

Sponsored by:  
COMMUNITY DEVELOPMENT

ORDINANCE NO. 2001- 1

F. Bullocks  
T. Shores  
G. Abbey

AN ORDINANCE VACATING McCARTY COURT AND THE WESTERN PORTION OF HURD DRIVE IN THE CITY OF ELYRIA.

WHEREAS, this Council is satisfied that there is good cause shown for the vacation of McCarty Court and the westerly portion of Hurd Drive as described below, and it will not be detrimental to the general interest and ought to be made.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ELYRIA, STATE OF OHIO:

SECTION 1: That McCarty Court and the Westerly portion of Hurd Drive as described below be and the same is hereby vacated:

Situated in the City of Elyria, County of Lorain, and State of Ohio. Being known as part of Hurd Drive, 50 feet wide, and McCarty Court, 40 feet wide, as shown by the plat of the Schaden Allotment, as recorded in Volume 7, Page 19 of Lorain County Plat Records, and being also part of Original Lot No. 13 in the Brace Tract of Elyria Township; said parcel being more definitely described as follows:

Beginning at the intersection of the southerly sideline of Schaden Road, 60 feet wide, and the westerly sideline of McCarty Court, 40 feet wide, as shown by the referenced plat;

Thence South 89° 31' 00" East in the southerly sideline of Schaden Road, a distance of 40.00 feet to a point in the easterly sideline of McCarty Court;

Thence South 0° 29' 00" West in the easterly sideline of McCarty Court, a distance of 300.00 feet to a point in the northerly sideline of Hurd Drive, 50 feet wide;

Thence South 89° 31' 00" East in the northerly sideline of Hurd Drive, a distance of 200.20 feet to a point in the northerly extension of the easterly line of Sublot No. 13 in the Schaden Allotment;

Thence South 3° 19' 00" West in said northerly extension and in the easterly line of said Sublot No. 13, a distance of 50.06 feet to a point in the southerly sideline of Hurd Drive;

Thence North 89° 31' 00" West in the southerly sideline of Hurd Drive, a distance of 609.10 feet to a point in the westerly line of the Schaden Allotment;

Thence North 3° 19' 00" East in the westerly line of the Schaden Allotment, a distance of 50.06 feet to a point in the northerly sideline of Hurd Drive;

Thence South 89° 31' 00" East in the northerly sideline of Hurd Drive, a distance of 368.90 feet to a point in the westerly sideline of McCarty Court, 40 feet wide;

Thence North 0° 29' 00" East in the westerly sideline of McCarty Court, a distance of 300.00 feet to the place of beginning;

Enclosing a parcel containing 0.9746 acre of land.

SECTION 2. The ownership of the portion of McCarty Court and the portion of Hurd Drive hereby vacated and as described below shall revert to Community Health Partners of Ohio, the abutting property owner of each side of said streets.

SECTION 3: That is it found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken in meetings open to the public, in compliance with Ohio law.

SECTION 4: That this Ordinance shall be in full force and effect from and immediately after its passage and approval.

PASSED: 1/2/01

Thomas O. Shores  
Thomas O. Shores, President

ATTEST: Arthur J. Weber  
Arthur J. Weber, Clerk

APPROVED: 1/2/01

William M. Grace  
William M. Grace, Mayor

DATE: 1-5-01

NO TRANSFER NECESSARY  
MARK R. STEWART  
LORAIN COUNTY AUDITOR  
2/8/01 smn  
DEPUTY

Approved as to form:

Michelle Nedweck, Asst. Solicitor  
Terry S. Shilling, Solicitor

CERTIFICATION OF PUBLICATION

I, THE UNDERSIGNED CLERK OF COUNCIL OF THE CITY OF ELYRIA, OHIO, HEREBY CERTIFY THAT THE FULL TEXT OF THE FOREGOING ORDINANCE NO. 2000-1 WAS POSTED IN THREE PLACES WITHIN THE CITY AS DETERMINED BY COUNCIL, AND THAT SUCH PLACES WERE AS FOLLOWS: CITY HALL, CENTRAL FIRE STATION AND THE POLICE STATION, FOR A PERIOD OF FOURTEEN (14) DAYS, TO-WIT, FROM:

