

ORDINANCE NO. 131-87

AN ORDINANCE VACATING UTICA AVENUE FROM THE NORTHLINE OF WEST 17TH STREET, NORTH 48.15 FEET TO THE SOUTH RIGHT OF WAY LINE OF THE NORFOLK AND SOUTHERN RAILROAD, IN THE CITY OF LORAIN, OHIO.

WHEREAS, a petition signed by 100% of the owners of property abutting Utica Avenue from the Northline of West 17th Street, North 48.15 feet to the South Right of Way line of the Norfolk and Southern Railroad, was duly presented to Council praying that said portion of the street be vacated; and

WHEREAS, City Council, upon hearing is satisfied that there is good cause for such vacotion 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 Utico Avenue from the Northline of West 17th Street, North 48.15 feet to the South Right of Way line of the Norfolk and Southern Railroad, 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 II. That it is agreed that each one-half of the street, will revert to the respective abutting owners on each side of said street.

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

PASSED: 21 September, 1987

ATTEST: Arlene K. Kokinda CLERK

APPROVED: 21 September, 1987

[Signature]
PRESIDENT OF COUNCIL
[Signature]
MAYOR

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. 131-87 PASSED ON THE 21 DAY OF September, 1987 BY SAID COUNCIL AND TAKEN FROM THE RECORDS ON FILE IN THE OFFICE OF THE CLERK OF COUNCIL.

10-1-87 Arlene K. Kokinda
DATE CLERK OF COUNCIL