

By: Mr. Luce

Temp. No. 1654-R

ORDINANCE NO. 47-71

AN ORDINANCE TO VACATE HAMILTON AVENUE, LAFAYETTE AVENUE, AND PORTIONS OF SOUTH DRIVE IN AVON LAKE HARBOR ESTATES SUBDIVISION.

WHEREAS, the majority of the abutting property owners have petitioned the Council for the vacating of Hamilton Avenue, Lafayette Avenue, and portions of South Drive in the Avon Lake Harbor Estates Subdivision; and

WHEREAS, the Planning Commission did on July 7, 1970, recommend the vacating of the aforementioned streets; and

WHEREAS, the Council did on August 24, 1970, determine that there is good cause for vacating Hamilton Avenue, Lafayette Avenue, and portions of South Drive in the Avon Lake Harbor Estates Subdivision as such streets have never been used for right of way purposes and are no longer required for public use; and such vacation will not be detrimental to the general interest; and

WHEREAS, Notice of the pendency and intent of this Ordinance has been given according to law in a newspaper of general circulation for six consecutive weeks ending on February 24, 1971; now, therefore:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That Hamilton Avenue in Avon Lake Harbor Estates Subdivision as shown by plat, page 24 of Volume 12 of Lorain County Records be, and the same is hereby vacated.

Section No. 2: That Lafayette Avenue in Avon Lake Harbor Estates Subdivision as shown by plat, page 24 of Volume 12 of Lorain County Records be, and the same is hereby vacated.

Section No. 3: That the southerly 30 feet in width, portion of South Drive, forty feet wide in the Avon Lake Harbor Estates Subdivision as shown by plat, page 24 of Volume 12 of Lorain County Records and being that portion lying westerly of the westerly line of Miller Road sixty feet in width be, and the same is hereby vacated.

Section No. 4: That one half of Hamilton Avenue vacated hereby shall accrete to abutting lot owners who are identified as follows:

SUBLOT NO.	NAME OF OWNER
112 to 128 Inclusive, 131 to 136 Inclusive, 137 to 147 Inclusive, 150, 153 to 161 Inclusive	Progressive Properties 446 Avon Belden Road Avon Lake, Ohio 44012 <i>CONVEYED TO SMUGGLERS COVE SALES CORP. JAN. 20, 1972 D.VOL. # 798, 832</i>
129 and 130	Wilbur R. Curtis 635 Carr Street Denver, Colorado <i>CONVEYED TO PROGRESSIVE PROPERTIES JUNE 3, 1971 D.VOL. 1035 PG. 2</i>
148 and 149	Richard and Beverly Warmuth 156 Miller Road Avon Lake, Ohio 44012 <i>CONVEYED TO JOSEPH J. & MARY ADAMS</i>
151 and 152	Norma R. and Paul A. Rush, Jr. 152 Miller Road Avon Lake, Ohio 44012 <i>CONVEYED TO ADY. 16-19 D.VOL. 1031 PG. 209</i>
162	John & Betty Simpson; 33112 Lake Rd.; A.

Section No. 5: That one half of Lafayette Avenue vacated hereby shall accrete to abutting lot owners who are identified as follows:

SUBLOT NO.	NAME OF OWNER
62 to 84 Inclusive, 85, 87 to 108 Inclusive	Progressive Properties 446 Avon Belden Road Avon Lake, Ohio 44012 <i>CONVEYED TO SMUGGLERS COVE SALES CORP. JAN. 20, 1972 D.V. # 798, 832</i>
86	Martha Izold 12209 Madison Avenue Lakewood, Ohio <i>CONVEYED TO PROGRESSIVE PROPERTIES MAY 21, 1971 D.VOL. 1034 PG. 11</i>

Section No. 6: That the portion of South Drive in the Avon Lake Harbor Estates Subdivision vacated shall accrete to abutting lot owners who are identified as follows:

SUBLOT NO.	NAME OF OWNER
61 and 62; 108 to 112 Inclusive	Progressive Properties CONVEYED TO 446 Avon Belden Road Avon Lake, Ohio 44012 <i>SMUGGLERS COVE SALES CORP. JAN 20, 1971 D. Vol. 4 798, 832</i>
162 to 167 Inclusive <u>OK</u>	John and Betty Simpson 33112 Lake Road Avon Lake, Ohio 44012

Section No. 7: That copies of this Ordinance be certified and sent by the Clerk of this Council to the County Auditor for appropriate changes to be made on his maps and tax rolls, and to the property owners listed above.

Section No. 8: That this Ordinance shall take effect and be in force from and after the earliest period allowed by the Charter of the City of Avon Lake, Ohio.

1st Reading January 11, 1971
2nd Reading January 25, 1971
3rd Reading April 12, 1971
Passed: April 12, 1971

S/ Michael B. Lash
President of Council

Posted: April 14, 1971

April 12, 1971
Approved

Attest:

Ernest Palmer
Clerk

S/ Harold W. Harley
Mayor

I, Ernest Palmer, Municipal Clerk of the City of Avon Lake, Ohio, hereby certify this to be a true copy of Ordinance No. 47-71 passed by Council of the City of Avon Lake on April 12, 1971.

