



CERTIFICATE OF COPY
STATE OF OHIO
City of North Ridgeville of Lorain County, Ohio

I, Fijabi Julien-Gallam, as Clerk of the City of North Ridgeville of Lorain County, Ohio,
Do hereby certify that the foregoing is a true and correct copy of 2024-80 adopted by
(Ordinance/Resolution)
the legislative Authority of the said City of North Ridgeville on this 7th day of October
2024.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official
seal, if applicable, this 15th day of October, 2024.



Clerk Signature

City of North Ridgeville of Lorain County, Ohio.

(SEAL)
(If Applicable)

0700045109006 0700045109007
7313 Dyke Ave. 7345 Dyke Ave.

SECTION 3. Identified abutting property owners shall receive appropriate notification and opportunity to be heard both at Planning Commission and at City Council. Council notification and Planning Commission notification shall follow customary notification requirements for like matters.

SECTION 4. The City Engineer is hereby authorized to prepare and submit any requested data to effect this transfer to the County Recorder, Engineer, or Auditor if requested. The Clerk of Council is hereby directed to file a certified copy of this Ordinance, once passed, for recording in the official records of the County Recorder pursuant to O.R.C. Section 723.04.

SECTION 5. When the vacation is complete, each abutting property owner may record the owner's additional land with Lorain County. The County may require a certified copy of the vacation ordinance and a drawing of metes and bounds survey and legal description of the vacation area accreted to each owner. The metes and bounds drawing, the legal description, and any recording fees are the responsibility of each abutting property owner.

SECTION 6. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 7. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: October 7, 2024



Jason R. Jacobs
PRESIDENT OF COUNCIL

ATTEST :



Nicholas Ciofani
CLERK OF COUNCIL

APPROVED: Oct 14, 2024



Kevin Corcoran
MAYOR

R- 7/29/2024

Street Vacations, Narrowing and Name Changes
PETITION AND APPLICANT GUIDE



INITIATION

Street vacations, street narrowing and name changes may be initiated by a written petition of a property owner of a lot in the immediate vicinity of the street to be vacated, narrowed or renamed.

PETITION REQUIREMENTS

Any property owner requesting a street to be vacated, narrowed or renamed shall file the following with the Clerk of Council along with the required \$162.00 fee:

- (a) This petition for the renaming, vacating or narrowing of the street
- (b) An accurate legal description of the street, together with a plat drawn to a scale of one-inch equals 100 feet
- (c) A list of owners, and their addresses, of the property abutting upon the part of the street proposed to be vacated, narrowed or renamed
- (d) Written consent from such abutting property owners, and, if no written consent is obtained, a statement included with the petition to that effect

Any petition complete with required exhibits shall be forwarded to the Law Director to be prepared in ordinance form for introduction to Council.

CONSIDERATION BY PLANNING COMMISSION

Any ordinance proposing a renaming, vacation or narrowing shall first be submitted to the Planning Commission for approval, disapproval or suggestions, and the Planning Commission shall be allowed not less than thirty days for consideration and report.

PUBLIC HEARING

Council shall hold a public hearing before the adoption of the proposed ordinance. In order that opportunity shall be afforded to any person interested to be heard, at least thirty days' notice of any ordinance and of the required public hearing shall be provided in a local newspaper.

ACTION BY COUNCIL

Council may adopt the proposed ordinance by vote of a majority of Council members, provided that the proposed ordinance received approval by the Planning Commission. If the proposed ordinance was disapproved by the Planning Commission, it can only be adopted if it receives the vote of two-thirds of all members of Council.

