

LORAIN COUNTY

Board of Commissioners
Ted Kalo Lori Kokoski Tom Williams



Doc ID: 017697360003 Type: OFF
Kind: RESOLUTION
Recorded: 10/07/2013 at 10:33:15 AM
Fee Amt: \$0.00 Page 1 of 3
Lorain County, Ohio
Judith M Nedwick County Recorder
File **2013-0481482**

2011 NOV 29 4 10 13

- County Administrator
James R. Cordes
440-329-5760
- Clerk of Board of Commissioners
Theresa Upton
440-329-5103
- Animal Control Officer
J. A. Szelepa Sr.
440-326-5997
- Budget Director
Lisa Hobart
440-329-5201
- Charles Berry Bridge Supervisor
Stan Koziura
440-244-2137
- Children & Family Council
Melissa Stefano
440-284-4467
- Community Development
Don Romancak
440-328-2323
- E-9-1-1 Director
Robin Jones
440-329-5444
- Emergency Management &
Homeland Security Director
Thomas Kelley
440-329-5117
- Golden Acres Administrator
Jeri Dull
440-988-7210
- Human Resources Department
440-329-5150
- IT Director
Ernie Smith
440-329-5786
- Lorain County Transit
440-329-5525
- Maintenance Director
Dennis Shawver
440-329-5326
- Office on Aging Director
Patricia Littleton
440-329-4818
- Office of Sustainability Director
Michael Challenger
440-328-2361
- Purchasing
440-329-5225
- Records Center Supervisor
Lynn Wallace-Smith
440-326-4866
- Solid Waste Director
Keith Bailey
440-329-5442
- Special Projects Manager
Karen Davis
440-329-5102
- Workforce Development
440-284-1830

November 7, 2011

Marlene Joy Thompson
Carlisle Township
11969 LaGrange Road
LaGrange, Ohio 44050

Dear Ms. Thompson:

Enclosed is a corrected copy of Resolution No11-709, adopted by the Lorain County Board of Commissioners on November 2, 2011 granting proposed Vacation of South Hadaway Street (unimproved) containing .1556 Acres in original lot #8, Carlisle Homes Allotment, Carlisle Township, Lorain County.

Please note the correction was a typographical error in the legal description, the 3rd bearing is 89° not 87°.

Yours truly,

Theresa L. Upton
Clerk

tlu
Enclosure

Cc: **Judy Nedwick, LC Recorder**
Mark Stewart, LC Auditor
Kenneth P. Carney, LC Engineer/Attn: Wayne Mileti
Ted Spillman, Tax Map Department
File

RESOLUTION NO. 11-709

In the matter of granting the Vacation of South)
Hadaway Street (unimproved) containing .1556)
Acres in original lot #8, Carlisle Homes)
Allotment, Carlisle Township, Lorain County)

November 2, 2011

WHEREAS, after due and legal advertising and personal notice this is the day fixed for the public hearing on the Vacation of South Hadaway Street (unimproved) containing .1556 Acres in original lot #8, Carlisle Homes Allotment, Carlisle Township, Lorain County; and

WHEREAS, May 2, 2011 Carlisle Township requested the Commissioners to vacate. Resolution No. 11-357, adopted June 8, 2011 authorized Commissioners to be petitioner; and

WHEREAS, June 13, 2011 said petition was forwarded to the County Engineer for review, and by letter July 7, 2011 the Engineer indicated the road is apart of Carlisle Homes Allotment as recorded in Recorders Plat Record Volume 13, Page 6 and legal description and map accurately depicts the are of the proposed vacation by the Township; and

WHEREAS, August 10, 2011 utility companies were notified and Columbia Gas stated there are no facilities in the area; and

WHEREAS, Resolution No. 11-646, adopted October 5, 2011 received and journalized the proposed vacation, scheduled the view on October 21 at 10:00 a.m. and the public hearing for November 2, 2011 at 11:00 a.m.; and

WHEREAS, notice of this public hearing was published in the Chronicle Telegram on October 7 and 14, 2011 and notices were also forwarded to 5 property owners, the Clerk of Carlisle Township and Ohio Department of Natural Resources; and

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

WHEREAS, Commissioner Kalo asked if there were any comments from the Engineer's Office.

Mr. Wayne Mileti said Commissioner Kalo, Doug Hassel and himself from the Engineer's office went to the viewing, no property owners were present on October 21 and many residents are area consisting of 50x135 and thought the other half of the street was vacated. Clerk Upton stated that there was a requested by the Commissioners denied this vacation in 1999; and

WHEREAS, Commissioner Kalo asked if there were any comments from the Township Trustees; there was no comments; and

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

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

WHEREAS, Commissioner Kalo asked if there were any further comments. Mathew Diedrick, 40879 Carlisle Avenue, Elyria asked what happens with this property. Assistant County Prosecutor Innes said that it is divided equally between the owners.

