

Sponsored by:

Com. Dev.

- C. Fair
- R. Roth
- T. Shores
- L. Tanner

ORDINANCE NO. 86-247

AN ORDINANCE VACATING A PORTION OF A 30' ALLEY IN THE CLOVERDALE ALLOTMENT AND MENDELSON SUBDIVISION, BETWEEN FURNACE STREET AND WEST RIVER ROAD.

WHEREAS, this Council is satisfied that there is good cause shown for the vacation of a portion of a 30' alley, 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 an alley hereinafter described be and the same hereby is vacated:

Situated in the Township of Elyria, City of Elyria, County of Lorain and State of Ohio, and being part of original Lot 28, West of the Black River of said township, also being a part of the Cloverdale Allotment, as appears in Plat Volume 6, Pages 29 & 30 and part of Mendelson's Subdivision as appears in Plat Volume 7, Pages 23 & 24 of the Lorain County Record of Plats and being further described as follows:

Beginning at an iron in the Southerly line of a 30 foot wide Alley, also being in the Northerly line of Sublot 436 of Mendelson's Subdivision; said point being a distance of 200.00 feet East of the Easterly right of way line of Furnace Street.

Thence N. 0 degrees 28' 22" E. a distance of 30.00 feet to an iron pin set in the Northerly line of said 30 foot wide Alley, also being in the Southerly line of Sublot 17 of the Coverdale Allotment.

Thence S. 89 degrees 31' 38" E. a distance of 926.25 feet more or less to a point in the Westerly right of way line of West River Road.

Thence S. 33 degrees 08' 50" W., along the Westerly right of way line of West River Road, a distance of 35.64 feet to a point in the Southerly line of said 30 foot wide Alley.

Thence N. 89 degrees 31' 38" W. along the Southerly line of said Alley, a distance of 907 feet more or less to the point of beginning; said parcel containing 0.63 acres more or less.

SECTION 2: That the City reserves unto itself an easement upon said property for utility purposes, together with rights of entry and all other things necessary for its utility easement purposes, including maintenance of current utilities, together with the right to enter upon said property for construction and maintenance of new and future utilities. The erection of any structures upon this property by any person except the City is expressly forbidden.

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LORAIN CO.	
MAP DEPT.	
DATE 12.23.06	
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BY T.M. Main	
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SECTION 3: That the full area of vacation shall remain subject to an easement to the City for storm sewer and/or drainage purposes, as well as future like uses, including sanitary sewers.

SECTION 4: That the lands within the limits of said alleyway as they are now established, shall remain notwithstanding the passage of this Ordinance, subject to the rights of utilities now maintained on 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 5: That the alleyway hereby vacated and further described herein shall revert entirely to the owners of the abutting property.

SECTION 6: 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 7: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 12/15/86 Richard P. Seward
Richard P. Seward, President

ATTEST: Jack Lesnick APPROVED: 12/15/86
Jack Lesnick, Clerk

Michael B. Keys
Michael B. Keys, Mayor

DATE: 12-16-86

Approved as to form:
Terry S. Shilling
Terry S. Shilling, Solicitor

CERTIFICATION
I HEREBY CERTIFY THAT THIS IS AN EXACT AND TRUE COPY OF Ordinance 86-247
Jack Lesnick 12/17/86
JACK LESNICK, CLERK OF COUNCIL DATE
CITY OF ELYRIA, OHIO