PETITION REQUEST

ELMER ST. _____
Street name Describe portion/extent if not entire street

Street Vacation Street Narrowing

Name Change: _____

PROPERTY OWNER INFORMATION

Cynthia M. Perry _____
Name(s)

7313 DYKE AVE. North Ridgeville, OH 44039 _____
Property owner address

440-789-7041 _____ Property owner phone cindyperry414@gmail.com _____
Property owner email

PETITION AUTHORIZATION

Cynthia M. Perry _____ Property owner signature 6-21-24 _____
Date



May 24, 2024

Timothy L. Gibbens
7345 Dyke Avenue
North Ridgeville, Ohio 44039

Re: Cynthia Perry

Dear Mr. Gibbens:

Please be advised that I represent your neighbor, Cynthia Perry, the owner of the real property located at 7313 Dyke Avenue, North Ridgeville, Ohio 44039. I write you today regarding my client's intention to file a petition with the City of North Ridgeville seeking the vacating of a portion of Elmer Avenue. Elmer Avenue is a dedicated but undeveloped street which runs directly beside my client's property.

Enclosed you will find an aerial photograph which depicts my client's property, your property, and the portion of Elmer Avenue which Mrs. Perry would like to see vacated by the City of North Ridgeville. As I mentioned above, this portion of Elmer Avenue is a dedicated street; however the City of North Ridgeville has never actually constructed a street at that location. It remains as vacant land to this date. I believe that this vacant area of land has historically been maintained by the Perry's and you.

North Ridgeville City Ordinance 1022.02 requires any lot owner who files a petition for the vacating of any portion of a street within the city limits to submit the written consent of all abutting property owners. Your parcel, Parcel No. 07-00-045-109-007, abuts the portion of Elmer Avenue which Mrs. Perry desires to have vacated. Accordingly, Mrs. Perry requests your written consent to the City of North Ridgeville's vacating of the portion of Elmer Avenue in question. If provided, such written consent will be submitted along with the petition.

Understand that I cannot provide you with legal advice, nor can I guarantee a particular outcome in this matter. You should seek the advice of your own attorney if you determine that to be in your best interests. However, it is my belief that should the City of North Ridgeville vacate the portion of Elmer Avenue in question, the entire southern half of the street will accrete to your ownership, subject only to other land owners' reasonable need to use the area of the Elmer street to access their own land.

Yours truly,

PHONE: 440.320.1100

FAX: 440.320.1101

fauverlegal.com

Timothy Gibbens
May 24, 2024
Page 2

If you are in agreement to the vacating of the subject portion of Elmer Avenue, I ask that you sign the enclosed consent form and return it to me at 409 East Avenue, Suite A, Elyria, Ohio 44035 at your earliest convenience. If you have any questions about this request, please do not hesitate to contact me.

Thank you for your time and consideration.

Sincerely,



Howard T. Lane

Enclosures

cc: Cynthia Perry

CONSENT TO VACATING OF A PORTION OF ELMER
AVENUE IN NORTH RIDGEVILLE, OHIO

The undersigned, TIMOTHY L. GIBBENS, being the owner of the parcel of real property located at 7345 Dyke Avenue, North Ridgeville, Ohio 44039 and known as Lorain County Permanent Parcel No. 07-00-045-109-007, which parcel abuts Elmer Avenue east of Dyke Avenue hereby gives my written consent to an ordinance which vacates the entire stretch of Elmer Avenue east of Dyke Avenue.

Timothy L. Gibbens 6/30/24
TIMOTHY L. GIBBENS

In addition, we the undersigned do hereby agree and acknowledge that upon vacation of Elmer Avenue we each would be granted 50% of that vacated street.

Timothy L. Gibbens 6/30/24
TIMOTHY L. GIBBENS

Cynthia Perry 6-30-24
CYNTHIA PERRY

Law Director for North Ridgville

I, Cynthia Perry, am requesting a vacation of Elmer Ave that is a paper street located directly next to my property. I live at 7313 Dyke Ave and my family has maintained this property for 70 years.

Some issues that would make it difficult to actually make this a street is a power line with a transformer is directly on that paper street as well as a dozen 40 year old trees and a ditch line.

This is, and always has been a very quiet street. If needed I would be happy to provide a list of homeowners on Dyke Rd that are all in agreement for the vacation of this street.

