

ORDINANCE NO. 78-226

sponsored by:  
Community Development  
R.P. Seward  
L.E. Galt  
R.H. Froelich  
J.D. Fair

AN ORDINANCE VACATING A PORTION OF AN ALLEYWAY ON WEST RIVER ROAD AND 49TH STREET, OUTSIDE THE RIGHT OF WAY LINE NEEDED FOR THE WIDENING OF WEST RIVER ROAD, AND DECLARING AN EMERGENCY

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

SECTION 1: That a portion of an alleyway on West River Road and 49th Street, outside the right of way line needed for the widening of West River Road, described in Exhibit A attached hereto and made a part hereof, be and the same hereby is vacated.

SECTION 2: That the lands within the limits of said portion of an alleyway on West River Road and 49th Street, outside the right of way line needed for the widening of West River Road, 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 the portion of an alleyway on West River Road and 49th Street, outside the right of way line needed for the widening of West River Road, 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 an alleyway on West River Road and 49th Street, outside the right of way line needed for the widening of West River Road, wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval.

PASSED: 10/16/78  
ATTEST: [Signature]  
CITY CLERK

[Signature]  
Richard P. Seward, President

APPROVED: 10-16-78

78-226

10-23-78

11-8-78

11-10-78

[Signature]  
CITY CLERK

EXHIBIT A

Situated in the City of Elyria, County of Lorain, State of Ohio, and being known as part of Original Elyria Township Lot No. 31, West of the Black River, and more definitely described as follows:

From an iron pin set in the Southerly sideline of Griswold Road, 60 feet wide, at the Northeasterly corner of Sublot No. 564 in the Leona Heights Allotment, as recorded in Volume 6, Pages 35 and 36 of the Lorain County Plat Records;

Thence South  $1^{\circ} 52' 47''$  East in the Easterly line of Sublot No. 564 in the Leona Heights Allotment a distance of 130.00 feet and the place of beginning;

Thence North  $88^{\circ} 05' 13''$  East parallel to the Southerly sideline of Griswold Road a distance of 121.20 feet to a point;

Thence South  $1^{\circ} 52' 47''$  East a distance of 10.00 feet to a point;

Thence South  $88^{\circ} 05' 13''$  West a distance of 111.20 feet to a point;

Thence South  $1^{\circ} 52' 47''$  East a distance of 140 feet to a point;

Thence South  $88^{\circ} 08' 13''$  West in the Northerly line of 49th Street a distance of 10 feet to a point;

Thence North  $1^{\circ} 52' 47''$  West in the Easterly line of Sublot No. 571 in the Leona Heights Allotment, a distance of 150 feet and the place of beginning.

