

ORDINANCE NO. 44.21

AN ORDINANCE TO VACATE EAST 39TH COURT (50' IN WIDTH) BEGINNING AT THE WEST RIGHT-OF-WAY LINE OF GLOBE AVE. AND PROCEEDING WEST 156.60 FEET IN THE CITY OF LORAIN, OHIO.

WHEREAS, Lorain City Council upon petition by the adjoining property owners and in accordance with Sections 723.04 and 723.07 of the Ohio Revised Code is satisfied that there is good cause for the vacation of E. 39th Court extending west from the existing west right-of-way of Globe Ave. 156.60 feet. and that said right-of-way is no longer needed for municipal purpose and should be vacated.

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

SECTION I. That E. 39th Court extending west from the existing west right-of-way of Globe Ave. 156.60 feet (the "vacated area") is hereby vacated. See Exhibit A attached hereto and made a part hereof by reference.

SECTION II. That one half (1/2) of the vacated area shall revert to the abutting owners on each side of said Court in conformity with the front footage dimension of each property owner's abutting parcel.

SECTION III. That said vacation is made however reserving to the City of Lorain and others, perpetual easement rights to construct or maintain storm & sanitary sewer lines, waterlines, gas lines, electric, telephone, and communication lines and all facilities required for the distributions of said utilities under, on or above said vacated right-of-way, whenever deemed necessary by the City without any duty to restore the vacated right-of-way to its prior condition particularly no duty to restore any conditions installed in or upon the vacated right of way by any party other than the City of Lorain.

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

PASSED: April 5, 2021

ATTEST: Nancy Greer, Clerk

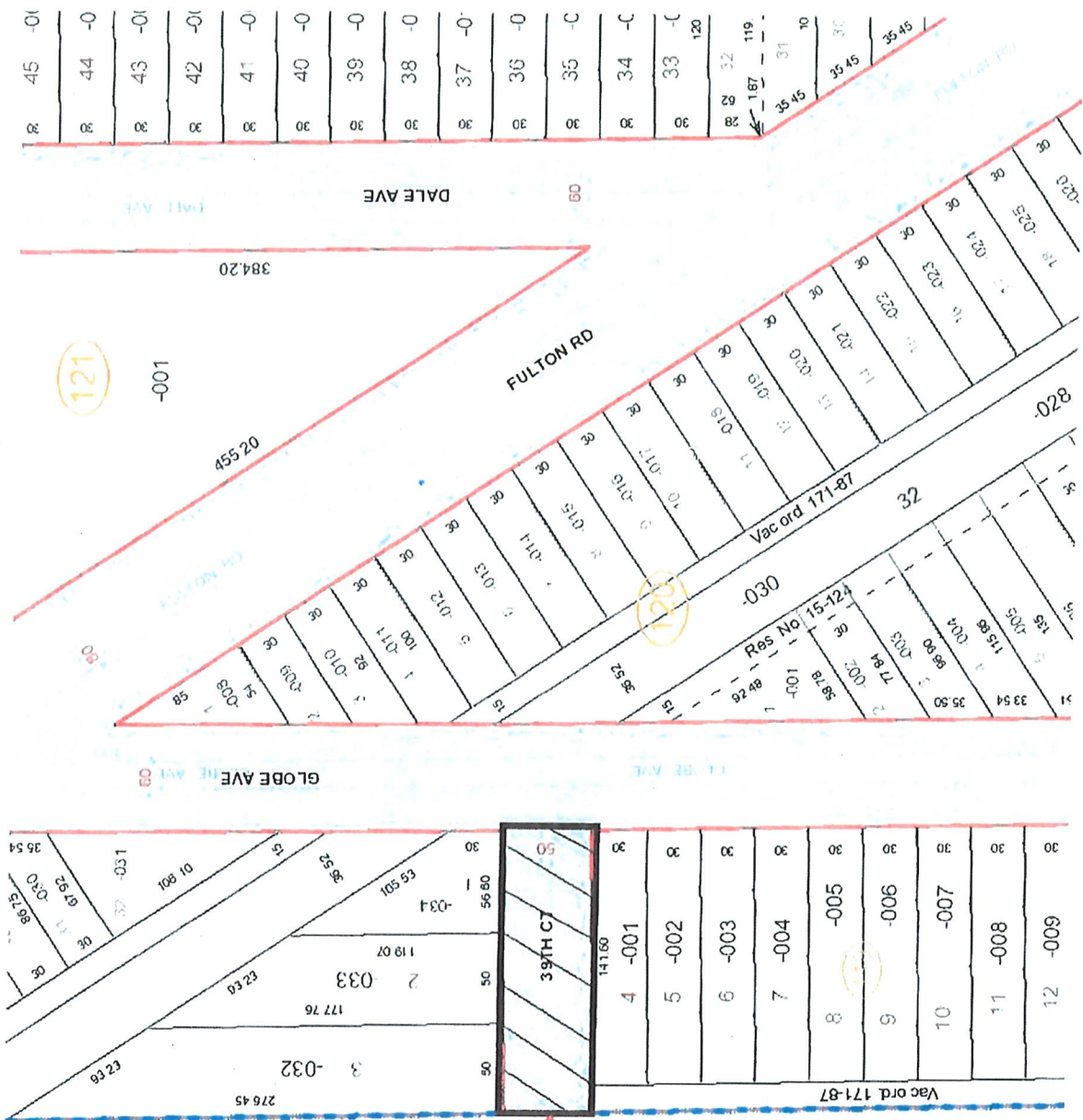
APPROVED: April 6, 2021

[Signature]
PRESIDENT OF COUNCIL

[Signature]
MAYOR

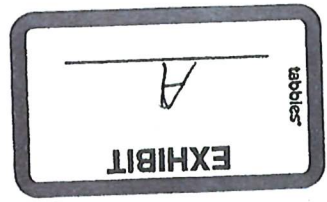
Legal description reviewed by VS
on 5/10/21 per ORC, Section 5713.09
#21-04544-V

I, NANCY A. GREER, CLERK OF COUNCIL OF THE CITY OF LORAIN, OHIO, CERTIFY THE FOREGOING IS A TRUE AND ACCURATE COPY OF ORC NO. 44.21 PASSED ON THE 5 DAY OF April, 21 BY COUNCIL AND TAKEN FROM THE RECORDS IN THE OFFICE OF THE CLERK. N. Greer
DATE 4.12.21
CLERK OF COUNCIL



VACATED AREA REQUESTED

Pt. 03-00-102-501-023
 Pt. 67.31



Legal description reviewed by TS
 on 5/10/21 per ORC, Section 5713.09