

RECORD OF ORDINANCES

Ordinance No. 2023-40

Passed JUNE 7, 2023

SPONSOR: STREETS COMMITTEE

AN ORDINANCE VACATING PERO STREET WITHIN THE MUNICIPAL LIMITS OF THE VILLAGE OF MOGADORE, AND DECLARING AN EMERGENCY.

WHEREAS, Section 723.05 of the Ohio Revised Code authorizes this Council to adopt an ordinance to vacate any street or alley in the Village provided that this Council determines that there is good cause for vacating the street or alley, or any part thereof, and that such vacation will not be detrimental to the general interest of the public; and

WHEREAS, Pero Street is currently located within the Village of Mogadore, running east off of South Cleveland Avenue to a dead end, is comprised of only 0.696 acres, and is surrounded entirely by property owned by Omnova Solutions Inc.; and

WHEREAS, this Council finds that there is good cause for vacating Pero Street, as more fully depicted on the Pero Street Vacation Plat attached hereto as Exhibit A, given that the street is not used for public purposes and currently comprises a portion of the driveways and parking lots serving the Synthomer (successor in interest to Omnova Solutions Inc.) industrial facility within the Village; and

WHEREAS, this Council finds that the vacation of Pero Street will not be detrimental to the general interest of the public given its current use as a driveway and parking lot for the aforementioned Synthomer industrial facility and no other public purpose; and

WHEREAS, Omnova Solutions Inc., as the sole property owner adjacent to Pero Street, has requested and acknowledged the vacation of Pero Street; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village to vacate Pero Street within the municipal limits of the Village of Mogadore as set forth on Exhibit A.

NOW, THEREFORE BE IT ORDAINED, by the Council of the Village of Mogadore, Counties of Summit and Portage, State of Ohio, that:

SECTION 1: This Council hereby orders and declares Pero Street to be vacated by the Village, as more fully set forth and depicted on the Pero Street Vacation Plat attached hereto as Exhibit A.

SECTION 2: This Council hereby authorizes the Mayor and Village Engineer to execute the Pero Street Vacation Plat in the form attached hereto as Exhibit A.

SECTION 3: The Clerk-Treasurer is hereby authorized and directed to file the Pero Street Vacation Plat and a certified copy of this Ordinance with the Portage County Recorder.

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SECTION 4: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in this formal action were in meetings open to the public, in compliance with all legal requirements.

SECTION 5: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose of immediately vacating Pero Street so that the same may be owned by Omnova Solutions Inc. and contribute to Synthomer's operations in the Village, and, provided this Ordinance receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

Michael Raddick 6-7-23
President of Council Date

Michael A. Pich 6-7-23
Mayor Date

Attest:
[Signature]
Clerk-Treasurer

BASIS OF BEARING

The Basis of Bearing for this survey is Grid North of the Ohio State Plane Coordinate System, North Zone, on the North American Datum of 1983 (NAD 83).

STREET VACATION PLAT

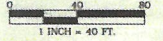
Situated in Village of Mogadore, County of Portage and State of Ohio: Being part of Original Lot 47, Sufferd Township and being all of Pero Street as recorded in Plat Volume 3, Page 10 of Portage County Records

SURVEY REFERENCES

1. Deeds as shown herein
2. Plat Volume 2, Page 10
3. P.C.S.R. P-14476
4. P.C.S.R. P-15167
5. P.C.S.R. P-15219
6. Portage County GIS



GRAPHIC SCALE



1	874.942' E 10.0'
2	12.18' N 87.824' W 10.0'

RESERVATION OF EASEMENT

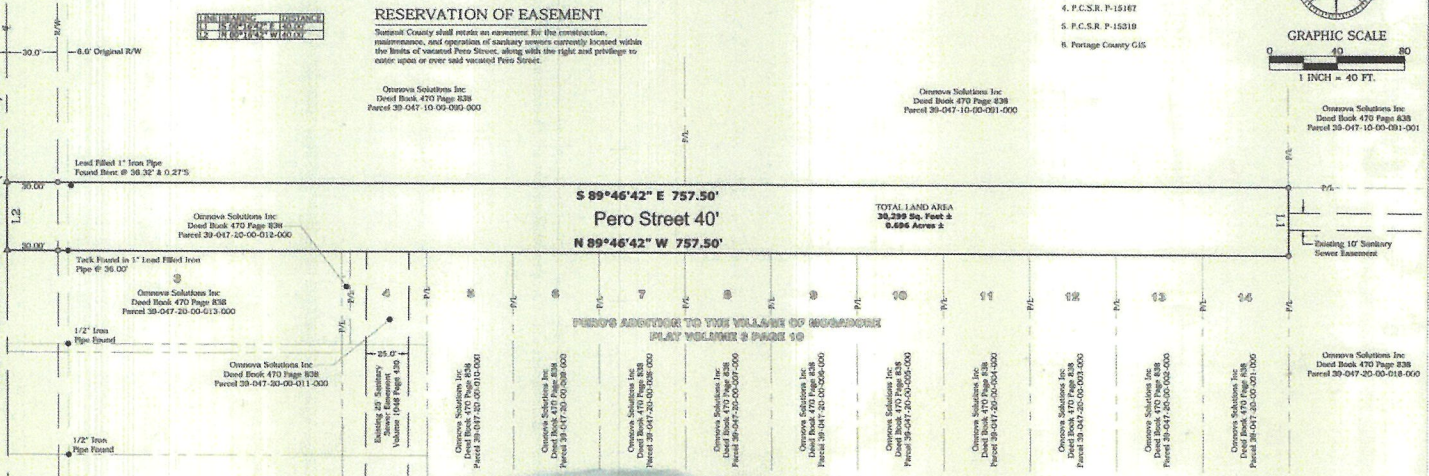
Summit County shall retain an easement for the construction, maintenance, and operation of sanitary sewers currently located within the limits of vacated Pero Street, along with the right and privilege to enter upon or over said vacated Pero Street.

