

BY: Mrs. Fenderbosch

TEMP NO: 10748

ORDINANCE NO. 135-2016

AN ORDINANCE APPROVING A VACATION PLAT FOR AN ALLEY AS PART OF THE AVON LAKE HARBOR ESTATES ON THE EAST SIDE OF MILLER ROAD AND LAKE ROAD, AND DECLARING AN EMERGENCY.

WHEREAS, Dr. James Haddad, 124 Miller Road, Avon Lake has petitioned the City to vacate a portion of a 20 foot alley as part of the Avon Lake Harbor Estates on the east side of Miller Road and Lake Road, and

WHEREAS, the Planning Commission did consider said petition aforementioned and did recommend at its regular meeting of September 7, 2016, that said vacating should be granted, and

WHEREAS, this Council is satisfied that there is good cause for the vacating as prayed for and that such will not be detrimental to the general interest, safety and welfare, and that said vacating and consolidation ought to be granted, now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE,  
STATE OF OHIO:

Section No. 1: That the portion of a 20 foot alley as part of the Avon Lake Harbor Estates on the east side of Miller Road and Lake Road is hereby vacated.

Section No. 2: That the vacation plat for a portion of a 20 foot alley as part of the Avon Lake Harbor Estates on the east side of Miller Road and Lake Road is hereby approved.

Section No. 3: That the Public Works Department of the City of Avon Lake is hereby directed to record the vacation plat with the County Recorder.

Section No. 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 5: That this Ordinance is hereby declared an emergency to allow the property owner to begin construction as

soon as possible to continue with construction drawings and completion of construction prior to the closure of asphalt production plants, thus for the welfare of the public. Therefore, this Ordinance shall go into immediate force and effect from and after its passage and approval by the Mayor.

1<sup>st</sup> reading: 9/26/16

2<sup>nd</sup> reading:

3<sup>rd</sup> reading:

PASSED: 10/11/16

Mark Donnell  
President of Council

POSTED: 10/14/16

10/12/16  
Approved

ATTEST: Barbara Dapp  
Clerk of Council

Gregory J. Zilka  
Mayor