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ORDINANCE NO. 85-173

C. Fair
H. Coleman
J. Bender

AN ORDINANCE VACATING A PORTION OF THE RIVERSIDE COURT
RIGHT-OF-WAY, AND DECLARING AN EMERGENCY.

WHEREAS, this Council is satisfied that there is good cause shown for the vacation of a portion of the Riverside Court right-of-way, 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 the Riverside Court right-of-way be and the same hereby is vacated. The description of said right-of-way is as follows:

PORTION OF RIVERSIDE COURT VACATION
PARCEL A

Situated in the Township of Elyria, City of Elyria, County of Lorain and State of Ohio and being part of Original Lot Nos. 109 & 110, East of River of said township, bounded and described as follows:

Beginning at an iron pin set at the Northeasterly corner of land conveyed to Mark E. Potter by deed recorded in Deed Volume 1332, Page 412 of the Lorain County Record of Deeds,

Thence in the Northwesterly line of Riverside Court, North $30^{\circ} 27' 00''$ East, a distance of 50.02 feet to a stone monument found,

Thence continuing in the Northwesterly line of said Riverside Court, North $42^{\circ} 17' 30''$ East, a distance of 110.32 feet to an iron pin set at the Southwesterly corner of Riverside Court as now vacated,

Thence in the Southerly line of Riverside Court as now vacated, South $59^{\circ} 51' 30''$ East, a distance of 51.14 feet to a railroad spike set in the Southeasterly line of Riverside Court,

Thence in said line, South $42^{\circ} 17' 30''$ West, a distance of 115.90 feet to a point,

Thence continuing in said line, South $30^{\circ} 27' 00''$ West, a distance of 44.78 feet to a point; said point being in the Southeasterly extension of the Northwesterly line of land conveyed to Mark E. Potter as aforesaid.

Thence in said line, North $59^{\circ} 37' 00''$ West, a distance of 50.00 feet to the place of beginning of land herein described,

Containing within said bounds 0.1842 Acres of land.

CERTIFICATION: This is to certify that this is a true and exact copy of Ordinance 85-173.

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

Jack Lesnick
Jack Lesnick, Clerk of Council
City of Elyria, Ohio
Date 9/4/85

SECTION 2: That the full area of vacation shall remain subject to an easement to the City for the purpose of entering upon, maintaining and repairing of existing utilities and to construct improvements within said right-of-way.

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 right 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 portion of the street hereby vacated and further described as Parcel A shall revert entirely to the abutting property owner on the East side of the street, that being Elyria Memorial Hospital.

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 in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6: That this Ordinance be and hereby is 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 vacating of a portion of the Riverside Court right-of-way; wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval.

PASSED: 9/3/85

Richard P. Seward
Richard P. Seward, President

ATTEST: *Jack Lesnick*
Jack Lesnick, Clerk

APPROVED: 9/3/85

Michael B. Keys
Michael B. Keys, Mayor

DATE: 9-4-85

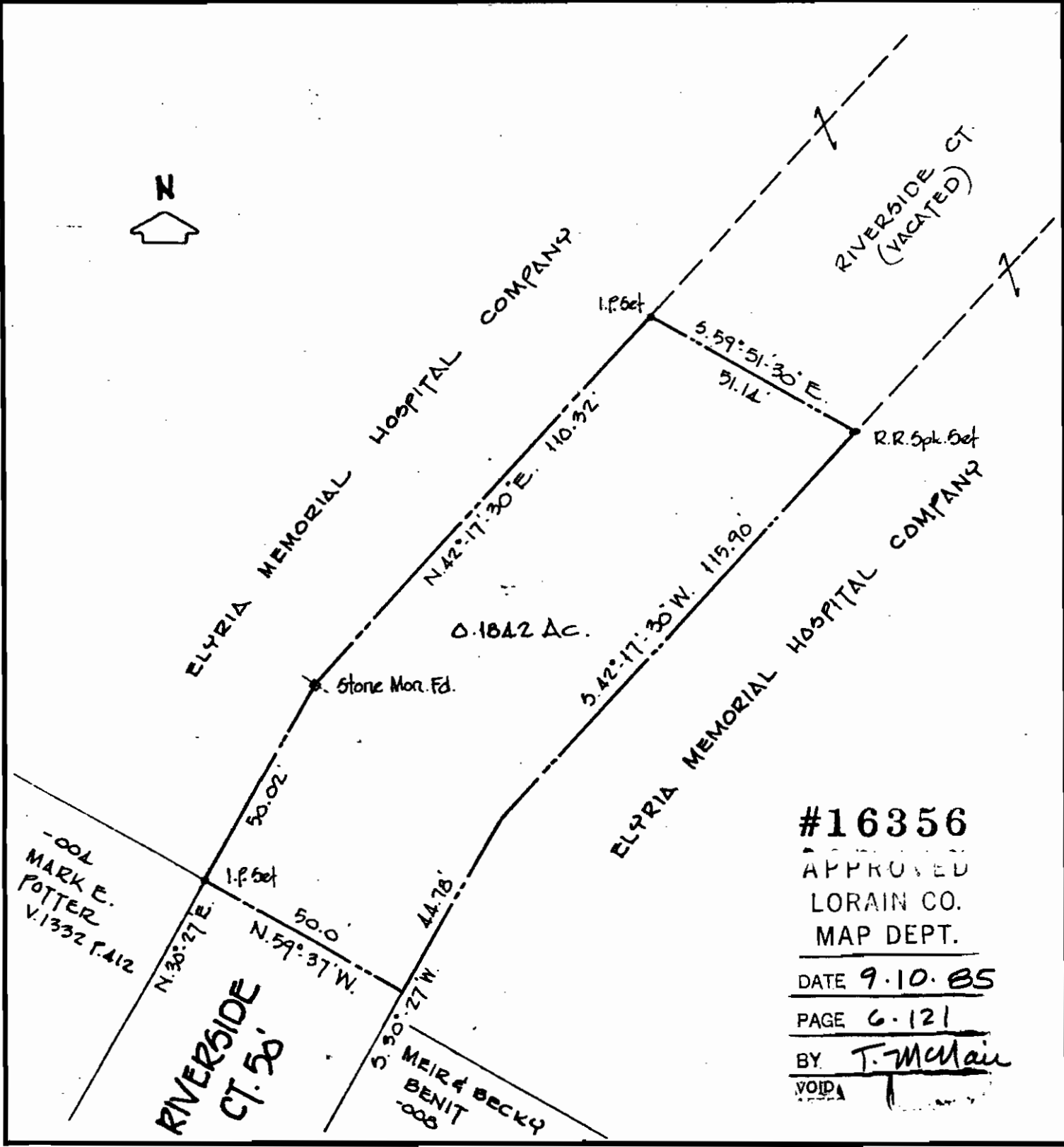


LAUNDON · SIMON · CAHL & ASSOC. INC.
 CONSULTING ENGINEERS & SURVEYORS
 504 MIDDLE AVENUE ELYRIA, OHIO 44035

SKETCH FOR VACATION

RIVERSIDE COURT

Orig. Lot 109 & 110	City of ELYRIA	Date 6-26-85 Scale 1" = 30'
Orig. Sec	Village of	Dwn. by R.G.S. Chkd. by
Tract EAST of RIVER	County of LORAIN	Job No. 85-1377 F.B.
Township of ELYRIA	State of OHIO	Printed JUN 26 1985



#16356

APPROVED
 LORAIN CO.
 MAP DEPT.

DATE 9-10-85

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BY T. McMain

VOID