

## Administrator

James R. Cordes 440-329-5760

Acting Clerk Of Board Theresa Upton 440-329-5103

Ombudsman Larry Allen 440-129-5488

Solid Waste Director Daniel Billman 440-329-5442

Children & Family Council Director Juan Molina Crespo 440-284-4467

Projects Manager Karen Davis 440-329-5102

Human Resources Department 440-329-5150

Golden Acres Administrator William Glowacki 440-988-7210

E-9-1-1 Director Robin Jones 440-329-5444

Emergency Management Agency and Homeland Security Director Thomas Kelley 440-329-5117

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Dog Waiden 440-326-5997

Purchasing Director Yvonne Newton 440-529-5240

Workforce Development Director William Ogle 440-284-1830

Office Services Acting Supervisor Jennifer L. Demich 440-329-5115

Budget Director John Rokasy 440-329-5525

Information Technology and Telecommunications Director Emie Smith 440-329-5786

Maintenance Supervisor Ralph Smugala 440-329-5116

Community Development Director Ronald F. Twining 440-528-2323

Records Center Supervisor Lynn Wallsce-Smith 440-526-4866

Lorain County Transit Acting Director Thomas Ferguson 440-329-5545

## LORAIN COUNTY

## **Board Of Commissioners**

Betty Blair

· Ted Kalo

Lori Kokoski

March 17, 2005

Elyria Township Trustees c/o Barbara Baker 41416 Griswold Road Elyria, Ohio 44035

Dear Ms. Baker:

Enclosed is a copy of Resolution No. 05-238, adopted by the Lorain County Board of Commissioners on March 17, 2005 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.

This is being forwarded for your information and files.

Yours truly,

Theresa L. Upton

Clerk

tlu Enclosure

Cc: Ken Carney, LC Engineer
Mark Stewart, LC Auditor
Judy Nedwick, LC Recorder
Tom McNair, Tax Map
File

226 Middle Ave. Elyria, Ohio 44035-5641 Phone: 440-329-5000 or 440-244-6261 Fax: 440-323-3357 www.loraincounty.us

## **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 coroner of sublot #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 comer of sublot #300.

Thence, in a northerly direction along the west right-of-way line of said 15' Alley a distance of 108.00' to the northeast coroner of sublot #302, which is also, a point on the south property line of the parcel owned by Rosemarie G. Hanko;

Thence, easterly along the south property line of parcel owned by Rosemarie G. Hanko, a distance of 15' to the east right-of-way line of said 15' Alley extended north;

Thence, southerly along the east right-of-way line extended a distance of 8.0' to the northwest comer of sublot #299, which is also, a point where the south right-of-way line of the 8.0' Alley and the east right-of-way of said 15' Alley meet:

Thence, continuing in a southerly direction along the east right-of-way line of said 15' Alley, which is also the west property line of sublot #299, a distance of 100.0', a point of intersection between the north right-of-way line of Wabash Street and the east right-of-way line of said 15' Alley.

Thence, westerly a distance of 15' along the north right-of-way line of Wabash Street extended to the principle place of beginning.

We the undersigned residents, do hereby agree to this petition:

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Signature	Address
George Simunovic	6257 Elyria Avenue, Elyria, Oh 44035
Rose Hanko	6261 Elyria Avenue, Elyria, Oh 44035
William Reynolds	6340 Lake Ave., Elyria, Oh 44035
Patrick A. Fenik	6413 Lake Ave., Elyria, Oh 44035
Joan Walker	42126 Debra Dr., Elyria, Oh 44035
Euguene Fannon	6485 Lake Ave., Elyгіа, ОН
Donald Milovich	6249 Elryia Ave., Elyria, Ohio
William C. Holtzman	6874 Murray Ridge, Elyria, Oh
Robert Scheithauer	7685 West Ridge Rd., Elyria, Oh
Rick Hutman	42000 Debra Dr., Elyria, Oh

FURTHER BE IT RESOLVED, said Vacation of the aforesaid 15' alley (unimproved) being part of the Superior Subdivision in original Lot #5 of the Newberry Tract, 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.

March 17, 2005

Resolution No. 05-238 cont.

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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: All. – Motion carried.
I, Theresa Upton, Clerk to the Lorain County Board of Commissioners do hereby certify that the above Resolution No. 05-238 is a true copy as it appears in Journal No.05 on the date of March 17, 2005.

Theresa L. Upton, Clerk