Omnova Solutions Inc.
Deed Book 470 Page 838
Parcel 39-047-10-00-009-000

Omnova Solutions Inc.
Deed Book 470 Page 838
Parcel 39-047-10-00-001-000

Omnova Solutions Inc.
Deed Book 470 Page 838
Parcel 39-047-10-00-001-001

South Cleveland Avenue (S.R. 532) 60'



ADJOINING OWNERS ACKNOWLEDGMENT

WE, THE UNDERSIGNED OWNERS OF ALL LANDS ADJOINING THE RIGHT OF WAY OF PERO STREET, ACKNOWLEDGE THIS STREET VACATION PLAT TO BE OUR FREE ACT AND DEED.

IN WITNESS WHEREOF THIS 31 DAY OF MAY 2023

OWNER: Patricia Spaine PRINTED NAME

OWNER: _____ PRINTED NAME

OWNER: _____ PRINTED NAME

OWNER: _____ PRINTED NAME

VILLAGE ENGINEER

APPROVED THIS 1st DAY OF June 2023

Matthew Shaw
Village Engineer

VILLAGE COUNCIL

THIS VACATION PLAT WAS ONLY ACCEPTED BY UNANIMOUS CONSENT OF THE MOGADORE VILLAGE COUNCIL THIS _____ DAY OF _____ 20____ UNDER ORDINANCE NO. _____

CLERK _____

MAYOR _____

TAX MAP

RECEIVED FOR RECORD THIS _____ DAY OF _____ 20____

TAX MAP REPRESENTATIVE _____

AUDITOR

TRANSFERRED THIS _____ DAY OF _____ 20____

PORTAGE COUNTY AUDITOR _____

RECORDER

FILED FOR RECORD THIS _____ DAY OF _____ 20____

RECORDED THIS _____ DAY OF _____ 20____

IN PLAT _____

PORTAGE COUNTY RECORDER _____

CERTIFICATION

I hereby certify that this map is plat and the field survey on which it is based were made in accordance with the Minimum Standards for Boundary Surveys in the State of Ohio, Chapter 4723.27 of the Ohio Administrative Code. The field work was completed on March 1, 2023.

Signature Date: Edward E. Northrop 5-15-23

Edward E. Northrop, P.S.
Ohio Professional Surveyor No. 8199
For and on behalf of Titan USA Commercial Real Estate Services, LLC



NOTARY PUBLIC

STATE OF OHIO

COUNTY OF Portage

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED THE ABOVE NAMED OWNERS OR CORPORATE REPRESENTATIVES, WHO ACKNOWLEDGED THE SIGNED OF THE FOREGOING INSTRUMENT, THAT THEY ARE FULLY AUTHORIZED TO EXECUTE THIS INSTRUMENT AS OWNERS OR ON BEHALF OF SAID CORPORATION AND THAT THE SAME IS THEIR FREE ACT AND DEED AND FREE ACT AND DEED OF SAID CORPORATION.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL AT Synthomer THIS 31 DAY OF MAY 2023

Matthew Shaw
NOTARY PUBLIC

DEPT. OF ENGINEER SANITARY SEWER SERVICES
SUMMIT COUNTY ENGINEER

APPROVED THIS 5 DAY OF JUNE 2023

Matthew Shaw
SUMMIT COUNTY ENGINEER

Plat Prepared For
Omnova Solutions
165 South Cleveland Avenue
Mogadore, OH 44206

Phone: 330-842-7671 www.titanres.com

TITAN USA
COMMERCIAL REAL ESTATE SERVICES
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Surveying & Mapping
ATA/NPS Land Title Survey Specialists Email: surveyors@titanres.com

Project No. 1800
Drafted By: KJT Checked By: EEN

Sheet No. **1** of **1**

