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Kind: ORDINANCE  
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Fee Amt: \$44.00 Page 1 of 4  
Lorain County, Ohio  
Judith H Hedwick County Recorder  
File # 2010-0326982

ORDINANCE NO. 38-10

**AN ORDINANCE TO VACATE MELROSE DRIVE (25 FEET IN WIDTH) FROM THE SOUTH LINE OF THE PROPOSED TOWER BLVD. RIGHT OF WAY (120' IN WIDTH), SOUTHERLY TO THE SOUTHERLY TERMINUS THEREOF.**

WHEREAS, with the construction of the proposed Tower Boulevard Extension, the right of way of Melrose Drive, currently unimproved, will no longer be needed; and

WHEREAS, City Council, upon hearing, is satisfied that there is good cause for such vacation as prayed for, and will not be detrimental to the general interest and ought to be made; and

WHEREAS, under the provision of the Ohio Revised Code Section 723.05, notice of pendency and prayer of petition is not required.

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

SECTION 1: That Melrose Drive (25 feet in width) from the south line of the proposed Tower Blvd, right-of-way (120' in width) southerly to the southerly terminus thereof and more definitely described and depicted in Exhibit - A attached hereto, be the same is hereby vacated, subject however, that the City of Lorain, Ohio reserves to itself and others, easement rights to construct and/or maintain sanitary and storm sewer, water, gas, electric, fire alarm, and communication conduits, telephone and electric pole transmission lines and other similar facilities under and/or above said street whenever deemed necessary.

SECTION 2: That it is agreed that each one-half of the street will revert to the respective abutting owner on each side of said street.

SECTION 3: That it is agreed that the actual vacation of Melrose Drive shall not occur and be effective until the construction of the Tower Boulevard Extension Project is completed.

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 adopted in an open meeting of this Council and that all deliberations of this Council and all 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 of the Ohio Revised Code.

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

PASSED: March 1, 2010

PRESIDENT: [Signature]

ATTEST: [Signature] CLERK

MAYOR: A.M. Krasimirov

APPROVED: March 1, 2010

EFFECTIVE DATE: March 31, 2010

*Vacate.pet*

I, NANCY A. GREER, CLERK OF COUNCIL OF THE  
 CITY OF LORAIN, OHIO, CERTIFY THE FOREGOING IS  
 A TRUE AND ACCURATE COPY OF ORD. NO. 98-10  
 ON THE 1 DAY OF March, 2010 BY Me  
 AND TAKEN FROM THE RECORDS IN THE OFFICE OF  
 THE CLERK. Nancy Greer  
3-4-10 DATE CLERK OF COUNCIL

HY-173

Melrose Drive Vacation

Situated in the City of Lorain, County of Lorain, State of Ohio, being the remaining portion of Melrose Drive originally dedicated on the Melrose Park Allotment Plat recorded in Plat Book 10, Pg. 2 and being located within the following described points in the boundary thereof:

Commencing at the southwest corner of Lot 96 as shown on said Melrose Park Allotment Plat; thence westerly a distance of 25 feet along the southerly line of property conveyed to the Ohio Edison Company by Deed Volume 1037, Pg. 350 to a point on the existing easterly right of way line of Melrose Drive, said point being the Principal Point of Beginning for the parcel described herein;

- 1) thence **South 88 Degrees 29 Minutes 04 Seconds West**, a distance of **24.74 feet** to a point on the easterly property line of land conveyed to Tag Land Co. by Instrument 20010775356;
- 2) thence **North 01 Degree 06 Minutes 50 Seconds West**, a distance of **72.59 feet** along said Tag Land Co. property line to a point;
- 3) thence **North 86 Degrees 57 Minutes 17 Seconds East**, a distance of **24.91 feet** to a point on the westerly line of said Ohio Edison property;
- 4) thence **South 00 Degrees 59 Minutes 27 Seconds East**, a distance of **73.25 feet** along said Ohio Edison property line to the Principal Point of Beginning. Within said bounds is 0.0415 acre, more or less, and subject to all other legal highways, and other easements on record.

No Auditor's Permanent Parcel Number assigned.  
Deeds and Plats referred to are recorded in the Lorain County Recorder's Office.

