



LORAIN COUNTY COMMISSIONERS



Michelle Hung

David J Moore

Jeff Riddell

RECEIVED

JUN 17 2024

KEN CARNEY
LORAIN COUNTY SANITARY ENGINEER

cc staff
file

June 12, 2024

Bryan S. & Barbara Carlton
30090 Westminister Drive
North Olmsted, Ohio 44070

Dear Mr. & Mrs. Carlton:

Lorain County Board of Commissioners adopted Res#24-387 on June 11, 2024 granting to vacate existing Right of Ways of Park Place Drive and Boardwalk Avenue, located in Original Lot 57, within Garden of Eaton Allotment No. 2, Eaton Township, Ohio.

Please find a complete transcript of this approval for your records and it is the responsibility of the Petitioner to record.

Yours truly,

Theresa L. Upton
Clerk

tlu
Enclosure

Cc: Kenneth P. Carney, LC Engineer
Craig Snodgrass, LC Auditor
Ted Spillman, Tax Map Department
Eaton Township Trustees
File

RESOLUTION NO. 24-387

In the matter of granting to vacate existing Right)
Of Ways of Park Place Drive and Boardwalk)
Avenue, located in Original Lot 57, within)
Garden of Eaton Allotment No. 2, Eaton Township,))
Ohio by Petitioners Bryan S. & Barbara R. Carlton)

June 11, 2024

WHEREAS, after due and legal notice this is the day fixed for the public hearing to vacate existing Right Of Ways of Park Place Drive and Boardwalk Avenue, located in Original Lot 57, within Garden of Eaton Allotment No. 2, Eaton Township, Ohio Lorain County, Ohio; and

WHEREAS, said Petition was received on March 6, 2024 from Bryan S. & Barbara R. Carlton; and

WHEREAS, March 6, 2024, letter was sent to County Engineer and Tax Map to review; and

WHEREAS, March 11, 2024, Engineer stated the legal description correctly describes the area to be vacated. In addition, the parcel layout has been corrected so as to not create any landlocked parcels if the petition is approved; and

WHEREAS, March 15, 2024 – Res#24-190 received and journalized said petition, which set the view on April 29, 2024 and hearing today, June 11, 2024; and

WHEREAS, April 8, 2024 – letters were sent to the following utility companies for easement purposes; ODNR, Columbia Gas, Ohio Edison, Windstream, RLCWA, Grafton Cable County Engineer to review; and

WHEREAS, April 15, 2024 – RLCWA does not hold utility easements along these roads and will not be affected by the outcome of the petition; and

WHEREAS, April 16 and April 23, 2024 notice was published in the Chronicle Telegram

WHEREAS, Assistant County Prosecutor Dan Petticord, administered an oath to those wishing to make a comment on this vacation; and

WHEREAS, Riddell asked Engineers' office if they had any comments?
Bob Klaiber, Engineers office said per their memo and this has been before the Commissioners and there was concern about parcels becoming landlocked if this was approved. They worked along with the property owners to resolve that issue, so if it is approved tonight it will not create any future problems with landlocked parcels; and

WHEREAS, Riddell asked the Petitioners if they had any comments?
Bryan S. Carlton said he thinks everyone is familiar with this situation and asked for approval;
and

WHEREAS, Riddell asked Township Trustees if they had any comments, there was no one present; and

WHEREAS, Riddell asked if there were any property owners if favor of opposed to this vacation? There were none.

NOW, THEREFORE BE IT RESOLVED, the Lorain County Board of Commissioners hereby grant to Vacate existing Right Of Ways of Park Place Drive and Boardwalk Avenue, located in Original Lot 57, within Garden of Eaton Allotment No. 2, Eaton Township, Ohio Lorain County, Ohio; and

WHEREAS, Said Legal Description is as follows:

RECORDED
 LORAIN COUNTY
 DEPT. 11
 2024 JUN 13 11:05
 REC'D

**BRYAN S. AND BARBARA R. CARLTON'S
 PETITION TO VACATE RIGHTS-OF-WAYS**

We the undersigned owners, Bryan S. and Barbara R. Carlton, of the property described below, do hereby petition to vacate the existing Rights-of-Ways of Park Place Drive and Boardwalk Avenue, said roads are located in Original Lot 57 of Eaton Township, County of Lorain, State of Ohio, said roads are 60 feet in width and are within Garden of Eaton Allotment No. 2. The portion of road to be vacated is shown on Exhibit A and described within the bounds as follows:

