

RESOLUTION NO. 05-238

In the matter of granting the Vacation of an existing 15')
alley (unimproved) being part of the Superior Subdivision)
in original lot #5 of the Newberry Tract, Elyria Township,)
Lorain County, Ohio)

March 17, 2005

WHEREAS, after due and legal advertising and personal notice this is the day fixed for the public hearing on the Vacation of an existing 15' alley (unimproved) being part of the Superior Subdivision in original lot #5 of the Newberry Tract, Elyria Township, Lorain County, Ohio; and

WHEREAS, notices were forwarded to the Utility Companies; Alltel Ohio, Inc., Ohio Edison, Columbia Gas of Ohio, Ohio Department of Natural Resources with no responses; and

WHEREAS, notice of this public hearing was published in the Chronicle Telegram on February 14 and 21, 2005 and notices were also forwarded to 10 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 if there were any comments from the Engineer's Office or Township Trustees; there was no one present; and

WHEREAS, Commissioner Blair asked for anyone in opposition to this vacation to state their comments. No one responded; and

WHEREAS, Commissioner Blair asked for anyone in favor to this vacation to state their comments. No one responded.

NOW, THEREFORE BE IT RESOLVED, that Commissioner Blair moved to grant the proposed vacation of Vacation of an existing 15' alley (unimproved) being part of the Superior Subdivision in original lot #5 of the Newberry Tract, Elyria Township, Lorain County, Ohio and said approval is determined to be for the benefit of the public convenience and welfare. Commissioner Kokoski seconded the motion.

Said Vacation is granted as follows:

We the undersigned residents of the Township of Elyria, County of Lorain, State of Ohio, do hereby petition to vacate an existing 15" Alley, said alley being part of Superior Subdivision in original lot #5 of the Newberry Tract in Elyria Township, as recorded in the Lorain County Recorder's record of plats Volume 10 Page 4. Said alley runs from Wabash street north to the south property line of parcel owned by Rosemarie G. Hanko. This alley is described as follows:

Beginning at a point in the east right-of-way of Elyria Avenue (60') and the north right-of-way line of Wabash Street (60') intersect, said point is also the southwest corner of subplot #300.

Thence, easterly along the north right-of-way line of Wabash Street, from the previously said point of intersection, a distance of 89.39' to the principle place of beginning, which is also, the southeast corner of subplot #300.