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State & Fed.
J. Jones
Meadows
J. Brewer

ORDINANCE NO. 83-8

AN ORDINANCE VACATING A PORTION OF RUSH STREET
RIGHT-OF-WAY LOCATED BETWEEN THE RAILROAD AND
WAVERLY STREET.

WHEREAS, this Council is satisfied that there is good cause shown for the vacation of a portion of Rush Street right-of-way located between the railroad and Waverly Street, and that it will not be detrimental to the general interest and ought to be made.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
ELYRIA, STATE OF OHIO:

SECTION 1: That a portion of Rush Street right-of-way located between the railroad and Waverly Street be and the same hereby is vacated as per the attached Exhibit "A".

SECTION 2: That the full area of vacation shall remain subject to an easement to the City for storm sewer and/or drainage purposes.

SECTION 3: That the lands within the limits of said street right-of-way, 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 4: That the portion of the street hereby vacated shall revert one-half (1/2) to the adjoining property owners on the North side of the street and one-half (1/2) to the property owners on the South side of the street, subject to access rights for all properties abutting the street herein vacated.

SECTION 5: 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