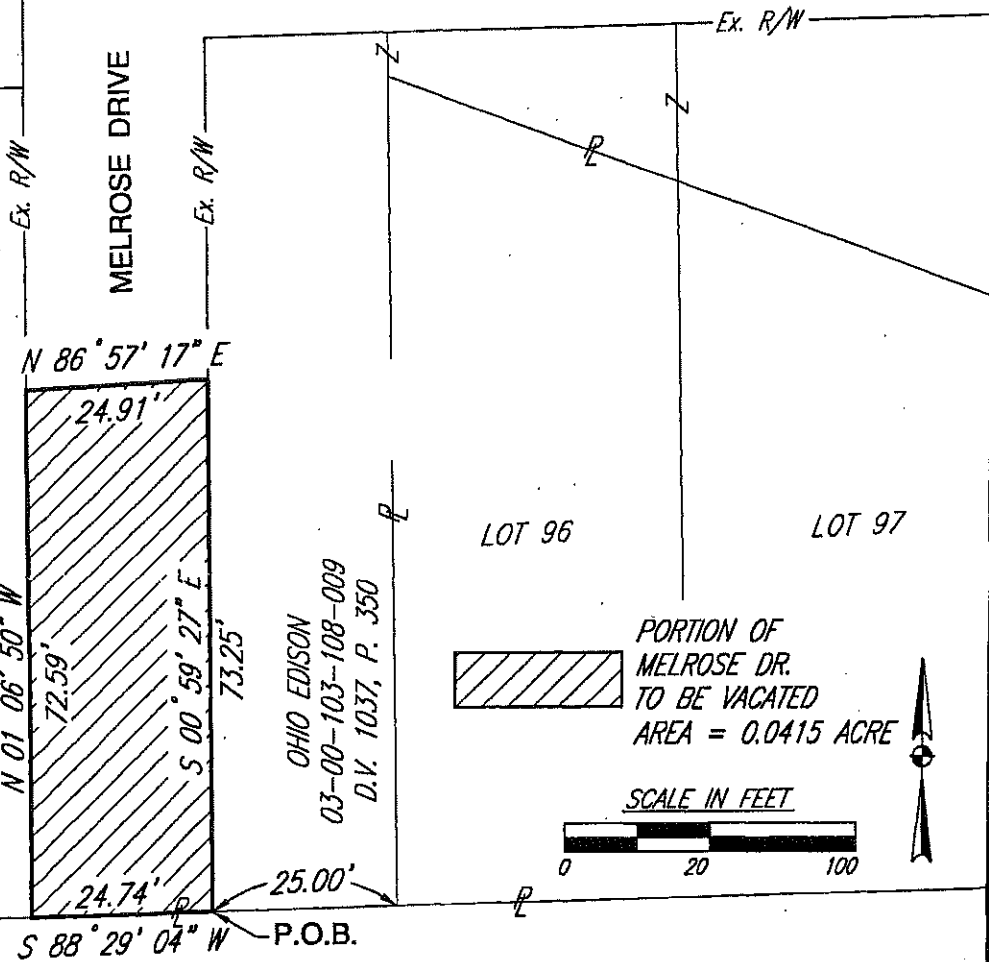
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LORAIN CITY  
200 W ERIE AVE  
ROOM 103  
LORAIN, OH 44052

VACATION PLAT FOR: CITY OF LORAIN, OHIO  
VACATION OF A PORTION OF MELROSE DRIVE  
CITY OF LORAIN, COUNTY OF LORAIN, STATE OF OHIO

BEARINGS ARE TO AN ASSUMED MERIDIAN USED TO DENOTE ANGLES ONLY  
PRIOR PLAT: MELROSE PARK ALLOTMENT, PLAT BOOK 10, PG. 2

WEST 36th. STREET



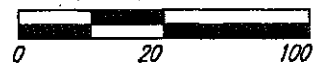
TAG LAND CO. LLC  
INST. No. 20010775356

OHIO EDISON  
03-00-103-108-009  
D.V. 1037, P. 350



PORTION OF  
MELROSE DR.  
TO BE VACATED  
AREA = 0.0415 ACRE

SCALE IN FEET



52 N. Diamond Street  
Mansfield, Ohio 44902  
419/526-0083, Fax: 419/526-0835



230 Third Street  
Elyria, Ohio 44035  
440/323-9808, Fax: 440/323-3844

K.E. McCartney & Associates, Inc.

Engineers • Planners • Surveyors