1/5/01 TO 1/19/01

DATED: 2/5/01

Arthur J. Weber  
CLERK OF COUNCIL  
CITY OF ELYRIA, OHIO

CERTIFICATION

HEREBY CERTIFY THAT THIS IS AN EXACT AND TRUE COPY OF Ordinance 2001-1

Date presented to the Mayor: 1/5/01

Arthur J. Weber  
ARTHUR J. WEBER, CLERK OF COUNCIL  
CITY OF ELYRIA, OHIO

02-06-01  
DATE

**KS ASSOCIATES**

Job No. 99221V

February 2, 2000

**VACATION OF McCARTY COURT AND HURD DRIVE**

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Thence South  $3^{\circ} 19' 00''$  West in said northerly extension and in the easterly line of said Sublot No. 13, a distance of 50.06 feet to a point in the southerly sideline of Hurd Drive;

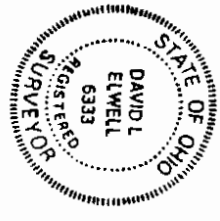
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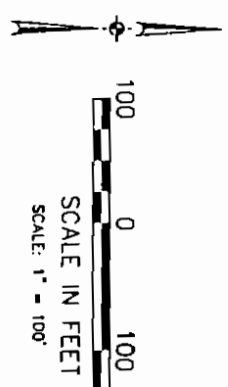
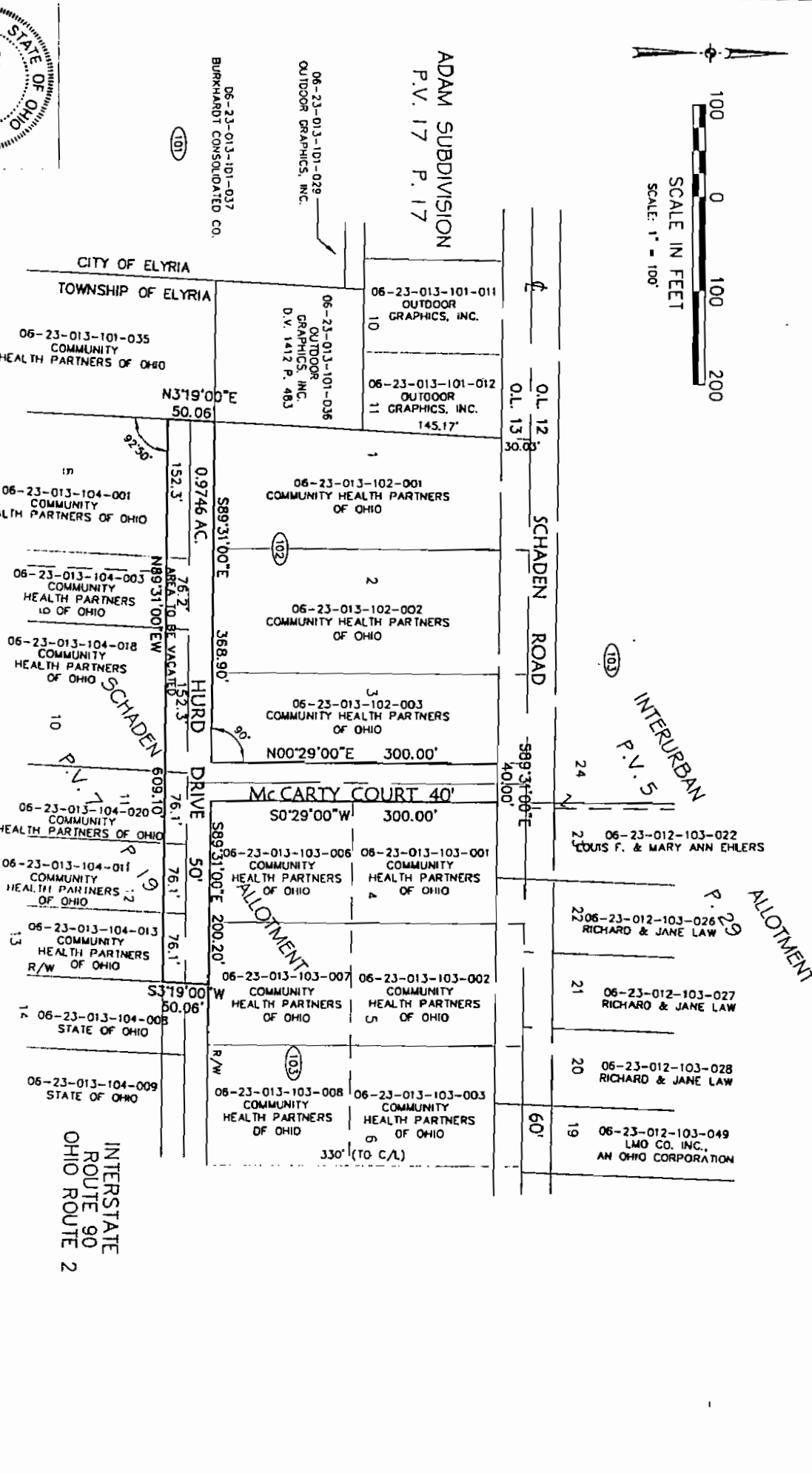
DAVID L. ELWELL, REGISTERED SURVEYOR NO. 6333

