

82-780

ELYRIA TOWNSHIP

WILLIAM R. WATKINS
Chief Deputy

CHARLES P. WARYU
Chief Deputy Planning

DAVID L. KASZUBINSKI
Administrative Assistant



92 MAR 31 P 1: 46

VACATION OF ALLEY

14811

G-42

T. McRair

10-27-82

LAWRENCE V. MCGLINCHY
LORAIN COUNTY ENGINEER

RECEIVED
CLERK

LORAIN COUNTY ENGINEERS OFFICE
247 HADAWAY STREET
ELYRIA, OHIO 44035

March 31, 1982

T.M. PG. G-42

To the Honorable Board of
Lorain County Commissioners
Lorain County, Ohio

RE: Proposed vacation of Alley between
Lawrence Court and Griswold Road
(Elyria Township)

Gentlemen:

We have reviewed the petition to vacate an alley located between Lawrence Court and Griswold Road in the Elyria Heights Allotment, Original Lot 38, West of the Black River, Elyria Township.

The petition describes the section of alley to be vacated correctly.

The alley is 288.61 feet long and 15.6 feet in width.

There are 3 parcels of land that will be affected by the above vacation.

Listed below are the current abutting property owners along with their permanent parcel numbers, and addresses.

06-24-038-102-001
06-24-038-102-012

Walter P. and Grace C. Godles
41910 Lawrence Court
Elyria, Ohio 44035

06-24-038-101-005

Joseph A. and Mary Martinak
41903 Griswold Road
Elyria, Ohio 44035

The west line of the alley is also the west line of Elyria Heights Allotment, therefore, the abutting property owner to the east should receive all of the alley. (Godles).

Handwritten signature

Permanent easements should be retained for any public utilities for future maintenance per section 5553.043 of the Ohio Revised Code.

According to our records, there are no County Utilities located in the alley. The Elyria Township Trustees may have additional comments regarding drainage and safety hazards as to the public health and welfare.

Sincerely yours,



Lawrence V. McGlinchy,
LORAIN COUNTY ENGINEER

LVM/cjt

RESOLUTION NO. 82- 780

In the matter of granting a road vacation)
of Lawrence Court off Griswold Road in) August 5, 1982
Elyria Township.)

WHEREAS, by Resolution No. 82-544 adopted May 27, 1982, the Board of Commissioners adjourned the public hearing on the proposed alley vacation by Lawrence Court to make a determination on the results of information presented by the Elyria Board of Education seeking to provide sidewalks through an alley right-of-way along this court; and

WHEREAS, the Lorain County Prosecutor advised by letter dated August 10, 1982 on the question of the sidewalks:

"You have asked my opinion with reference to a vacation of an alley off Lawrence Court and the objection that the Elyria City School District has made to such vacation.

There are a number of sections of law dealing with the vacating of streets including 711.39, 723.04 and 733.23 Ohio Revised Code.

Also, section 5553.10 Ohio Revised Code provides that if there has been no improvement and the street has been unopened for seven years, it shall be vacated and the property revert to the abutting owners.

By reverting to private ownership, the property would return to the tax duplicate and produce tax revenue. If sidewalks are to be installed in the future for the benefit of West High School, they should be installed along Griswold Road which is a public street and fully developed."

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Lorain County, Ohio, that we do and hereby determine to vacate the following described alley in Elyria Township:

"Situated in the Township of Elyria, County of Lorain and State of Ohio, and being a part of Original Lot 38, West of Black River and a part of the Elyria Heights Allotment as recorded in Volume 6, page 38 of Lorain County Plat Records, bounded and described as follows:

Being a strip of land 15.6 feet in width extending northerly from the right of way of Lawrence Court to the southerly line of Griswold Road, a total distance of 288.61 feet, said alley being immediately west of Sublots Numbers 1 and 21 of said Elyria Heights Allotment."

FURTHER BE IT RESOLVED that said vacation shall accrue to the benefit of adjacent property owners as provided by law.

The foregoing resolution was introduced upon a motion by Commissioner Jeresmo J. Keron, seconded by Commissioner Fred M. Ritenauer, and the vote taken thereon resulted as follows: Jeresmo J. Keron, "aye"; Fred M. Ritenauer, "aye"; Alan J. Zaleski, absent.

Motion carried.

I, Kenneth J. Koscho, Clerk of the Board of Commissioners of Lorain County, Ohio, do hereby certify that the above Resolution No. 82-780 is a true copy as it appears in Journal No. 82 on page 469, dated August 5, 1982.



Kenneth J. Koscho, Clerk

August 24, 1982

Mr. Julian Pijor
Lorain County Auditor
Elyria, Ohio

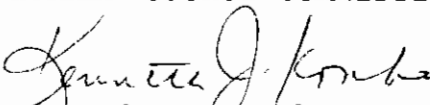
Dear Mr. Pijor:

We are enclosing copy of Resolution No. 82-780 dated August 5, 1982, petition, legal description and map regarding alley vacation of Lawrence Court in Elyria Township, along with a copy of Engineer's Letter. The Board of Commissioners has granted the vacation of this alley.

