point at the southeast corner of Out Lot 268;

Thence, west approximately 470.0 feet along the south line of Out Lot 268 to a point on the east right of way line of Wise Avenue;

Thence, north approximately 705.0 feet along the east right of way line of Wise Avenue, crossing West Maple Street to a point on the centerline of West Maple Street being the point of beginning and containing approximately 2,299 acres of land, more or less.

Ordinance No. 107-09

Passed December 14, 20 09

Exception No. 1

Excepting part of Out Lot 85 in the City of North Canton as herein described, the point of beginning being a common corner of the southeast corner of Lot 2356 with the northeast corner of Out Lot 85, thence, south approximately 300.0 feet along the east line of Out Lot 85 to a point at the southeast corner of Out Lot 85;

Thence, west approximately 309.0 feet along the south line of Out Lot 85 to a point at the southwest corner of Part Out Lot 85;

Thence, north approximately 102.0 feet along the west property line of Out Lot 85 to a point;

Thence, west approximately 175.0 feet along the south property line of Out Lot 85 to a point in the center of Donner Avenue S.W.;

Thence, north approximately 198.0 feet along the center of Donner Avenue S.W. to a point at the northwest corner of Out Lot 85;

Thence, east approximately 484.7 feet along the north property line of Out Lot 85 to the place of beginning and containing approximately 2.9 acres of land.

Exception No. 2

Excepting all of Lots 1932 and 6987, all of Park Circle S.W. and part of Out Lot 43 as bounded on the west by Hillcrest Avenue S.W. on the north, by Park Circle S.W. on the east, by Fair Oaks Avenue S.W., and on the south by lots 6986 and 6985 containing approximately 14.0 acres of land.

Exception No. 3

Excepting all of Out Lots 143, 152, 213 in The City of North Canton and containing approximately 110.1 acres of land.

Note: The gross area of 2,299 acres less Exceptions No.1, No. 2 and No. 3 as described above leaves a net area of 2,172 acres for the proposed North Canton Community Reinvestment Area Consolidation and Expansion.

The above descriptions were prepared from tax maps and are not the result of field surveys.

James J. Benekos P.S. 7653
City Engineer

October, 2009