Beginning at a point on a southeast corner of Sublot 20, the east line of Garden of Eaton Allotment No. 2 and the northeast right-of-way corner of Park Place Dr. (60' R/W), said point being the principal place of beginning;

- 1 Thence South $0^{\circ} 09' 37''$ West a distance of 60.01 feet along the east line of said Allotment to a point on the east line of said Allotment, the northeast corner of Sublot 21 and the southeast right-of-way corner of Park Place Dr.;
- 2 Thence North $88^{\circ} 41' 53''$ West a distance of 300.89 feet along the south right-of-way line of Park Place Dr. and the north line of Sublot 21 to a point of curvature on the south right-of-way line of Park Place Dr. and the north line of Sublot 21;
- 3 Thence along the arc of a curve being concave to the southeast and having a radius of 20.00 feet, a delta angle of $91^{\circ} 08' 30''$, a chord length of 28.56 feet, bearing South $45^{\circ} 43' 52''$ West, an arc length of 31.81 feet to a point of tangency on the east right-of-way line of Boardwalk Ave. (60' R/W) and the west line of Sublot 21;
- 4 Thence South $0^{\circ} 09' 37''$ West a distance of 98.40 feet along the west line of Sublot 21 and the east right-of-way line of Boardwalk Avenue to a point on the west line of Sublot 21 and the east right-of-way line of Boardwalk Ave.;
- 5 Thence North $89^{\circ} 50' 23''$ West a distance of 60.00 feet, severing the right-of-way of Boardwalk Ave. to a point on the west line of Boardwalk Ave. and an east line of Sublot 20;
- 6 Thence North $0^{\circ} 09' 37''$ East a distance of 100.39 feet along a west line of Boardwalk Ave. and an east line of Sublot 20 to a point of curvature on an east line of Sublot 20 and the west right-of-way line of Boardwalk Ave.;
- 7 Thence along the arc of a curve being concave to the southwest and having a radius of 20.00 feet, a delta angle of $88^{\circ} 51' 30''$, a chord length of 28.00 feet, bearing North $44^{\circ} 16' 08''$ West, an arc length of 31.02 feet to a point of tangency on the south right-of-way line of Park Place Dr. and a north line of Sublot 20;
- 8 Thence North $88^{\circ} 41' 53''$ West a distance of 311.00 feet along the south right-of-way line of Park Place Dr. and a north line of Sublot 20 to a point on the southwest corner of Park Place Dr. and a northeasterly corner of Sublot 20;
- 9 Thence North $1^{\circ} 18' 07''$ East a distance of 60.00 feet along the west right-of-way line of Park Place Dr. and an east line of Sublot 20 to a point on the northwest corner of Park Place Dr. and a southeasterly corner of Sublot 20;
- 10 Thence South $88^{\circ} 41' 53''$ East a distance of 309.00 feet along the north right-of-way line of Park Place Dr. and a south line of Sublot 20 to a point of curvature on the north right-of-way line of Park Place Dr. and a south line of Sublot 20;
- 11 Thence along the arc of a curve being concave to the northwest and having a radius of 20.00 feet, a delta angle of $91^{\circ} 08' 30''$, a chord length of 28.56 feet, bearing North $45^{\circ} 43' 52''$ East, an arc length of 31.81 feet to a point of tangency on the west right-of-way line of Boardwalk Ave. and an east line of Sublot 20;
- 12 Thence North $0^{\circ} 09' 37''$ East a distance of 205.60 feet along the west right-of-way line of Boardwalk Ave. and an east line of Sublot 20 to a point of curvature on an east line of Sublot 20 and the west right-of-way line of Boardwalk Ave.;
- 13 Thence along the arc of a curve being concave to the southwest and having a radius of 50.00 feet, a delta angle of $62^{\circ} 57' 50''$, a chord length of 52.22 feet, bearing North $31^{\circ} 19' 18''$ West, an arc length of 54.95 feet to a point of reverse curvature on the westerly curved right-of-way line of Boardwalk Ave. and an easterly curved line of Sublot 20;
- 14 Thence along the arc of a curve being concave to the southeast and having a radius of 60.00 feet, a delta angle of $242^{\circ} 57' 59''$, a chord length of 102.34 feet, bearing North $58^{\circ} 40' 38''$ East, an arc length of 254.43 feet to a point of tangency on the east right-of-way line of Boardwalk Ave. and a west line of Sublot 20;

