

10-02060-V

DATE: February 2, 2010 1ST READING: April 19, 2010
 by petition from Raymond Sullinger Cod.Ord.Chp.1022
 INTRODUCED BY: Council authorization 2-16-2010 2ND READING: May 3, 2010
Buildings & Lands and
 REFERRED TO: Planning Commission 2-16-2010 3RD READING: June 7, 2010
 TEMPORARY NO.: T 29-2010 ADOPTED: June 7, 2010
 Bldgs. & Lands Report #6282 accepted 4-5-1010 Postponed 5-17-2010 until 6-7-2010
 Planning Commission recommendation noted 4-19-2010 Public Hearing 6-7-2010

ORDINANCE NO. 4752 - 2010

AN ORDINANCE VACATING A THIRTY (30) FOOT WIDE UNIMPROVED STREET LOCATED APPROXIMATELY 725 FEET WEST OF RACE ROAD AND BEGINNING ON THE SOUTH SIDE OF SUGAR RIDGE ROAD.

WHEREAS, the land owner of the subject real property has submitted a petition to the City requesting that the same be vacated, and;

WHEREAS, the petition has been considered in open hearing by the North Ridgeville Planning Commission which has submitted to City Council, a recommendation that the vacation be approved, and;

WHEREAS, Council finds that the interests of public health, welfare and safety would be served by the vacation of the property, and that street located upon the same is no longer serves a public use or purpose;

THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:

SECTION 1. That the street known as a thirty (30) foot wide unimproved street located approximately 725 feet west of Race Road and on the south side of Sugar Ridge Road, described herein below is hereby vacated pursuant to the petition of the application.

SECTION 2. That the portion of said street to be vacated is more fully described as follows:

UNIMPROVED STREET 30 FOOT WIDE BEING 1.1740 ACRES RECORDED IN DEED VOL. 6 PAGE 145 LORAIN COUNTY RECORDS:

Situated in the State of Ohio, County of Lorain, City of North Ridgeville, known as being a part of Original Ridgeville Township Lot No. 35 and Lot No. 38 and being further bounded and described as follows:

NO TRANSFER NECESSARY
MARK R. STEWART
LORAIN COUNTY AUDITOR

McCallahan 6/24/10
DEPUTY



Doc ID: 015931370003 Type: OFF
Kind: ORDINANCE
Recorded: 06/24/2010 at 08:45:53 AM
Fee Amt: \$36.00 Page 1 of 3
Lorain County, Ohio
Judith M Nedwick County Recorder

File **2010-0338048**

I, George E. Smith, being the duly appointed Clerk of Council of the City of North Ridgeville, Ohio, do hereby certify this to be a true and exact copy of Ordinance No. 4752-2010 adopted by the North Ridgeville Municipal Council at their Regular Meeting held Monday, June 7, 2010.

IN WITNESS WHEREOF, I affix my signature this 11th day of June, in the year of our Lord two Thousand Ten.

George E. Smith
GEORGE E. SMITH, CLERK OF COUNCIL

Beginning at the 1-inch diameter iron pipe monument found in the east line of said Lot No. 38, said point being also the intersection of the centerline of Sugar Ridge Road (60 feet wide) with the centerline of Race Road (60 feet wide), thence South 66° 52' 31" West along the centerline of said Sugar Ridge Road a distance of 514.53 to the northwest corner of land conveyed to Donald and Susanne Wilhelmy by deed recorded in Volume 1275, Page 154 of DEEDS and being the principal point of beginning;

Thence South 22° 50' 19" East along the west line of said Wilhelmy property, passing at 29.56 feet a 1-inch diameter iron pipe found 0.14 feet east of the property line and passing through at 626.80 feet a 1-inch diameter iron pipe found on said property line, a distance of 1136.46 feet to the southwest corner of said property, said point being also in the east line of said Original Lot 38, in the west line of Original Lot 35 and in the rear line of Sublot No. 8 of LEXINGTON FARMS SUBDIVISION as shown by the plat recorded in Volume 53, Page 8 of PLATS;

Thence continuing South 22° 50' 19" East along the projection of said property line a distance of 36.44 feet to an angle point in said Township Road line;

Thence South 01° 28' 16" West, parallel with said Original Township Lot Line, a distance of 538.16 feet to a point in the south line of Sublot No. 7 of said LEXINGTON FARMS SUBDIVISION, being also the north line of BLOCK "0" of the WATERBURY SUBDIVISION NO. 3 as shown by the plat recorded in Volume 77, Pages 7 – 15 of PLATS;

Thence North 89° 03' 34" West along said north line a distance of 30.00 feet to an angle point in said line;

Thence North 01° 28' 16" East along the east line of said WATERBURY SUBDIVISION No. 3, BLOCK "0", a distance of 531.97 feet to an angle point in said line, being the northeast corner of said BLOCK "0" and the southeast corner of BLOCK "N" of said subdivision;

Thence North 22° 50' 19" West along said east line a distance of 508.29 feet to the southeast corner of land conveyed to Raymond J. Sullinger by deed recorded in Instrument No. 20030906226, being the northeast corner of said BLOCK "N" and in the center of a ditch;

Thence continuing North 22° 50' 19" West along the east line of said Sullinger property, passing through a 1-inch diameter iron pipe found at 30.99 feet and a 1-inch diameter iron pipe found at 628.44 feet, a distance of 658.00 feet to the northeast corner of said property, said point being also in the centerline of Sugar Ridge Road;

Thence North 66° 52' 31" East along said centerline a distance of 30.00 feet to the principal point of beginning and containing therein 1.1740 acres of land (0.1911 acre in O.L. 35 and 0.9829 acre in O. L. 38) according to a September 2009 survey by ZWICK ASSOCIATES, INC., Donald E. Nimes,

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Registered Surveyor No, 6163. North datum used is the bearing of record for the east line of Original Township Lot No. 38 as shown on said LEXINGTON FARMS SUBDIVISION PLAT.

SECTION 3. That the portion of the street hereby vacated shall revert in equal amounts to the abutting property owners subject to access rights for all properties abutting the street herein vacated.

SECTION 4. That the vacation of the property by this ordinance shall be conditioned upon the grant of an easement by the applicant/owner to the City over the full street width for utility purposes including but not limited to storm sewer, sanitary sewer, water lines, Cable TV, electric and gas.

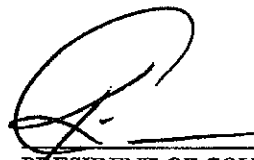
SECTION 5. That the City of North Ridgeville hereby relinquishes any and all rights that it may have for the use of said property for street or road purposes.

SECTION 6. That the Engineer be and he is hereby authorized to prepare and submit necessary data required to effect the transfer to the Engineer, Auditor and Recorder of Lorain County, Ohio.

SECTION 7. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

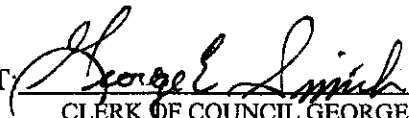
SECTION 8. That this Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: June 7, 2010



PRESIDENT OF COUNCIL KEVIN CORCORAN

ATTEST



CLERK OF COUNCIL GEORGE E. SMITH

APPROVED: 6-9-10



MAYOR G. DAVID GILLOCK

CITY OF N RIDGEVILLE
DEPT OF TREASURER
7307 AVON BELDEN RD
NORTH RIDGEVILLE, OH 44039