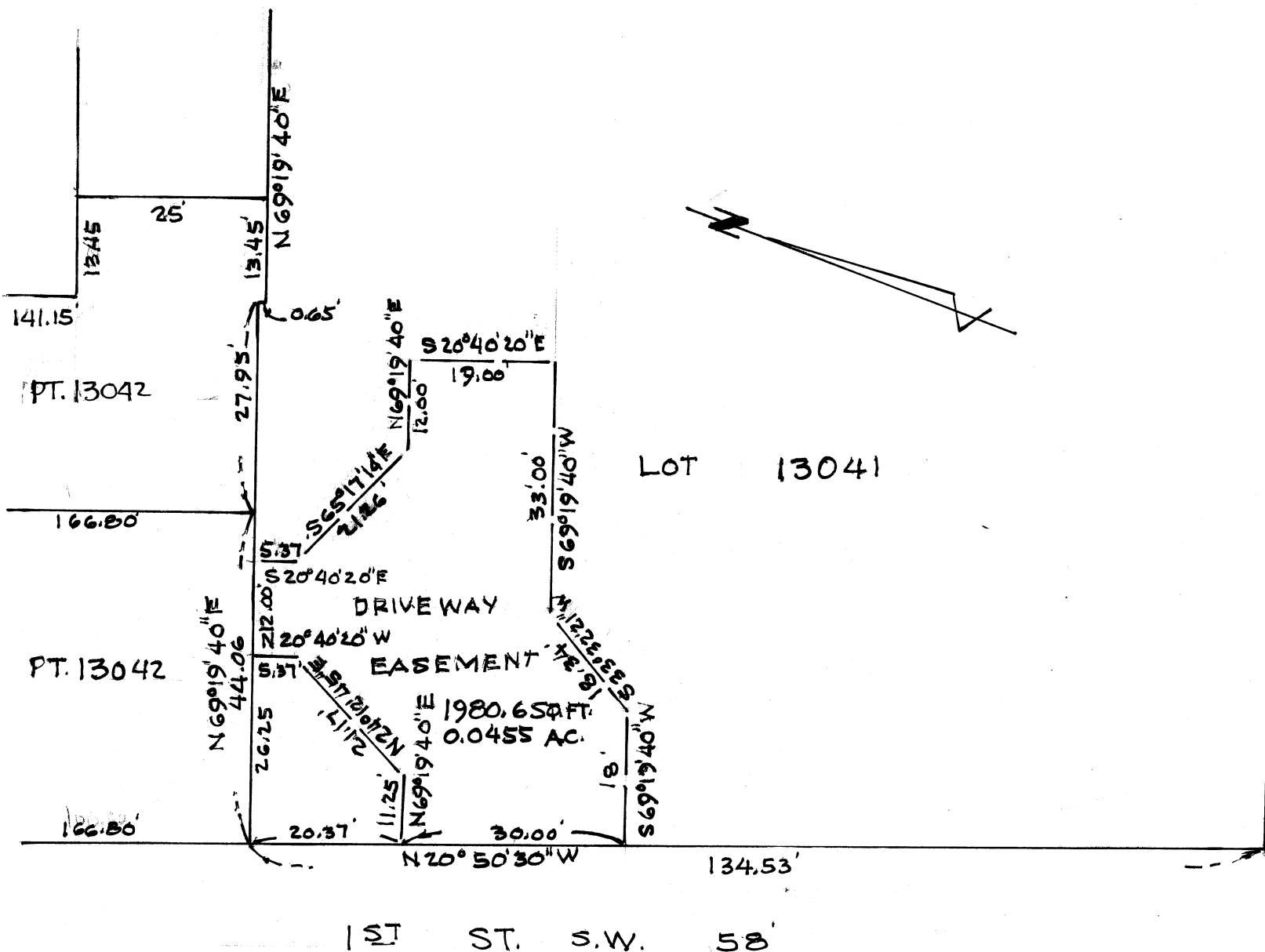


2576



DRIVEWAY EASEMENT
FOR WEST PART OF LOT 13042

SCALE 1"=30'

DR. BY R.F. WAGONER, CITY ENG.

DEPT. OF PUBLIC SERVICE
ENGINEERING DIVISION

DATE: May 16, 1994

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 116 - 1994

BY: THE PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to execute a grant of easement on the west part of Lot No. 13042 for and on behalf of the City of Massillon, to Massillon Community Hospital for deliveries at the City parking lot area located at Erie Street South and Charles Avenue S.W., and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The Mayor and Director of Public Service and Safety are authorized to sign on behalf of the City of Massillon, Ohio, a grant of easement on the west part of Lot No. 13042 for and on behalf of the City of Massillon, granting to Massillon Community Hospital, certain rights as more fully set forth in Section 2 hereof.

Section 2:

The easement referred in Section 1 hereof shall be in the following form and shall contain the following terms and conditions:

Said easement covers the premises known as and being the west part of Lot No. 13042 in the City of Massillon, Ohio, located at Erie Street South and Charles Avenue S.W. and known as the City parking lot and more fully described as follows:

Beginning at the northwest corner of Lot No. 13041, thence N69°19'40"E, a distance of 26.25' to the true place of beginning of the driveway easement herein described; said easement being across Lot No. 13041;

Thence N69°19'40"E, a distance of 12.00' to a point;

Thence S20°40'20"E, a distance of 5.37' to a point;

Thence S65°17'14"E, a distance of 21.26' to a point;

Thence N69°19'40"E, a distance of 12.00' to a point;

Thence S20°40'20"E, a distance of 19.00' to a point;

Thence S69°19'40"W, a distance of 33.00' to a point;

Thence S33°32'21"W, a distance of 18.34' to a point;

Thence S69°19'40"W, a distance of 18.00' to a point on the east right-of-way line of 1st Street S.W.;

Thence N20°50'30"W along said east right-of-way, a distance of 30.00' to a point;

Thence N69°19'40"E, a distance of 11.25' to a point;

Thence N24°12'45"E, a distance of 21.17' to a point;

Thence N20°40'20"W, a distance of 5.37' to the true place of beginning containing 1980.6 square feet, 0.0455 acres.

Section 3:

The easement shall contain a condition that it will be terminated if the City parking lot located at the corner of Erie and Charles S.W., shall be used as a site for a parking deck.

Section 4:

That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force at the earliest period allowed by law.

PASSED IN COUNCIL THIS 16th DAY OF May 1994

APPROVED: Sharon Howell
SHARON HOWELL, CLERK OF COUNCIL

Carl M. Turkal
CARL M. TURKAL, PRESIDENT

APPROVED: May 17, 1994

Francis H. Cicchinelli, Jr.
FRANCIS H. CICCHINELLI, JR., MAYOR

I hereby certify that the foregoing ordinance is a true copy of the original, as passed by the Council of the City of Massillon, Ohio, and approved as noted thereon:

Sharon Howell
Clerk of Council

Date 5/16/94