- 15. Thence South 0° 09' 37" West a distance of 305.58 feet along a west line of Sublot 20 and the east right-of-way line of Boardwalk Avenue to a point of curvature on a west line of Sublot 20 and the east right-of-way line of Boardwalk Ave.;
- 16. Thence along the arc of a curve being concave to the northeast and having a radius of 20.00 feet, a delta angle of 88° 51' 30", a chord length of 28.00 feet, bearing South 44° 16' 08" East, an arc length of 31.02 feet to a point of tangency on the north right-of-way line of Park Place Dr. and a south line of Sublot 20;
- 17. Thence South 89° 41' 53" East a distance of 301.69 feet along the north right-of-way line of Park Place Dr. and a south line of Sublot 20 to the principal place of beginning and being 1.7991 acres;

Bearings are relative to the Ohio State Plane Coordinate System, North Zone (3401), NAD83(2011) Epoch 2010.00, and corrected via the Ohio Real Time Network.

This description was prepared November, 2023 by Timothy D. Hozitski, Registered Surveyor No. 8677 from an actual survey of the premises dated November, 2023 (Job/Plan#: 20-067).

We, the undersigned owners, do hereby agree to this petition:

Signature	Address
<i>[Signature]</i>	30090 WESTMINSTER DR. N. OLINSTEAD, OH 44070
<i>[Signature]</i>	30090 Westminster Dr. N. Olinstead 44070

And;

FURTHER BE IT RESOLVED, said Vacation of existing Right Of Ways of Park Place Drive and Boardwalk Avenue, located in Original Lot 57, within Garden of Eaton Allotment No. 2, Eaton Township, Ohio Lorain County, Ohio shall accrue proportionately to the benefit of the adjacent property owners as provided by law.

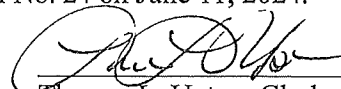
BE IT FURTHER RESOLVED, that the land is within the limits of said street as they are now established, shall forever remain, notwithstanding the passage of this resolution, subject to the rights of utilities now maintaining structures, fixtures and appurtenances in, under, over or upon said lands, to continue to maintain such structures, fixtures and appurtenances, and to enter upon said lands wherever reasonably necessary to do so for the purpose of inspecting, altering, replacing, repairing, patrolling and maintaining such structures, fixtures and appurtenances.

FURTHER BE IT RESOLVED, that a copy of this resolution be forwarded to the County Recorder, Auditor, Engineer, Tax Map and Eaton Township Trustees for recording and filing.

Moore moved, seconded by Hung to adopt the resolution. Upon roll call the vote taken thereon, resulted as: Moore, Hung & Riddell / Nays: None.

Motion carried.

I, Theresa L. Upton, Clerk to the Lorain County Board of Commissioners do hereby certify that the above Resolution 24-387 is a true copy as it appears in Journal No. 24 on June 11, 2024.


 Theresa L. Upton, Clerk

OFFICE: 440-865-8445 AMHERST, OH
TIM@VECTORSURVEYING.COM

Exhibit A

Petition to Vacate Rights-of-Ways

Being a parcel of land located in part of Original Lot 57, Eaton Township, Township 5 North, Range 16 West, Connecticut Western Reserve, County of Lorain, State of Ohio

Job No.	20-067	Drawn By:	CAD
Date:	Nov, 2023	Checked By:	TDH

Curve Table						
CURVE	RADIUS	DELTA	TANGENT	CHORD	CHORD BEARING	ARC
C1	20.00'	88°51'30"	19.61'	28.00'	S44°16'08"E	31.02'
C2	60.00'	242°57'59"	97.98'	102.34'	N58°40'38"E	254.43'
C3	50.00'	62°57'50"	30.62'	52.22'	N31°19'18"W	54.95'
C4	20.00'	91°08'30"	20.40'	28.56'	N45°43'52"E	31.81'
C5	20.00'	88°51'30"	19.61'	28.00'	N44°16'08"W	31.02'
C6	20.00'	91°08'30"	20.40'	28.56'	S45°43'52"W	31.81'

