

THE CITY OF LORAIN, OHIO  
CITY COUNCIL

COPY

200 West Erie Ave., Room 101  
Lorain, Ohio 44052

29 July 1986

JOHN A. RICH  
President  
ROBERT W. HRITSKO  
At Large  
KENNETH C. SHAWVER  
At Large  
WANDA I. TULLY  
At Large  
GEORGE D. METELSKY  
First Ward  
RONALD A. PECORA  
Second Ward  
EMMETT ROSS, JR.  
Third Ward

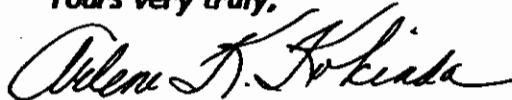
THOMAS C. URBANEK  
Fourth Ward  
ANTHONY S. ATKINSON  
Fifth Ward  
ANGEL L. ARROYO  
Sixth Ward  
MARY JO COOK  
Seventh Ward  
FRED J. RITENAUER  
Eighth Ward  
WILLIAM V. FLYNN  
Ninth Ward  
ARLENE K. KOKINDA  
Clerk

Mrs. Dorothy Essex  
Lorain County Recorder  
226 Middle Avenue  
Elyria, Ohio 44035

Dear Mrs. Essex:

Enclosed please find a certified copy of City of Lorain Ordinance No. 122-86, vacating an alley between East 28th and 29th Streets in the City of Lorain. Also transmitted herewith is our check in the amount of \$10.00 to cover filing fees. Please process accordingly.

Yours very truly,



Arlene K. Kokinda  
Clerk of Council

Enclosures

cc: County Engineer - w/enc.  
County Auditor - w/enc. ✓

NO TRANSFER NECESSARY

*C. Aud.*

JULIAN A. FARR  
LORAIN COUNTY AUDITOR

7-30-86

DEPUTY

ORDINANCE NO. 127-86

AN ORDINANCE VACATING AN ALLEY BETWEEN E. 28TH STREET AND E. 29TH STREET, IN THE 2500 BLOCK, WESTERLY FROM TACOMA AVENUE, IN THE CITY OF LORAIN, STATE OF OHIO.

WHEREAS, a petition signed by 100% of the owners of property abutting an alley between E. 28th Street and E. 29th Street, in the 2500 block, westerly from Tacoma Avenue, was duly presented to Council praying that said portion of the alley 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 Section 123.01, Ohio Revised Code, notice of pendency and prayer of said petition is not required.

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

SECTION I. That the alley between E. 28th Street and E. 29th Street, in the 2500 block westerly from Tacoma Avenue, in the City of Lorain, and more fully described in Exhibit "A" attached hereto and incorporated herein, 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 alley whenever deemed necessary.

SECTION II. 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 any of 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, Ohio Revised Code.

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

PASSED: 21 July, 1986

ATTEST: Julian A. Farr CLERK

APPROVED: 22 July, 1986

John A. DeWitt  
PRESIDENT OF COUNCIL

Frederic M. Olijko  
MAYOR

LEGAL DEPARTMENT  
CITY OF LORAIN, OHIO  
EDWARD M. ZALESKI  
LAW DIRECTOR  
CITY HALL - 7TH FLOOR  
LORAIN, OHIO 44043-1688  
PHONE: (216) 844-9663

I, Julian A. Farr, CLERK OF COUNCIL OF THE CITY OF LORAIN, OHIO, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND ACCURATE COPY OF ORDINANCE/RESOLUTION NO. 127-86 PASSED ON THE 21 DAY OF July, 1986 BY SAID COUNCIL AND TAKEN FROM THE RECORDS ON FILE IN THE OFFICE OF THE CLERK OF COUNCIL.  
7-28-86 Julian A. Farr  
DATE CLERK OF COUNCIL

PETITION TO VACATE

Alley South of East 28th Street (20' wide) from the Westline of Tacoma Avenue westerly 266.98' to a point.

To The Honorable Council  
City of Lorain, Ohio

Gentlemen:

We the undersigned property owners whose properties abut on the Alley (20 feet wide) South of East 28th Street extending from the Westline of Tacoma Avenue westerly 266.98 feet to a point, do hereby respectfully petition your Honorable Body to declare said Alley vacated with reservations as stated below, as it is no longer needed for the purposes of a public alley.

