

TAX MAP.

009658#2094

Sponsored by

ORDINANCE NO. 2004-73

COMMUNITY DEVELOPMENT:

- W. Ogle
- F. Bullocks
- G. Gibbs

AN ORDINANCE VACATING PART OF SCOTT COURT IN THE CITY OF ELYRIA.

WHEREAS, this Council is satisfied that there is good cause for the vacation of part of Scott Court which part is detailed and described in Exhibit "A", located in the Re-subdivision of the Fuller and Nelson Subdivision and the Lindale Allotment, as recorded in Volume 35, Pages 47 and 48 of the Lorain County Land Records, and that the vacation will not be detrimental to the general interest of the City of Elyria.

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

SECTION 1: That part of Scott Court, as detailed and described in Exhibit "A" attached hereto and made a part hereof (**VACATED PART**), located in the Re-subdivision of the Fuller and Nelson Subdivision and the Lindale Allotment, as recorded in Volume 35, Pages 47 and 48 of the Lorain County Land Records, is hereby vacated.

SECTION 2: That notwithstanding this Ordinance, the **VACATED PART** of Scott Court shall be subject to the following terms and conditions:

(A) The City of Elyria reserving unto itself an easement for sanitary and storm sewer and all other utilities purposes upon, over and in the real property described in Exhibit "B" attached hereto and made a part hereof, (**Easement Area**) which Easement Area is within the part of Scott Court vacated hereby:

(B) The right of the City of Elyria to continue to maintain the existing sanitary, storm and sewer and any other utilities (**FACILITIES**) in and over said **Easement Area**;

(C) The continuing right of the City to repair, replace, relocate, restore and maintain said **FACILITIES** and to enter upon said **VACATED PART** of Scott Court whenever the City

CERTIFICATION

I HEREBY CERTIFY THAT THIS IS AN EXACT AND TRUE COPY OF Ordinance No. 2004-73.

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

6-1-05  
DATE

# EXHIBIT "A"

SOUTH PARK APARTMENTS

PPN. 10-00-004-101-116

N89°42'15"E

50.16'

CITY OF ELYRIA

PPN. 10-00-004-103-025

SCOTT CT.

AREA TO BE  
VACATED

0.0740 AC ±

S/L 21

N00°12'50"E

67.77'

68.22'

S00°12'50"W

S/L 22

WHITMORE, A.I. & S.D.

PPN. 10-00-004-106-037

BERRY, H JR. & B

PPN. 10-00-004-103-018

S/L 32

N24°29'21"E  
60.00'

R = 60.00'

L = 51.75'

DELTA = 49°24'53"

CHORD = 50.16'

CBEARING = N 89°46'55"W

N00°12'50"E

239.78'

C/L SCOTT COURT  
(50.16' R/W)

C/L NELSON STREET

(60.06' R/W)

## PARTIALLY VACATED - SCOTT COURT

ORDINANCE 04-

## STREET VACATION MAP

PART OF THE RE-SUBDIVISION OF  
THE FULLER & NELSON SUBDIVISION

CITY OF ELYRIA

COUNTY OF LORAIN

STATE OF OHIO

SCALE: 1" = 40'

FEBRUARY 19, 2004

PREPARED BY:

ELYRIA CITY ENGINEER'S STAFF

MAP PREPARED FROM RECORD ONLY

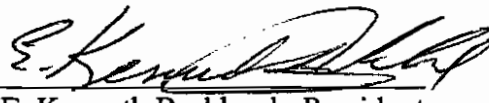
determines it is necessary for the purposes of installing, constructing, inspecting, altering, replacing, repairing, patrolling, and maintaining said **FACILITIES**;

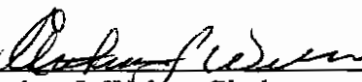
(D) That the construction or installation of any structures or other improvements upon or over said **VACATED PART** of Scott Court by any person, except the City of Elyria, is prohibited.

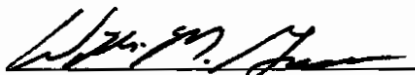
SECTION 3: That the part of Scott Court hereby vacated, as detailed and described in Exhibit "A" shall revert entirely to the abutting property owners.

SECTION 4: That it is 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 5: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 5/17/04   
E. Kenneth Burkhard, President

ATTEST:  APPROVED: 5/17/04  
Arthur J. Weber, Clerk

  
William M. Grace, Mayor

DATE: 5-17-04

Approved as to form:

  
Terry S. Shilling, Law Director