



LORAIN COUNTY

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440-329-5116

Community Development Director

Ronald F. Twining
440-328-2323

Records Center Supervisor

Lynn Wallace
440-326-1866

July 29, 2003

Barbara Baker, Clerk
Elyria Township Trustees
41416 Griswold Road
Elyria, Ohio 44035

Dear Ms. Baker:

Enclosed is a copy of Resolution No. 03-539, adopted by the Lorain County Board of Commissioners on July 10, 2003 granting proposed Vacation of an existing road right of way being part of El Camino Court, Elyria Township, Lorain County, Ohio.

This is being forwarded for your information and files.

Yours truly,

Theresa L. Upton
Acting Clerk

tlu
Enclosure

Cc: Judy Nedwick, LC Recorder
Mark Stewart, LC Auditor
Kenneth P. Carney, LC Engineer/Attn: John Hamilton
Tom McNair, Tax Map Department
File

RESOLUTION NO. 03-539

In the matter of granting proposed Vacation of an existing)
Road right of way being part of El Camino Court, Elyria) July 10, 2003
Township, Lorain County, Ohio)

WHEREAS, after due and legal advertising and personal notice this is the day fixed for the public hearing by Resolution No. 03-406, adopted May 29, 2003 on the vacation of an existing road right of way being part of El Camino Court, as recorded in Cresthaven Subdivision No. 6, Elyria Township, Lorain County, Ohio; and

WHEREAS, fifteen (15) abutting owners have signed the petition; and

WHEREAS, notices were forwarded to the Utility Companies. Alltel Communications responded having no easements in this area; and

WHEREAS, notice of this public hearing was published in the Chronicle Telegram on June 4 and 16, 2003 and on May 20, 2003 notices were also forwarded to property owners and the Clerk of Elyria Township; and

WHEREAS, Assistant County Prosecutor Jerry Innes, administered an oath to those wishing to make a comment on this vacation; and

WHEREAS, Commissioner Blair asked for comments from the Lorain County Engineer's Office, there being none; and

WHEREAS, Commissioner Blair asked or comments from the Elyria Township Trustees, no one was present; and

WHEREAS, Commissioner Blair asked for comments from anyone in favor of this vacation.

Bob Quester questioned how the road would be split once vacated, Assistant County Prosecutor Innes said once road is vacated it will go half to the abutting property owners. Don Bonhanon, Engineer's Office said North of I-90 will become all of Mr. Quester's property and South part to Cresthaven will be split evenly with property owners; and

WHEREAS, Commissioner Blair asked for anyone in opposition to this vacation to state their comments. No one present expressed their opposition.

NOW, THEREFORE BE IT RESOLVED, that Commissioner Blair moved to grant the proposed vacation of an existing road right of way being part of El Camino Court, as recorded in Cresthaven Subdivision No. 6, Elyria Township, Lorain County, Ohio and said approval is determined to be for the benefit of the public convenience and welfare. Commissioner Moore seconded the motion.

Said Vacation is granted as follows:

PETITION FOR VACATION

Existing road right-of-way being part of El Camino Court (unimproved) as recorded in the Cresthaven Subdivision No. 6 as recorded in the Lorain County Recorder's record of plats Volume 24 Page 68. This street is described as follows:

Beginning at a point in the northerly right of way of Crestlane Drive at the intersection with the easterly right of way line of El Camino Court, which is also 11.98' east of the west lot line of subplot no.190 of the Auditor's Revised Plat of Cresthaven Subdivision No.2, Plat Volume 24 Page 50: ,

Thence N 0° 43' 00" E along the easterly right of way line of El Camino Court a distance of 140.05' to an angle point;

Thence N 0° 02' 30" W continuing along said east right of way line a distance of 490.85' to a point, which is also the start of a curve for a cul-de-sac;

Thence along said arc of curve of cul-de-sac with chord bearing of N 18° 23' 36" E, radius of 50.0', delta of 36° 52' 11" and an arc distance of 31.81' to point which is a compound curve:

Thence continuing along the arc of curve of the cul-de-sac with the radius 50.0', delta of 42° 11' 46", arc distance of 36.82' and a chord distance of 36.00 to a point on the curve of the cul-de-sac;

Thence continuing along the curve the next four steps are the same, they follow along the curve of the cul-de-sac with a radius of 50.0', delta of 42° 20' 12", arc distance of 36.95' and a chord distance of 36.11' to a point on the curve of the cul-de-sac;

Thence continuing along the arc of curve of the cul-de-sac with a radius of 50.0', delta of 42° 11' 46", arc distance of 36.82' and a chord distance of 36.00' to a point of compound curve;

Thence continuing along the arc of curve of the cul-de-sac with a radius of 50.0', delta of 36° 52' 11" and a arc distance of 31.81' to a point of tangency;

Thence, now along the west right of way line of El Camino Court with a bearing of S 0° 02' 30" E and a distance of 490.95' to an angle point;

Thence S 0° 43' 00" E along the west right of way line of El Camino' Court a distance of 139.09', to an angle point;

Thence S 89° 17' 00" E along the northerly right of way line of Crestlane Drive a distance 60.0' to the principle place of beginning.

FURTHER BE IT RESOLVED, said Vacation of the aforesaid an existing road right of way being part of El Camino Court, as recorded in Cresthaven Subdivision No. 6, Elyria Township, Lorain County, Ohio shall accrue proportionately to the benefit of the adjacent property owners as provided by law.

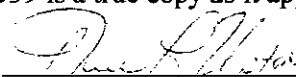
BE IT FURTHER RESOLVED, that the land is within the limits of said street as they are now established, shall forever remain, notwithstanding the passage of this resolution, subject to the rights of utilities now maintaining structures, fixtures and appurtenances in, under, over or upon said lands, to continue to maintain such structures, fixtures and appurtenances, and to enter upon said lands wherever reasonably necessary to do so for the purpose of inspecting, altering, replacing, repairing, patrolling and maintaining such structures, fixtures and appurtenances.

FURTHER BE IT RESOLVED, that a copy of this resolution be forwarded to the County Recorder, Auditor, Engineer, Tax Map and Elyria Township Trustees for recording and filing.

Ayes: Blair & Moore / Absent: Vasi attending a NACO seminar.

Motion carried. _____ (discussion was held on the above)

I, Theresa L. Upton, Acting Clerk to the Lorain County Board of Commissioners do hereby certify that the above Resolution No. 03-539 is a true copy as it appears in Journal No. 03 on date of July 10, 2003.


Theresa L. Upton, Acting Clerk

