

ORDINANCE NO. 56-07

AN ORDINANCE TO VACATE BARNES STREET (50 FEET IN WIDTH) FROM THE EAST LINE OF FRANKE DRIVE (50 FEET IN WIDTH, NOW VACATED) A DISTANCE OF 428 FEET TO THE WEST LINE OF SURF ROAD (50 FEET IN WIDTH) NOW WITHIN THE CITY OF LORAIN.

WHEREAS, a petition signed by 92.2% of the owners abutting Barnes Street (50 feet in width), as described above, was duly presented to City Council praying that the street be vacated; 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 723.06, 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 Barnes Street (50 feet in width) from the east line of Franke Drive (50 feet in width, now vacated) a distance of 428 feet to the west line of Surf Road (50 feet in width) now within the City of Lorain, Ohio, 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 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 4: That this shall take effect and be in force from and after the earliest period allowed by law.

PASSED: April 16, 2007

APPROVED: April 16, 2007

PRESIDENT: 

ATTEST: 

MAYOR


CLERK

