

99 #00062-V

APPROVED
LORAIN CO.
MAP DEPT.
DATE 01-20-00
PAGE 22-01-00 A
T. McNeil
99-00062-V

THIS ORD. WAS REFILED AS 25-98 TO PROVIDE
A BETTER DESCRIPTION. SEE
99-00019-A
#22395

ORDINANCE NO. 167-95

AN ORDINANCE TO VACATE A PORTION OF
ELMWOOD DRIVE (60 Feet in Width)
IN THE CITY OF LORAIN, OHIO.

WHEREAS, a petition signed by 100% of the owners of property abutting Elmwood Drive 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 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 Elmwood Drive [situated in the City of Lorain, County of Lorain, and State of Ohio, and known as being a part of Original Black River Township Lot No. 8, Tract No. 1, now within the Corporate Limits of the City of Lorain and further described as follows: Beginning at a point in the centerline of Oberlin Avenue being 1832.58 feet southerly along the centerline of Oberlin Avenue from the northerly line of the afore-said Original Lot 8, Tract No. 1; thence South 89° 36' 50" East a distance of 40.00 feet to a point on the easterly right-of-way line of Oberlin Avenue; Thence continuing South 89° 36' 50" East a distance of 358.49 feet to the Southwest corner of subplot No. 136 of Hickory Hill Subdivision No. 4 as was recorded in Plat Volume 30, Page 34, of the Lorain County Record of Plats; Thence on a curve to the right along the north right-of-way of Elmwood Drive (60' in width) as recorded in Plat Volume 25, Page 16, of the Lorain County Record of Plats and along the south lines of sublots 136 and 135 of the afore-said Hickory Hill Subdivision No. 4, said curve having a radius of 236.06 feet, a central angle of 29° 07' 00", and a chord of 118.67 feet bearing South 69° 29' 00" East to a point, said point shall hereinafter be known as the principal place of beginning; Thence continuing on a curve to the right along the northerly right-of-way of Elmwood Drive, said curve having a radius of 236.06 feet, a central angle of 10° 53' 00" and a chord bearing south 54° 55' 30" East to a point of tangency; Thence continuing along the northerly line of Elmwood Drive, South 49° 29' 00" East a distance of 106.50 feet to a point on the westerly line of Nottingham Woods Subdivision as recorded in Plat Volume 36, Pages 6 and 7, of the Lorain County Record of Plats; Thence continuing along the easterly right-of-way of Elmwood Drive and the westerly line of Nottingham Woods, South 1° 36' 10" West a distance of 78.21 feet to a point; Thence continuing along the southerly right-of-way of Elmwood Drive, North 49° 29' 00" West a distance of 136.70 feet to a point of curve; Thence continuing along the southerly right-of-way of Elmwood Drive on a curve to the left having a radius of 176.06 feet, a central angle of 10° 53' 00" and a chord of 33.39 feet bearing North 54° 55' 30" West to a point on said curve; Thence on a radial line, North 29° 38' 00" East a distance of 60.00 feet to the principal place of beginning and containing within said bounds 0.3257 of an acre of land], 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: 16 October 1995

NO TRANSFER NECESSARY
MARK R. STEWART
LORAIN COUNTY AUDITOR

11-9-95 APPROVED 17 October 1995
DEPUTY

PRESIDENT: [Signature]

ATTEST: [Signature] CLERK

MAYOR: [Signature]

DEPARTMENT OF
ENGINEERING
CITY OF LORAIN
300 W. GEE AVE.
LORAIN, OHIO
44042

FN
ELMWD-V ORD
ENGR 10 95

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. 167-95 PASSED ON THE 17 DAY OF OCTOBER, 1995 BY SAID COUNCIL AND THAT THE SAME IS FILED IN THE OFFICE OF THE CLERK OF COUNCIL.

11-1-95 [Signature]