NOW, THEREFORE BE IT RESOLVED, that Commissioner Kalo moved to grant of South Hadaway Street (unimproved) containing .1556 Acres in original lot #8, Carlisle Homes Allotment, Carlisle 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 Legal Description is as follows:

The area of S. Hadaway Street in Carlisle Township O.L. #8, in Carlisle Homes Allotment which is recorded in Volume 13, Page 6, which is requested to be vacated, is described as follows:

Beginning at the point where the centerline of Carlisle Avenue 60 ft. in width and the centerline of LaGrange Road is 60 ft. in width;

Thence N 89° 17' 00" E, 641.12' along the centerline of Carlisle Avenue;

Thence S 00° 02' 20" W, 30.00' to the South R/W of Carlisle Avenue and the Northeast corner of S/L 75 and the principal point of beginning;

Thence N 89° 17' 00" E, 50.00' across the existing R/W of Hadaway Street 50.00 in width and along the south R/W of Carlisle Avenue to the Northwest corner of S/L 74;

Thence, S 0° 02' 20" W, 135.32' along the West line of S/L 74 to the South line of Carlisle Homes Allotment;

Thence S 89° 18' 30" W, 50.00' across existing Hadaway Street and along the South boundary of Carlisle Homes Allotment to the Southeast corner of S/L 75;

Thence N 0° 02' 20" E, 135.58' along the East line of S/L 75 to the Northeast corner of S/L 75 and the south R/W of Carlisle Avenue to the principle point of beginning said herein before described land contains .1556 acres;

And;

FURTHER BE IT RESOLVED, said Vacation of South Hadaway Street (unimproved) containing .1556 Acres in original lot #8, Carlisle Homes Allotment, Carlisle 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.

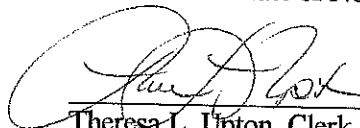
FURTHER BE IT RESOLVED, that a copy of this resolution be forwarded to the County Recorder, Auditor, Engineer, Tax Map and Carlisle Township Trustees for recording and filing.

Ayes: All.

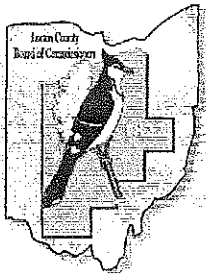
Motion carried. _____ (discussion was held on the above)

I, Theresa L. Upton, Clerk to the Lorain County Board of Commissioners do hereby certify that the above Resolution No. 11-709 is a true copy as it appears in Journal No. 11-2 on date of November 2, 2011.

LORAIN COUNTY COMMISSIONERS
2260 MIDDLE AVE 4TH FL
ELYRIA, OH 44035


Theresa L. Upton, Clerk





LORAIN COUNTY

Board of Commissioners
Ted Kalo Lori Kokoski Tom Williams



Doc ID: 017697380006 Type: OFF
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Lorain County, Ohio
Judith M Nedwick County Recorder
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Keith Bailey
440-329-5442
- Special Projects Manager
Karen Davis
440-329-5102
- Workforce Development
440-284-1830

November 3, 2011

Marlene Joy Thompson
Carlisle Township
11969 LaGrange Road
LaGrange, Ohio 44050

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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: Wayne Mileti
Ted Spillman, Tax Map Department
File

2011 NOV - 7 4 11:15

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Thence N 0° 02' 20" E, 135.58' along the East line of S/L 75 to the Northeast corner of S/L 75 and the south R/W of Carlisle Avenue to the principle point of beginning said herein before described land contains .1556 acres;

And;

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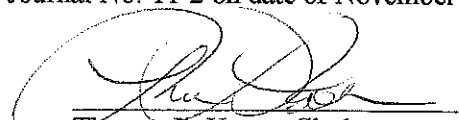
BE IT FURTHER RESOLVED, that the land is within the limits of said street as they are now established, shall forever remain, notwithstanding the passage of this resolution, subject to the rights of utilities now maintaining structures, fixtures and appurtenances in, under, over or upon said lands, to 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 Carlisle Township Trustees for recording and filing.

Ayes: All.

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

I, Theresa L. Upton, Clerk to the Lorain County Board of Commissioners do hereby certify that the above Resolution No. 11-709 is a true copy as it appears in Journal No. 11-2 on date of November 2, 2011.


Theresa L. Upton, Clerk



**Description of Request for Vacation
of S. Hadaway Street in Carlisle Township**

The area of S. Hadaway Street in Carlisle Township O.L. #8, in Carlisle Homes Allotment which is recorded in Volume 13 Page 6, which is requested to be vacated is described as follows:

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