

ORDINANCE NO. 166 -95

AN ORDINANCE TO VACATE A PORTION OF
DAKOTA AVENUE (60 FEET IN WIDTH)
FROM NORTHLINE OF LINCOLN STREET 220' TO THE SOUTHLINE OF MCKINLEY STREET
IN THE CITY OF LORAIN, OHIO.

WHEREAS, a petition signed by 100% of the owners of property abutting Dakota Avenue was duly presented to Council praying that said portion of the ~~alley~~ ^{Street} 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 Ohio Revised Code Section 723.06, 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 1: That the street known as Dakota Avenue (60 Feet in Width), from Northline of Lincoln Street 220' to the Southline of McKinley Street, 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 2: That it is agreed that each one-half of the street will revert to the respective abutting owner on each side of said street.

SECTION 3: 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 all 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: October 16, 1995

PRESIDENT: [Signature]

ATTEST: [Signature]
CLERK

APPROVED: October 19, 1995

MAYOR: [Signature]
CLERK

NO TRANSFER NECESSARY
MARK R. STEWART
LORAIN COUNTY AUDITOR
11-9-95
DEPUTY

REPARTMENT OF
ENGINEERING
CITY OF LORAIN
OHIO
1995

FN
DAKOTA-V ORD
ENGR 10 95

I, APRIL J. WOODRUFF, CLERK OF COUNCIL OF THE CITY OF LORAIN, OHIO, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND ACCURATE COPY OF THE ORIGINAL AS FILED IN THE OFFICE OF THE CLERK OF COUNCIL ON THIS DATE: October 17, 1995.

11-1-95 [Signature]

3035-V