*David L. Elwell*



**STREET VACATION MAP**  
 OF McCARTY COURT & PART OF HURD DRIVE  
 ORIGINAL ELYRIA TOWNSHIP LOT NO. 13 - BRACE TRACT  
 CITY OF ELYRIA COUNTY OF LORAIN STATE OF OHIO  
 FEBRUARY 7, 2000 - REV. OCTOBER 20, 2000

JOB NO. 9922 L.V.  
 DWG. NAME 9922.L  
 WDDTDW/GIO.VACCI



ADAM SUBDIVISION  
 P.V. 17 P. 17

06-23-013-101-029 -  
 OUTDOOR GRAPHICS, INC.  
 06-23-013-101-037  
 BURKHARDT CONSOLIDATED CO.

CITY OF ELYRIA  
 TOWNSHIP OF ELYRIA  
 06-23-013-101-035  
 COMMUNITY HEALTH PARTNERS OF OHIO

06-23-013-101-011  
 OUTDOOR GRAPHICS, INC.  
 10  
 06-23-013-101-012  
 OUTDOOR GRAPHICS, INC.  
 11  
 145.17'

06-23-013-104-001  
 COMMUNITY HEALTH PARTNERS OF OHIO

06-23-013-102-001  
 COMMUNITY HEALTH PARTNERS OF OHIO

06-23-013-104-003  
 COMMUNITY HEALTH PARTNERS OF OHIO

06-23-013-102-002  
 COMMUNITY HEALTH PARTNERS OF OHIO

06-23-013-104-018  
 COMMUNITY HEALTH PARTNERS OF OHIO

06-23-013-102-003  
 COMMUNITY HEALTH PARTNERS OF OHIO

06-23-013-104-020  
 COMMUNITY HEALTH PARTNERS OF OHIO

06-23-013-103-006  
 COMMUNITY HEALTH PARTNERS OF OHIO

06-23-013-103-001  
 COMMUNITY HEALTH PARTNERS OF OHIO

06-23-012-103-022  
 COURTS F. & MARY ANN EHLERS

06-23-013-104-011  
 COMMUNITY HEALTH PARTNERS OF OHIO

06-23-012-103-026  
 RICHARD & JANE LAW

06-23-013-104-013  
 COMMUNITY HEALTH PARTNERS OF OHIO

06-23-013-103-007  
 COMMUNITY HEALTH PARTNERS OF OHIO

06-23-013-103-002  
 COMMUNITY HEALTH PARTNERS OF OHIO

06-23-012-103-027  
 RICHARD & JANE LAW

06-23-013-104-008  
 STATE OF OHIO

06-23-013-103-008  
 COMMUNITY HEALTH PARTNERS OF OHIO

06-23-013-103-003  
 COMMUNITY HEALTH PARTNERS OF OHIO

06-23-012-103-028  
 RICHARD & JANE LAW

06-23-013-104-009  
 STATE OF OHIO

06-23-013-103-008  
 COMMUNITY HEALTH PARTNERS OF OHIO

06-23-013-103-003  
 COMMUNITY HEALTH PARTNERS OF OHIO

06-23-012-103-049  
 LMO CO. INC., AN OHIO CORPORATION

330' (TO C/L)

PETITION

TO: City of Elyria, Ohio

Community Health Partners of Ohio, the sole property owner of real estate abutting McCarty Court and a portion of Hurd Drive, described on Exhibit A attached hereto and incorporated herein by reference, hereby petitions the City of Elyria to vacate McCarty Court and said portion of Hurd Drive pursuant to Chapter 913 of the Ordinances of the City of Elyria, Ohio and Ohio Revised Code Chapter 723. A plat of the area hereby sought to be vacated is attached hereto and incorporated herein by reference as Exhibit B.

This petition for vacation should be granted because McCarty Court and said portion of Hurd Drive are no longer used by the public for travel and the vacation will not be detrimental to the general interest of the public.

Upon the subject vacation, ownership of the area shall revert to Community Health Partners of Ohio.

