

DATE: May 7, 2012
INTRODUCED BY: Mayor Gillock
REFERRED TO: _____
TEMPORARY NO: T 47-2012
Public hearing: June 18, 2012

1ST READING: May 21, 2012
2ND READING: June 4, 2012
3RD READING: June 18, 2012
ADOPTED: June 18, 2012

ORDINANCE NO. 4935-2012

AN ORDINANCE VACATING THE EXISTING 25-FOOT STUB STREET OF RAVENWAY DRIVE LOCATED NORTH OF AVALON DRIVE IN WINDSOR POINT SUBDIVISION.

WHEREAS, the land owner of the subject real property has submitted a petition to the city of North Ridgeville 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, City Council finds by an affirmative vote of no less than two thirds of its membership 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 no longer serves a public use or purpose.

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

SECTION 1. The street known as a 25-foot stub street of Ravenway Drive located north of Avalon Drive in Windsor Point Subdivision, described herein below, is hereby vacated pursuant to the petition of the application.

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

25-FOOT STUB STREET RECORDED IN VOLUME 77, PAGE 18-21 OF LORAIN COUNTY RECORDS:

Situated in the city of North Ridgeville, county of Lorain, state of Ohio and being part of original Ridgeville Township Lot 42 and being part of Avalon Drive as shown in Windsor Point Subdivision No. 1 recorded in Volume 77, Page 18-21 of the Lorain County Plat Records and being more fully bounded and described as follows:

Beginning at the intersection of the centerline of Avalon Drive (60-foot wide) and the centerline of Ravenway Drive (60-foot wide) thence North 23°22'30" East along the said centerline of Ravenway Drive, a distance of 30.00 feet to the principal place of beginning of the area to be vacated herein described:

Course No. 1: thence Northwesterly along the arc of a curve deflecting to the left, a distance of 55.02 feet to a point, said curve having a radius of 1230.00 feet and a chord distance of 55.01" bearing North 67°54'23" West:

Course No. 2: thence Northeasterly along the arc of a curve deflecting to the left, a distance of 39.94 feet to a point, said curve having a radius of 26.17 feet and a chord distance of 36.17 feet bearing North 67°05'37" East:

Course No. 3: thence South 66°42'26" East, a distance of 60.00 feet to a point:

Course No. 4: thence Southeasterly along the arc of a curve deflecting to the left, a distance of 39.27 feet to a point, said curve having a radius of 25.00 feet and a chord distance of 35.36 feet bearing South 21°37'30" East:

Course No. 5: thence North 66°37'30" West, a distance of 39.22 feet to the place of beginning of the area herein described, contained 0.0406 acres, 1,770 square feet of land according to a survey by Atwell, LLC in February 2012 and being the same more or less and being subject to all legal highways and easements.

SECTION 3. The portion of the street hereby vacated shall revert in its entirety to original, current and sole abutting owner K. Hovnanian Oster Homes subject to access rights for all properties abutting the street herein vacated.

SECTION 4. 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 sewers, water lines, Cable TV, electric and gas, if necessary.

SECTION 5. 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. 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. 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. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: June 18, 2012



PRESIDENT OF COUNCIL

ATTEST:



CLERK OF COUNCIL

APPROVED: June 19, 2012



MAYOR