It is understood and agreed by the undersigned parties that if the above petition is granted, and the Alley declared vacated, 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 Alley whenever deemed necessary. It is also agreed that each one half of the Alley, will revert to the respective abutting owners on each side of said Alley.

NOTE: The signature of only one of the legal owners to the permanent parcel of land is required to qualify the parcel for this petition. All of the legal owners should sign whenever possible; however, each must sign individually and on separate lines. The signature of Mr. and Mrs. J. Doe or John and Mary Doe etc. are not acceptable. Property under transfer or land contract should be signed by both the Seller (Grantor) and Purchaser (Grantee). All signature should be in ink. Opposite the signature designate the lot number and street frontage.

OWNER	SUB-LOT NUMBER	ADDITION	FRONTAGE
	<u>PERMANENT PARCEL NO.</u>		
	03 00 083 111 010 )	S.L. & I. No.4	16.98
	03 00 083 111 011 )	" "	50.00
	03 00 083 111 012 )	" "	50.00
	03 00 083 111 013 )	" "	50.00
	03 00 083 111 014 )	" "	50.00
	03 00 083 111 017 )	" "	50.00
	03 00 083 111 018 )	" "	0.00
	03 00 082 109 009 )	" "	66.98
	03 00 082 109 010 )	" "	50.00
	03 00 082 109 011 )	" "	50.00
	03 00 082 109 012 )	" "	50.00
	03 00 082 109 013 )	" "	50.00

*Handwritten signature and notes:*  
J. J. ...  
...

ENGINEER'S CERTIFICATION

The signed frontage on this petition represents 100 percent of the frontage between the points named.

\_\_\_\_\_  
City Engineer

To Council: \_\_\_\_\_  
Data

Situated in the City of Lorain, County of Lorain and State of Ohio. Being known as part of Original Lot No. 83 of Sheffield Township, and more definitely described as follows:

Beginning at the northeast corner of subplot 2117 of the Sheffield Land and Improvement Company Subdivision No. 4 as recorded in Volume 6, page 3 of Lorain County Record of plats. Said point hereinafter referred to as the principal place of beginning.

Thence S 88° 50' 00" W in the southline of an alley a distance of 266.98 feet to a point;

Thence N 46° 38' 00" W in a line a distance of 28.52 feet to the northline of an alley;

Thence N 88° 50' 00" E in the northline of an alley a distance of 287.31 feet to a point in the westline of Tacoma Avenue;

Thence S 1° 10' 00" E a distance of 20.00 feet to the principal place of beginning.

