

ORDINANCE NO. 78-111

AN ORDINANCE VACATING LEWIS COURT IN THE MALCOLM MANOR URBAN RENEWAL SITE, AND DECLARING AN EMERGENCY

Approved by:  
Community Dev.  
R. Coleman  
D. Fair  
R. P. Seward  
W. E. Coey  
R. H. Frederick

OF OHIO:

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ELYRIA, STATE

SECTION 1: That Lewis Court in the Malcolm Manor Urban Renewal site, described as follows, be and the same hereby is vacated:

Situated in the City of Elyria, Township of Elyria, County of Lorain, State of Ohio, and being a part of Original Lots 67 and 68 in the East of the Black River Tract, Town 5-N Range 17-W, and also being a part of the former Glover Addition as recorded in Plat Volume 8, Page 23 as recorded in the Lorain County Record of Plats, and more particularly described as follows:

Commencing from a point at the Southern R/W line of Cleveland Street and the Western R/W line of Perry Court; thence N 45° 07' 47" W, 22.83 feet to a point; thence S 69° 33' 10" W, 213.85 feet to a point; thence on a curve to the left having a radius of 152' feet, a chord bearing N 55° 05' 05" E, 149.55 feet to a point; thence S 40° 14' 00" W, 368.80 feet to the same point of beginning; thence S 49° 45' 00" E, 320.00 feet + to a point; thence N 49° 15' 00" W, 16.00 feet to a point; thence N 49° 45' 00" W, 16.00 feet + to a point; thence N 40° 15' 00" E, 16.00 feet to the described place of beginning.

SECTION 2: That the lands within the limits of said Lewis Court, as they are now established, shall remain notwithstanding the passage of this Ordinance, subject to the rights of utilities now maintaining said lands, to continue to maintain such structures, fixtures and appurtenances, and to enter upon said lands whenever reasonably necessary to do so for the purpose of inspecting, altering, replacing, repairing, patrolling and maintaining such structures, fixtures and appurtenances.

SECTION 3: That Lewis Court as herein vacated shall revert to the owners of the adjacent property.

SECTION 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees, that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 5: That this Ordinance is and is hereby declared to be an emergency measure, the emergency being the immediate necessity to provide for the public health, peace and welfare of the people of the City of Elyria by providing for the vacation of Lewis Court, wherefore this Ordinance shall be in full force and effect from and immediately after its passage and approval.

PASSED: 6/5/78  
ATTEST: Jack Lester  
Clerk

Richard P. Seward  
Richard P. Seward, President

APPROVED: 6-5-78

Marguerite S. Burman  
Marguerite S. Burman, Mayor

DATE: 6-7-78

Approved as an form:  
George H. Ferguson  
George H. Ferguson, Solicitor