This is being forwarded for your recording.

Yours truly,

LORAIN COUNTY COMMISSIONERS



Kenneth J. Koscho
Clerk - Assistant Administrator

KJK/mlw

cc: Tax Map ✓
County Engineer

January 7, 1982

12 JAN 12 9:38

af

Board of County Commissioners
Lorain County, Ohio
226 Middle Avenue
Elyria, Ohio 44035

RECEIVED
CLERK

Re: Proposed Alley Vacation

Gentlemen,

We, the adjoining and affected property owners request that the alley running from the West end of Lawrence Court, northerly to Griswold Road in Elyria Township be vacated.

Sincerely yours,

Walter P. Godles

Walter P. Godles

Grace C. Godles

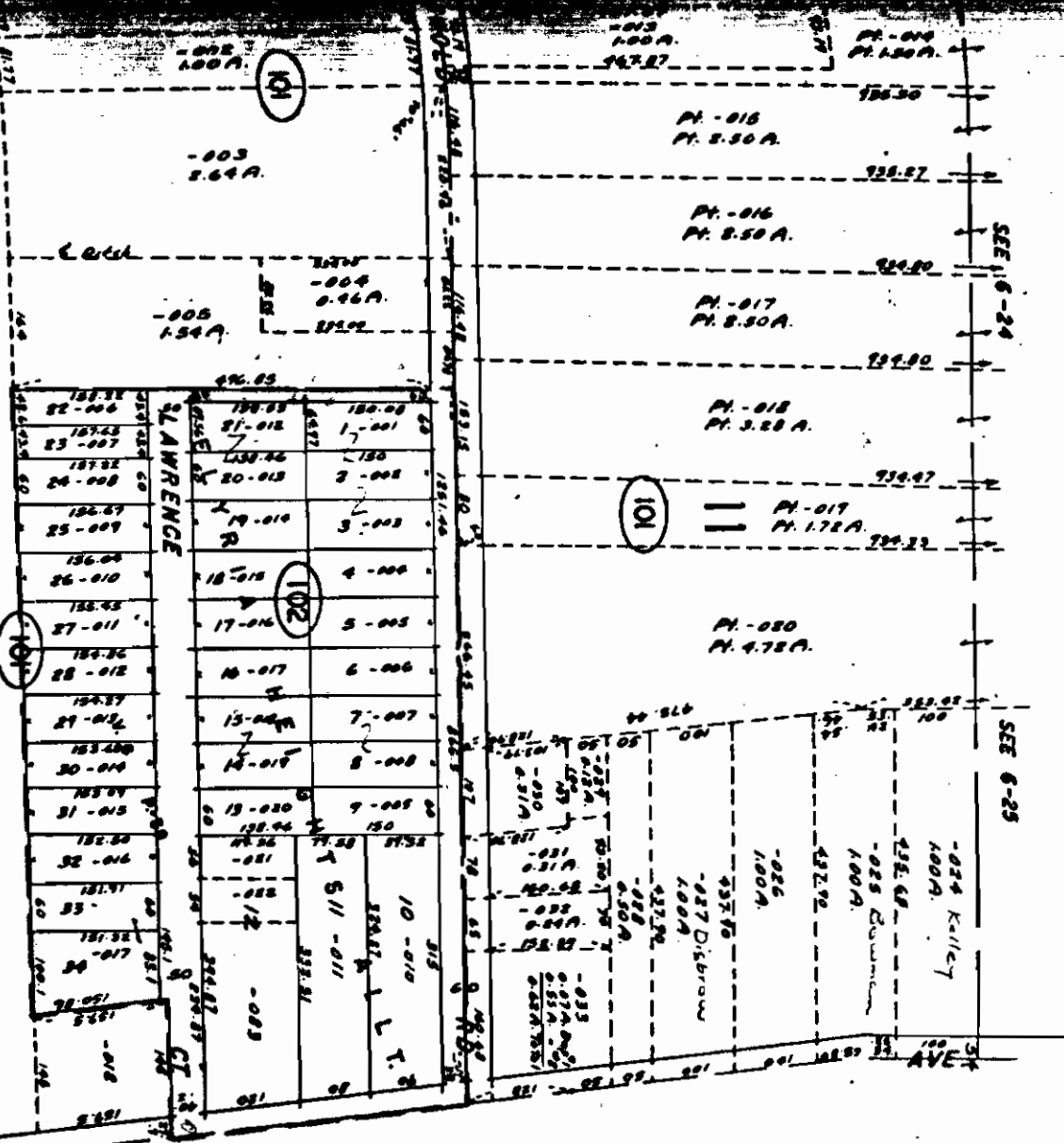
Grace C. Godles

D.A. DEB...

82 JAN 8 PM 3:54

RECEIVED
LORAIN COUNTY
COMMISSIONERS

38



Proposed Vacation of ALLEY

ELYRIA TOWNSHIP

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