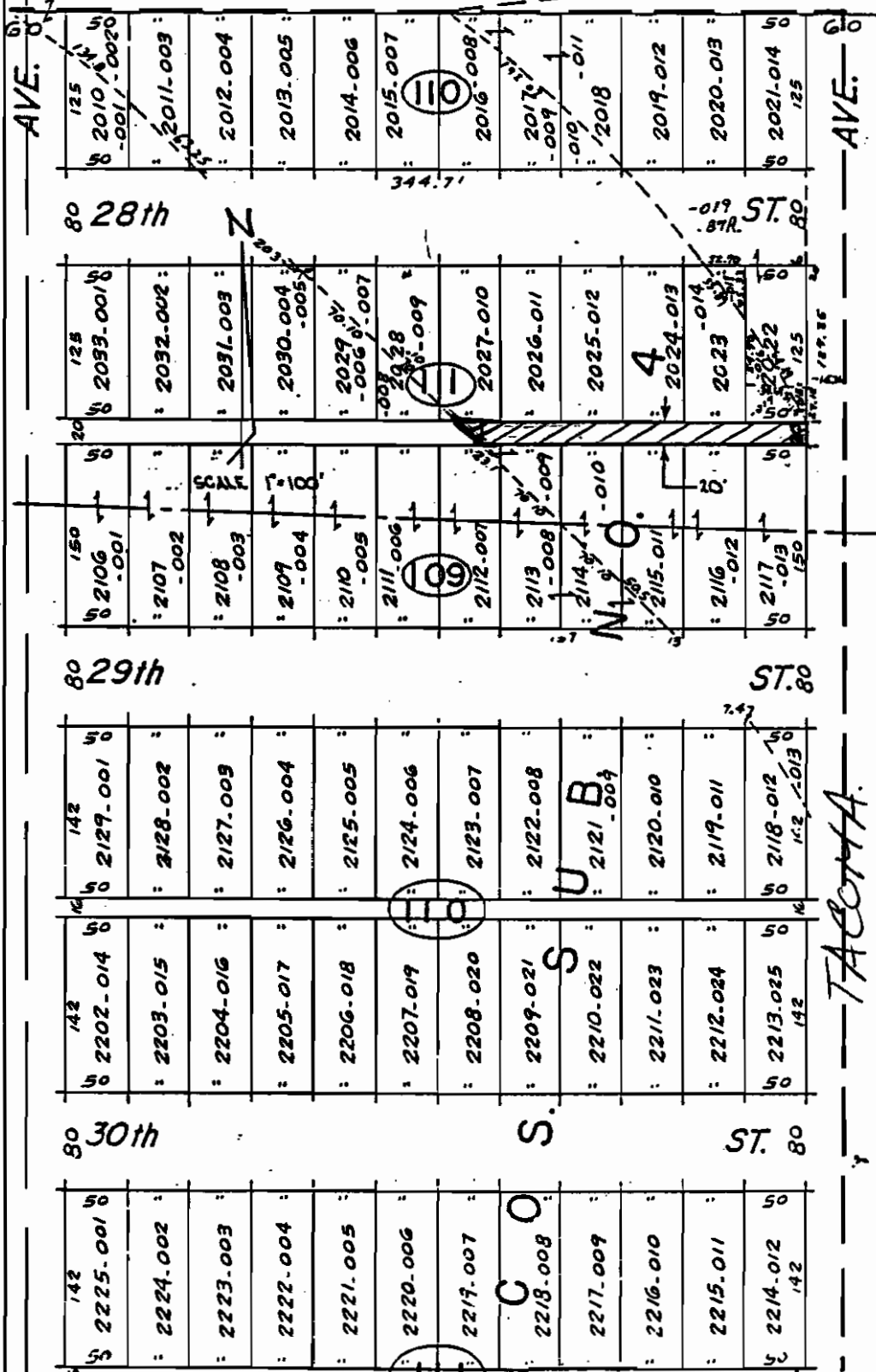
EXHIBIT "A"

1964.44

Pt 016  
Pt 577A.

101

644.35



83

82

35-115  
22.45  
429.72  
1982  
-072

Co. Engr.

ORDINANCE NO. 122-86

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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 Section 723.01, Ohio Revised Code, notice of pendency and prayer of said petition is not required.

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

SECTION I. That the alley between E. 28th Street and E. 29th Street, in the 2500 block westerly from Tacoma Avenue, in the City of Lorain, and more fully described in Exhibit "A" attached hereto and incorporated herein, 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 alley whenever deemed necessary.

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#16927

APPROVED	
LORAIN CO.	
MAP DEPT.	
DATE <u>8-6-86</u>	
PAGE <u>3-00-081-B</u>	
BY <u>T. McMan</u>	
VOID	
AFTER	

PASSED: 21 July, 1986

ATTEST: Arlene K. Kokinda CLERK

APPROVED: 22 July, 1986

John A. Smith  
PRESIDENT OF COUNCIL

Armen Ohajian  
MAYOR

LEGAL DEPARTMENT  
CITY OF LORAIN, OHIO  
EDWARD M. ZALESKI  
LAW DIRECTOR  
CITY HALL - 7TH FLOOR  
LORAIN, OHIO 44082-1883  
PHONE: (310) 244-8683

I, ARLENE K. KOKINDA, CLERK OF COUNCIL OF THE CITY OF LORAIN, OHIO, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND ACCURATE COPY OF ORDINANCE/RESOLUTION NO. 122-86 PASSED ON THE 21 DAY OF July, 1986. BY SAID COUNCIL AND TAKEN FROM THE RECORDS ON FILE IN THE OFFICE OF THE CLERK OF COUNCIL.

7-28-86 Arlene K. Kokinda  
DATE CLERK OF COUNCIL

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City Engineer

To Council: \_\_\_\_\_  
Date

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EXHIBIT "A"



