

DATE: October 18, 2021

INTRODUCED BY: Mayor Corcoran

REFERRED TO: Planning Commission on 11-9-21

TEMPORARY NO.: T 128-2021 Amended

PC Report approved on 11/15/2021

Language Amended on 11/15/2021

Public Hearing on 11/20/2021

Language Amended on 12/20/2021

1ST READING: October 18, 2021

2ND READING: December 6, 2021

3RD READING: December 20, 2021

ADOPTED: December 20, 2021

ORDINANCE NO. 5888-2021

**AN ORDINANCE VACATING PUBLIC ACCESS TO PROPERTY
KNOWN AS ROOSEVELT AVENUE FROM 5169 LEAR NAGLE
ROAD TO 33593 ADELE STREET IN THE CITY OF NORTH
RIDGEVILLE.**

WHEREAS, the landowners of 5169 Lear Nagle Road, also known as Permanent Parcel No. 07-00-007-108-024, have submitted a petition to the City of North Ridgeville requesting that public access to Roosevelt Avenue, beginning from their property and continuing north to 33593 Adele Street, also known as Permanent Parcel No. 07-00-007-109-070, be vacated; and

WHEREAS, the petition has been considered in an 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 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, and that Council affirms the recommendation of the Planning Commission.

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

SECTION 1. The street is known as Roosevelt Avenue, located from 5169 Lear Nagle Road north to 33593 Adele Street in the City of North Ridgeville, Ohio, described hereinbelow, is hereby vacated pursuant to the petition of the application.

SECTION 2. The portion of the said street to be vacated extends from 5169 Lear Nagle Road, also known as Permanent Parcel No. 07-00-007-108-024, north to 33593 Adele Street, also known as Permanent Parcel No. 07-00-007-109-070.

SECTION 3. The portion of the street hereby vacated will revert in its entirety, as follows:

- the back yard of 5155 Lear Nagle Road owned by Thomas and Irene Mangan (permanent parcel numbers 07-00-007-108-001; 07-00-007-108-027 shall split the vacated street/property equally with lot identified as 33593 Adele Street, North owned by Gabriel and Ohla Leidy (permanent parcel numbers 07-00-007-109-070 through 07-00-007-109-073);

- the back yard of 5161 Lear Nagle Road owned by Alan and Valerie Wisniewski (permanent parcel number 07-00-007-108-028) shall split the vacated street/property equally with the lot formerly known as Roosevelt Avenue, North owned by Alan and Valerie Wisniewski (permanent parcel number 00-00-007-109-005);

- the back yard of 5169 Lear Nagle Road owned by Robert and Michelle Howells (parcel 07-00-007-108-024) shall split the vacated street/property equally with the lot formerly known as Roosevelt Avenue, North owned by Robert and Michelle Howells (permanent parcel numbers 07-00-007-109-006 and 07-00-007-109-007);

SECTION 4. Pursuant to N.R.C.O. 1022.02(e) written consent was not obtained from Thomas McGinty and Joanne Bell, parcel 07-00-007-108-012, from Amy Mchugh, parcel 07-00- 007-108-025. After due diligence, they could not be located or contacted. Pursuant to N.R.C.O. 1022.06, this vacating ordinance specifically apportions the parts of Roosevelt behind and abutting the herein mentioned parcels to petitioners Robert H and Michelle M Howells to be added to their abutting parcels 07-00-007-109-008 and 07-00-007-109-009, and their tax obligations.

SECTION 5. The vacation of the property by this ordinance shall be conditioned upon the grant of an easement by the applicant/owners 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 6. The City of North Ridgeville hereby relinquishes any and all rights that it may have for the use of the said property for street or road purposes.

SECTION 7. The Engineer is hereby authorized to prepare and submit necessary data required to effect the transfer to the Engineer, Auditor, and Recorder of Lorain County, Ohio.

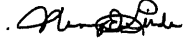
SECTION 8. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 9. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: December 20, 2021



PRESIDENT OF COUNCIL

ATTEST: 

CLERK OF COUNCIL

APPROVED: Dec 23, 2021



MAYOR