COMMUNITY HEALTH PARTNERS OF OHIO

By: Maura J. Collett, agent  
(Name and Title)

Dated: 10/31/00

**PETITION TO VACATE MCCARTY COURT AND A PORTION OF HURD DRIVE**

**ABUTTING PROPERTY OWNERS**

1. **COMMUNITY HEALTH PARTNERS OF OHIO**  
(the sole abutting property owner)

PARENT PARCEL: XX-XX-XXX-XXX-XXX

CHILD PARCEL: XX-XX-XXX-XXX-XXX

STARTING POINT: WEST R.O.W. OF McCARTY CT. & SOUTH R.O.W. OF SHADEN RD.

NO. 00518-V

# STREET VACATION

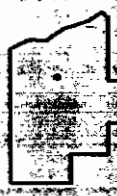
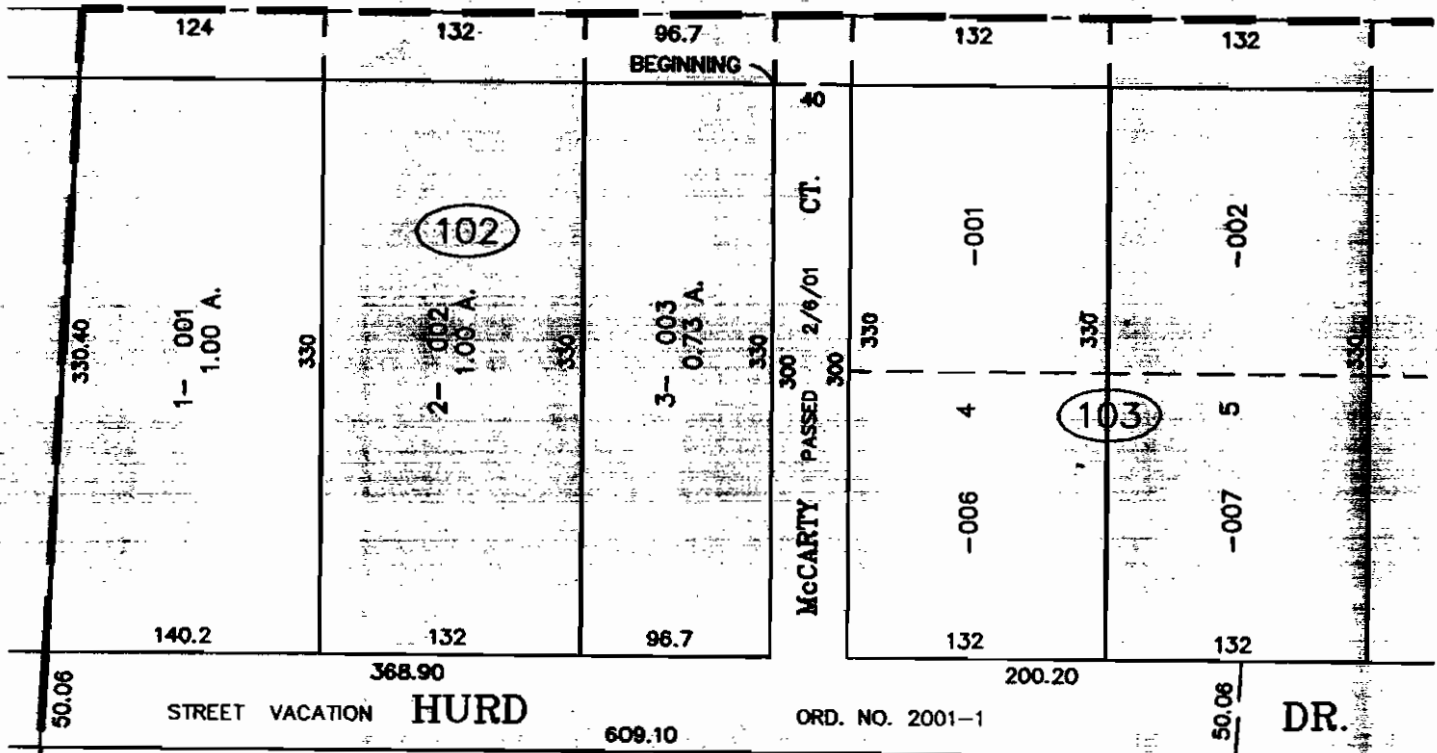
## PT. OF HURD DR. & ALL OF McCARTY CT.

### ORD. NO. 2001-1



SHADEN

RD.



**SPLITS/DEEDS PROCESSED**

LORAIN COUNTY TAX MAP DEPARTMENT  
226 MIDDLE AVE. ELYRIA, OHIO

SURVEYED BY: DAVID J. EWELL  
 CLOSURE: 0.00 - 10.00  
 MAP PAGE(S): 6-27  
 APPROVED BY: [Signature] DATE: 2/15/01  
 SCALE: 1" = 100' PROJECTIONS: NAD 83