

ORDINANCE NO. 21-79

AN ORDINANCE TO VACATE AN ALLEY 16 FEET WIDE, EXTENDING NORTH AND SOUTH BETWEEN GEORGIA AVENUE AND IDAHO AVENUE, EXTENDING FROM THE ALLEY NORTH OF "F" STREET TO A POINT ABOUT 110 FEET SOUTH OF THE SOUTH LINE OF "E" STREET IN THE CITY OF LORAIN, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, Council is of the opinion that there is good cause for vacating, under Section 723.05, Ohio Revised Code, an alley 16 feet wide, extending north and south between Georgia Avenue and Idaho Avenue in the City of Lorain, Ohio, and that such vacation will not be detrimental to the public interest.

WHEREAS, the Lorain Planning Commission met on January 24, 1979 and recommended said alley be vacated.

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

SECTION 1. That an alley, 16 feet wide, extending north and south between Georgia Avenue and Idaho, extending from the alley north of "F" Street to a point about 110 feet south of the south line of "E" Street in the City of Lorain, Ohio, be and the same is hereby vacated, subject however to the reservations that the City of Lorain, Ohio, reserves to itself and others, easement rights to construct or maintain sewer lines, water lines, gas lines, electric conduits, telephone and electric pole lines and other similar facilities under, on, or above said alley whenever deemed necessary.

SECTION 2. That one-half ( $\frac{1}{2}$ ) of the width of said alley shall revert to the abutting owners on each side of the alley so vacated.

SECTION 3. That it is found and determined that all formal action 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 any of 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, Ohio Revised Code.

SECTION 4. That this ordinance is hereby declared to be an emergency measure, for the immediate preservation of the public health, safety and welfare of the City of Lorain and provided it receives the affirmative vote of two-thirds ( $\frac{2}{3}$ ) of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: Feb 5, 1978 John Kesch PRESIDENT

ATTEST: Frank J. Hall CLERK

APPROVED: Feb 6, 1979 Joseph J. Zabon MAYOR