If you have any further questions or if I need to provide any more information please feel free to contact me at 440-787-7041 or cindyperry414@gmail.com

Thank you for your time,
Cynthia Perry

If for whatever reason I cannot be reached you can always reach my husband Ken Perry 440-787-6380

Barbosa and Associates LLC

5604 Case Road North Ridgeville, Ohio 44039 (440) 327-4776

Vacation of part of Elmer Avenue

Situated in the City of North Ridgeville, County of Lorain, and State of Ohio and being known as part of Ridgeville Township Original Lot 109 and further described as follows:

Being a portion of Elmer Avenue fifty feet in width extending from the east line of Dyke Ave (50 feet in width) easterly to the east line of The Meadows No. 1, as shown in Plat Volume 11 Pages 4 of Lorain County Maps and Records, and more specifically described as follows:

Beginning at the intersection of the east line of Dyke Avenue and the north line of Elmer Avenue thence N89°22'00"E along the north line of Elmer Avenue a distance of 130.30 feet to the southeast corner of subplot 124;

Thence S00°38'00"E along the east line of The Meadows No. 1 a distance of 25.00 feet to the centerline of Elmer Avenue;

Thence N89°22'00"E a distance of 9.01 feet to the east line of The Meadows No. 1;

Thence S1°07'00"W along the east line of The Meadows No. 1 a distance of 25.00 feet to the northeast corner of subplot 125;

Thence S89°22'00"W along the south line of Elmer Avenue a distance of 140.07 feet to the east line of Dyke Avenue;

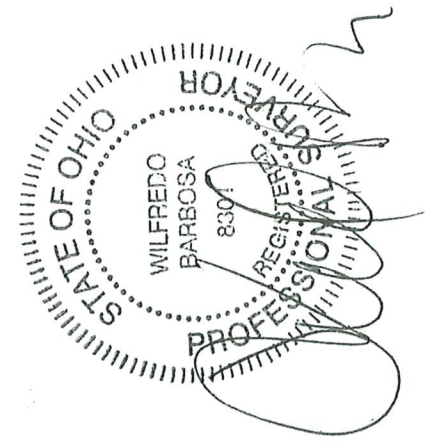
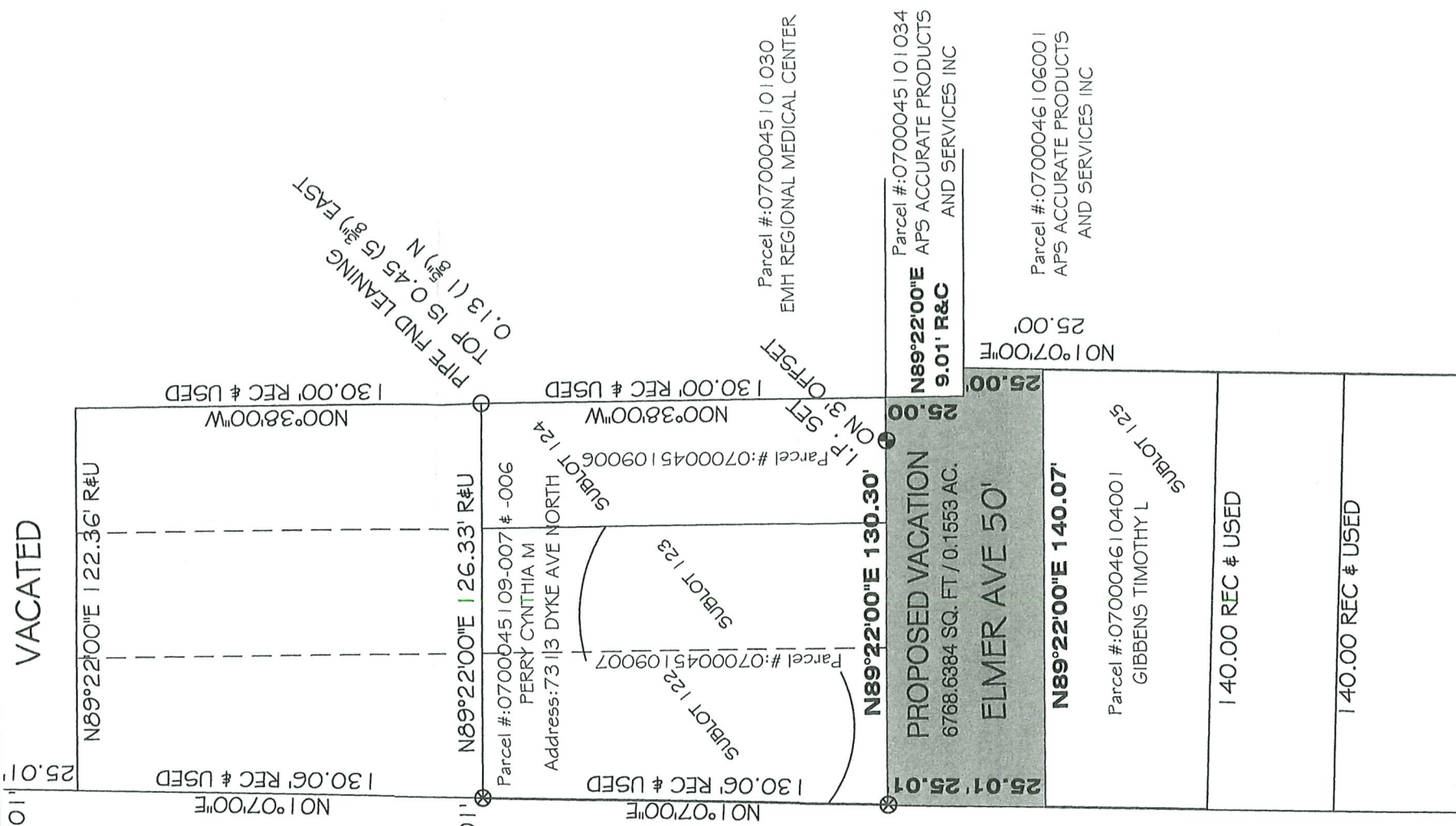
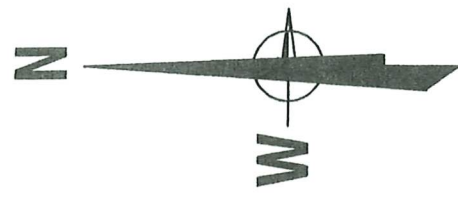
Thence N1°07'00"E along the east line of Dyke Avenue a distance of 50.02 feet to the Principal Place of Beginning, containing within said bounds 6788.6384 square feet (0.1553 of an acre of land), be the same more or less as surveyed by Wilfredo Barbosa Professional Surveyor PS#8301 in July, 2024.



