

ORDINANCE NO. 110-05

AN ORDINANCE TO VACATE EAST 34TH STREET (60 FEET WIDE) FROM THE EASTLINE OF LOWELL AVENUE, EASTERLY 120.00 FEET.

WHEREAS, a petition signed by 100% of the owners of the abutting property described above, was duly presented to Council praying that said portion of East 34th Street to be vacated; and

WHEREAS, City Council, upon hearing, is satisfied that there is good cause for such vacation as prayed for, and that it will not be detrimental to the general interest and ought to be made; and

WHEREAS, under the provision of Ohio Revised Code Section 723.06, notice of pendency and prayer of petition is not required.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LORAIN, STATE OF OHIO:

SECTION 1: That East 34th Street, 60' wide from the eastline of Lowell Avenue, easterly 120.00 feet, in the City of Lorain, County of Lorain, State of Ohio be the same is hereby vacated, subject however, that the City of Lorain, Ohio reserves to itself and others, easement rights to construct or maintain sanitary sewer conduits, storm sewer conduits, water conduits, gas conduits, electric conduits, fire alarm system conduits, telephone and electric pole transmission lines and other similar facilities under or above said Street whenever deemed necessary.

SECTION 2: That it is agreed that each one-half of the Street as described, will revert to the respective abutting owner on each side of said Street.

SECTION 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of all its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: That this shall take effect and be in force from and after the earliest period allowed by law.

PASSED June 20, 2005

PRESIDENT: [Signature]

ATTEST: [Signature]
Mayor

APPROVED: June 20, 2005

[Signature]
Clerk

FN 292.A
692 I, NANCY A. GREER, CLERK OF COUNCIL OF THE
CITY OF LORAIN, OHIO, CERTIFY THE FOREGOING IS
A TRUE AND ACCURATE COPY OF ORD. NO. 110-05 PASSED
ON THE 20 DAY OF June 19 05 BY COUNCIL
AND TAKEN FROM THE RECORDS IN THE OFFICE OF
THE CLERK.

3-1-06
DATE

[Signature]
CLERK OF COUNCIL