

ORDINANCE NO. 203.23

AN ORDINANCE TO VACATE BY PETITION A PORTION OF CAROLINE AVENUE (RIGHT OF WAY BEING 60 FEET IN WIDTH) FROM E 25TH STREET 160 FEET TO THE NORTH AS DEPICTED IN EXHIBIT – A, ATTACHED HERETO.

WHEREAS, a petition signed by the owners representing 100% of the frontage of property abutting Caroline Avenue (right of way being 60 feet in width) from E 25th street 160 feet to the north as depicted in EXHIBIT A, attached hereto, was duly presented to Council praying that said right of way be vacated; and,

WHEREAS, the Council of the City of Lorain, upon a Public Hearing under the Ohio Revised Code Section 723.04 and 723.07 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.

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

SECTION I: That Caroline Avenue (right of way being 60 feet in width) from E 25th street 160 feet to the north as depicted in EXHIBIT A, attached hereto, be and the same is vacated, subject however to the City of Lorain reserving 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 right of way whenever deemed necessary.

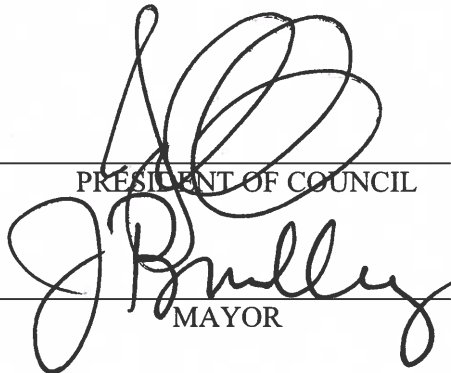
SECTION II: That it is agreed that each one-half of the right of way portion will revert to the respective abutting owner on each side of said right of way.

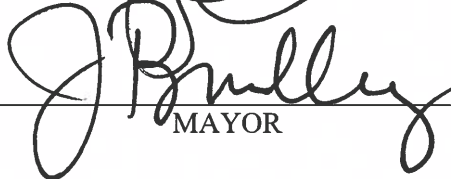
SECTION III: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

PASSED: October 2, 2023

ATTEST: Breanna Ouel, CLERK

APPROVED: October 2, 2023



PRESIDENT OF COUNCIL


MAYOR

EXHIBIT A



PETITION TO VACATE

A PEITITION TO VACATE A PORTION OF CAROLINE AVENUE (RIGHT OF WAY BEING 60 FEET IN WIDTH) FROM E 25TH STREET 160 FEET TO THE NORTH AS DEPICTED IN EXHIBIT - A, ATTACHED HERETO.

To the Honorable City Council
City of Lorain, Ohio

Honorable Members:

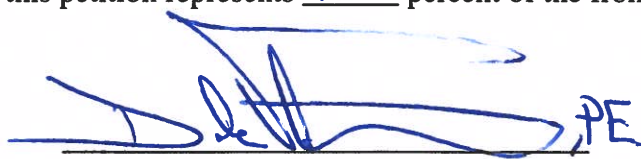
We, the undersigned property owners whose properties abut the roadway as described above, do hereby respectfully petition your Honorable Body to declare said right of way vacated with reservations as stated below, as it is no longer needed for the purpose of public right of way.

It is understood and agreed by the undersigned parties that if the above petition is granted, and the said portion of right of way declared vacated, 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 right of way whenever deemed necessary. It is also agreed that each one half of the right of way will revert to the respective abutting owners on each side of right of way.

NOTE: The signature of only one of the legal owners to the permanent parcel of land is required to qualify the parcel for this petition. All of the legal owners should sign whenever possible however, each must sign individually and on separate lines. The signature of Mr. and Mrs. J. Doe or John and Mary Doe, etc., are not acceptable. Property under transfer or land contract should be signed by both the Seller (Grantor) and the Purchaser (Grantee). All signatures should be in ink. Opposite the signature, designate the lot number and Street frontage.

ENGINEER'S CERTIFICATION

The signed frontage on this petition represents 100 percent of the frontage between the points named.



City Engineer
City Engineering Dept.

To Council: _____
Date

C: FN 292A

PETITION TO VACATE ALLEY NORTH OF 513 E. 28TH STREET
 BETWEEN CAROLINE AVE. AND DENVER AVE.

Owner	Address	Parcel No.	Signature(S)
HARRIS THOMAS & HARRIS PATRICIA	CAROLINE AVE	0200093110008	X <i>Thomas Harris</i>
			X <i>Patricia Harris</i>
HARRIS THOMAS & HARRIS PATRICIA	2407 CAROLINE AVE	0200093110009	X <i>Thomas Harris</i>
			X <i>Patricia Harris</i>
HARRIS THOMAS R SR & HARRIS PATRICIA A	2415 CAROLINE AVE	0200093110010	X <i>Thomas R. Harris Sr</i>
			X <i>Patricia A. Harris</i>
HARRIS THOMAS R SR & HARRIS PATRICIA A	E 25TH STREET	0200093110011	X <i>Thomas R. Harris Sr</i>
			X <i>Patricia A. Harris</i>
HARRIS THOMAS R SR & HARRIS PATRICIA A	CAROLINE AVE	20093109047	X <i>Thomas R. Harris Sr</i>
			X <i>Patricia A. Harris</i>
HARRIS THOMAS R SR & HARRIS PATRICIA A	CAROLINE AVE	20093109048	X <i>Thomas R. Harris Sr</i>
			X <i>Patricia A. Harris</i>
HARRIS THOMAS R SR & HARRIS PATRICIA A	411 E 25TH STREET	0200093109050	X <i>Thomas R. Harris Sr</i>
			X <i>Patricia A. Harris</i>



CITY OF LORAIN

City Council Committee & Regular Meeting

10. j.

Meeting Date: 10/02/2023

Submitted by: Elva Martes

AGENDA ITEM DESCRIPTION OR LEGISLATION TITLE

AN ORDINANCE TO VACATE BY PETITION A PORTION OF CAROLINE AVENUE (RIGHT OF WAY BEING 60 FEET IN WIDTH) FROM E 25TH STREET 160 FEET TO THE NORTH AS DEPICTED IN **EXHIBIT – A**, ATTACHED HERETO.

PURPOSE AND BACKGROUND

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RECOMMENDATION TO COUNCIL:

Consideration for passage.

Attachments

Ordinance

Exhibit A

Vacation Certification

Vacation Petition Signatures

Form Review

Inbox	Reviewed By	Date
Washington	Sanford Washington	09/22/2023 11:08 AM
Mayor Bradley	Jack Bradley	09/22/2023 11:22 AM
P. Riley	Michele Beko	09/25/2023 03:40 PM
Form Started By: Elva Martes		Started On: 09/19/2023 09:20 AM
Final Approval Date: 09/25/2023		

VOTE ON PASSAGE					
	AYE	NAY		AYE	NAY
Fallis	✓		Nutt	✓	
Dimacchia	✓		Moon	✓	
Springowski	✓		Carrion	✓	
Henley	✓		Shawver	✓	
Kempton	✓		Thornsberry	✓	
Carter	Absent		Arredondo		