BY GOLD BRIDGE WITH REG. STAMPS
OHIO REV. CODE

FEB 15 1972

Jerry Mitchell
AUDITOR
CEM

Ernest Palmer
Ernest Palmer
Ernest Palmer, Municipal Clerk

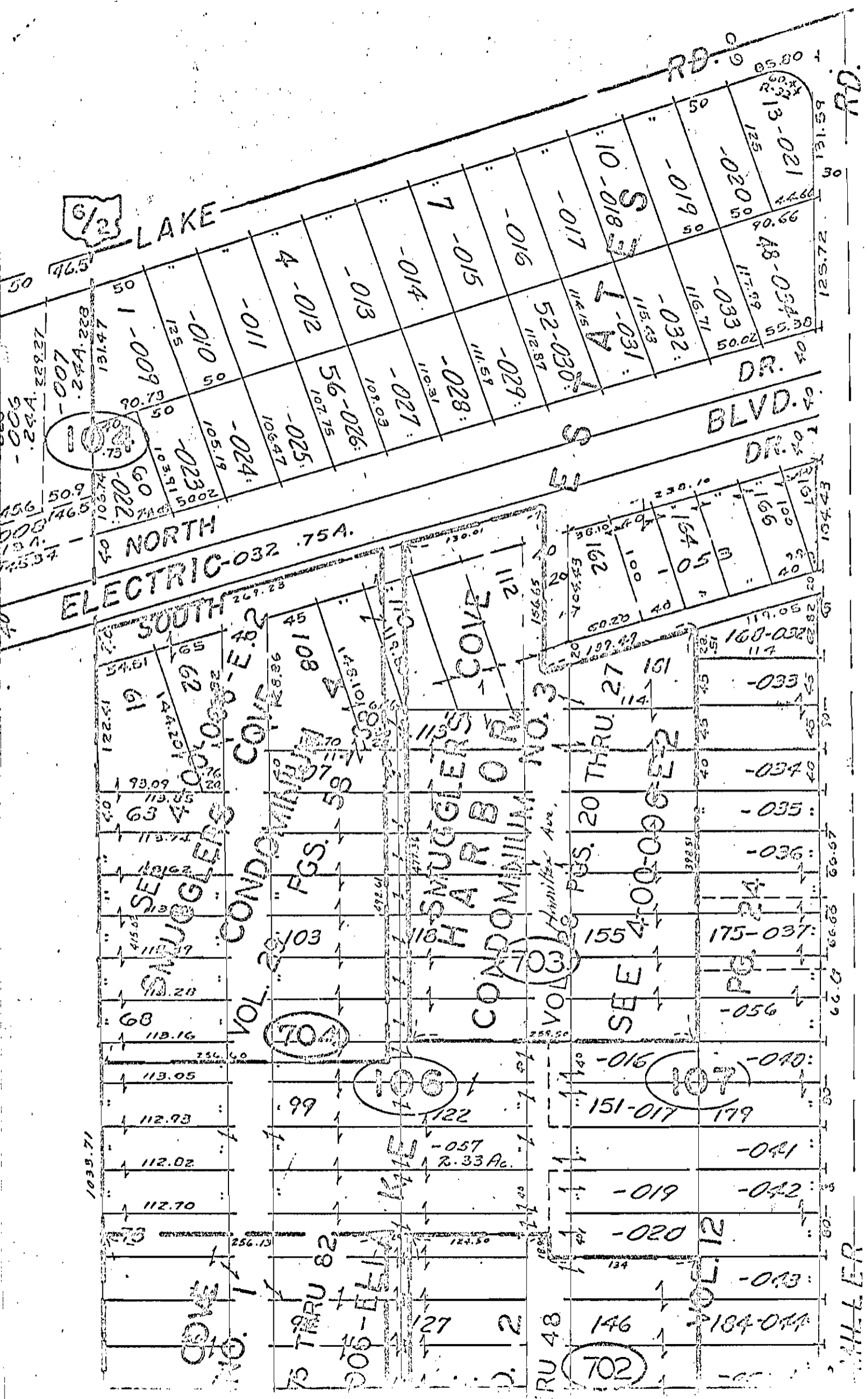
Prepared by: *Atty Dale Barnard*
City Solicitor

MAILED FULL ROLL NO. 982
RECEIVED FOR RECORD
AT 10:28A M
FEB 15 1972
RECORDED IN LORAIN
COUNTY RECORDS
INDEXED Vol. 1041 Page 816
LEONA B. MITCHELL
Lorain County Recorder

Mail: City of Avon Lake
150 Avon Belden Rd
Avon Lake, O 44012
Attn Ernest Palmer
Clerk (EP)

300
50
350

6/25 LAKE



ELECTRIC-032 754.

SOUTH

SMUGGLER'S CONDOMINIUM VOL. 29 FCS. 50

HARBOR CONDOMINIUM NO. 3

HAMILTER AVE.

SEE 4-00-00-00-00-00-00-00

PG. 24

PG. 24

704

106

107

702

ONE AND A HALF

75 THRU 82

106-900

127 2

RU 48

146

21 701

184-044

HAMILTER

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