

BY: Mr. Simonovich

TEMP NO: 9231

ORDINANCE NO. 79-2007

AN ORDINANCE TO VACATE ALL OF ELECTRIC BOULEVARD, NORTH DRIVE, AND THE REMAINING PORTION OF SOUTH DRIVE EAST OF MILLER ROAD UP TO ALAMEDA AVENUE.

WHEREAS, Regatta Properties has petitioned the City to vacate all of Electric Boulevard, North Drive, and the remaining portion of South Drive east of Miller Road up to Alameda Avenue within a R-1A Residential Zoning District, being proposed for rezoning to B-1 Business Zoning, and

WHEREAS, the Planning Commission did consider said petition aforementioned and did by affirmative vote recommend at its regular meeting of June 5, 2007, that said vacating should be granted, and

WHEREAS, this Council is satisfied that there is good cause for the vacating as prayed for and that such will not be detrimental to the general interest, safety and welfare, and that said vacation ought to be granted with certain conditions, now therefore;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE,  
STATE OF OHIO:

Section No. 1: That all of Electric Boulevard, North Drive, and the remaining portion of South Drive east of Miller Road up to Alameda Avenue reserving and expecting unto the City of Avon Lake an easement within said right-of-way for all public utilities, including water, sanitary and storm sewers, electric, telephone or gas lines, and further restricting the right to erect any permanent structures thereon.

Section No. 2: That the Engineering Department of the City of Avon Lake is hereby directed to cause to be recorded the vacation plat with the County Recorder.

Section No. 3: That all of Electric Boulevard, North Drive, and the remaining portion of South Drive east of Miller Road up to Alameda Avenue, as dedicated as Avon Lake Harbor Estates is recorded in Lorain County Plat Records as Volume 12, Page 24.

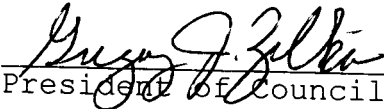
Section No. 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any

of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 5: That this Ordinance shall be in full force and effect from and after the earliest period allowed by law.

1<sup>st</sup> reading: 6/11/07  
2<sup>nd</sup> reading: 6/25/07  
3<sup>rd</sup> reading:

PASSED: 7/9/07

  
President of Council

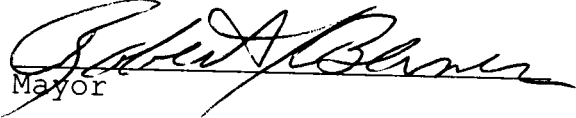
POSTED: 7/13/07

7/10/07

Approved

ATTEST:

  
Clerk of Council

  
Mayor