Legal description reviewed by WB
on 10/29/24 per ORC, Section 5713.09

ALDEN AVE 50'

WATSON AVE 50'



- LEGEND:**
- ⊕ = 5/8" REBAR SET WITH I.D. CAP
 - = PIPE FOUND
 - = PIPE FOUND AND USED
 - = IRON PIN/ REBAR FOUND
 - ▲ = IRON PIN/ REBAR FOUND AND USED
 - = MONUMENT BOX
 - ⊗ = DRILL HOLE FOUND
 - C.L. = CENTERLINE
 - O, OBS = OBSERVED
 - C, CALC = CALCULATED
 - R, REC = RECORD
 - I.N. = INSTRUMENT NUMBER
 - ORV = OFFICIAL RECORD VOLUME
 - O.L. = ORIGINAL LOT
 - PCL = PARCEL
 - AC = ACREAGE

SCALE: 1" = 50'



PREPARED AT THE REQUEST OF:
CYNTHIA PERRY
7313 DYKE AVENUE
North Ridgeville, Ohio 44039

VACATION PLAT
OF PART OF ELMER AVENUE
THE MEADOWS NO. 1 PLAT VOL. 11 PAGE 4
PART OF ORIGINAL LOT 45-46 RIDGEVILLE TWP.
CITY OF NORTH RIDGEVILLE COUNTY OF LORAIN
STATE OF OHIO

BARBOSA AND ASSOCIATES LLC
5604 CASE ROAD
NORTH RIDGEVILLE, OH 44039
440 327-4776

6/20/2024
JOB No: 2024-6-1
CHECKED BY:WB
SHEET 1 of 1