

ORDINANCE NO. 147-02

AN ORDINANCE TO VACATE A 16-FOOT ALLEY SOUTH OF EAST ERIE AVENUE, BEGINNING AT THE EASTLINE OF INDIANA AVENUE CONTINUING 280.00 FEET EASTERLY TO THE WESTLINE OF IOWA AVENUE IN THE CITY OF LORAIN, OHIO.

WHEREAS, a petition signed by 100% of the owners of property abutting an Alley (16 feet wide), as described above, 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 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 a 16-foot Alley south of East Erie Avenue beginning at the eastline of Indiana Avenue, and continuing 280.00 feet easterly to the westline of Iowa Avenue in the City of Lorain, 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 and storm sewer, water, gas, electric, fire alarm conduits, telephone and electric pole transmission lines and other similar facilities under or above said Alley whenever deemed necessary.

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

SECTION 3: That it is found and determined that all formal actions of the 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 all 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 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: Sept 3, 2002.

PRESIDENT: Kenneth E. [Signature]

ATTEST: [Signature] Mayor

APPROVED: Sept. 4, 2002

[Signature] Clerk

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. 142-02 OF THE 3 DAY OF Sept. 2002 BY OR WH. TAKEN FROM THE RECORDS IN THE OFFICE OF THE CLERK. [Signature] CLERK OF COUNCIL