

027331

ORDINANCE NO. 88-190

AN ORDINANCE VACATING A PORTION OF THE BEECH STREET RIGHT-OF-WAY IN THE CITY OF ELYRIA, OHIO.

WHEREAS, this Council is satisfied that there is good cause shown for the vacation of a portion of the Beech Street right-of-way, as described below, and that it will not be detrimental to the general interest and ought to be made; and

WHEREAS, Section 913.05, Codified Ordinances of the City of Elyria, Ohio, provides that notice of the intention of Council to vacate any street shall be given as provided in Section 913.04, except when written consent to such vacation is filed with Council by the owners of the property abutting the part of the street proposed to be vacated, in which case such notice shall not be given; and

WHEREAS, Elyria Foundry Company is the sole abutting property owner and Council has a written consent for the vacation making publication notice not necessary.

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

SECTION 1: That a portion of the Beech Street right-of-way be and the same hereby is vacated. The description of said right-of-way is as follows:

Situated in the City of Elyria, County of Lorain and State of Ohio, being known as part of Original Elyria Township Lots Nos. 103 and 104, West of Black River, and more definitely described as follows:

Beginning at the intersection of the southerly sideline of Filbert Street, 60 feet wide, and the easterly sideline of Beech Street, 60 feet wide; said point being the northwesterly corner of Sublot No. 38 in the Addition to George H. Ely Attorney's West River Street Allotment, as recorded in Volume 6, Page 6 of Lorain County Plat Records;

Thence South 2 degrees 28' 25" West in the easterly sideline of Beech Street, a distance of 176.26 feet to an angle point;

Thence South 27 degrees 51' 35" East in the northeasterly sideline of Beech Street, a distance of 212.92 feet to a point;

Thence Southerly in the arc of a curve which deflects to the left, a distance of 249.23 feet to the point of tangency of said curve and a point in the southwesterly sideline of Beech Street; said curve has a radius of 507.37 feet, a central angle of 28 degrees 08' 40" and a chord of 246.73 feet which bears South 13 degrees 47' 15" East;

Thence North 27 degrees 51' 35" West in the southwesterly sideline of Beech Street, a distance of 468.52 feet to an angle point;

Thence North 2 degrees 28' 25" East in the westerly sideline of Beech Street, a distance of 192.51 feet to a point in the southerly sideline of Filbert Street;

Thence South 87 degrees 31' 35" East in the southerly sideline of Filbert Street, a distance of 60.00 feet to the place of beginning;

Enclosing a parcel containing 0.666 acre, but subject to all ~~CERTIFICATION~~ easements.

I HEREBY CERTIFY THAT THIS IS AN EXACT AND TRUE COPY OF Ord. No. 88-190 and recorded Vacation

Jack Lesnick  
JACK LESNICK, CLERK OF COUNCIL  
CITY OF ELYRIA, OHIO

7/15/88  
DATE

O.R.  
VOL

81 PAGE 895

CERTIFICATION  
I HEREBY CERTIFY THAT THIS IS AN EXACT AND TRUE COPY OF Ordinance No. 88-190

DATE

JACK LESNICK, CLERK OF COUNCIL  
CITY OF ELYRIA, OHIO

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.

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 maintained on said land, 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 inspection, 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 either side of the street, that being Elyria Foundry Company.

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 actions, 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 shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 6/6/88 Leo Bullocks  
Leo Bullocks, President

ATTEST: Jack Lesnick APPROVED: 6/6/88  
Jack Lesnick, Clerk

Michael B. Keys  
Michael B. Keys, Mayor

DATE: 6-7-88

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

#18168-A

APPROVED	
LORAIN CO.	
MAP DEPT.	
DATE	10-19-88
PAGE	6-99 & 6-117
BY	T. McMain
VOID AFTER	18168-A

-2-  
NO TRANSFER NECESSARY  
JULIAN A. PIJOR  
LORAIN COUNTY AUDITOR  
6-9-88  
DEPUTY



424 Middle Avenue • P.O. Box 89 • Elyria, Ohio 44036

Job No. 88-152

ORP 88/190

May 18, 1988

PART OF BEECH STREET TO BE VACATED

Situated in the City of Elyria, County of Lorain, State of Ohio, being known as part of Original Elyria Township Lots Nos. 103 and 104, West of Black River, and more definitely described as follows:

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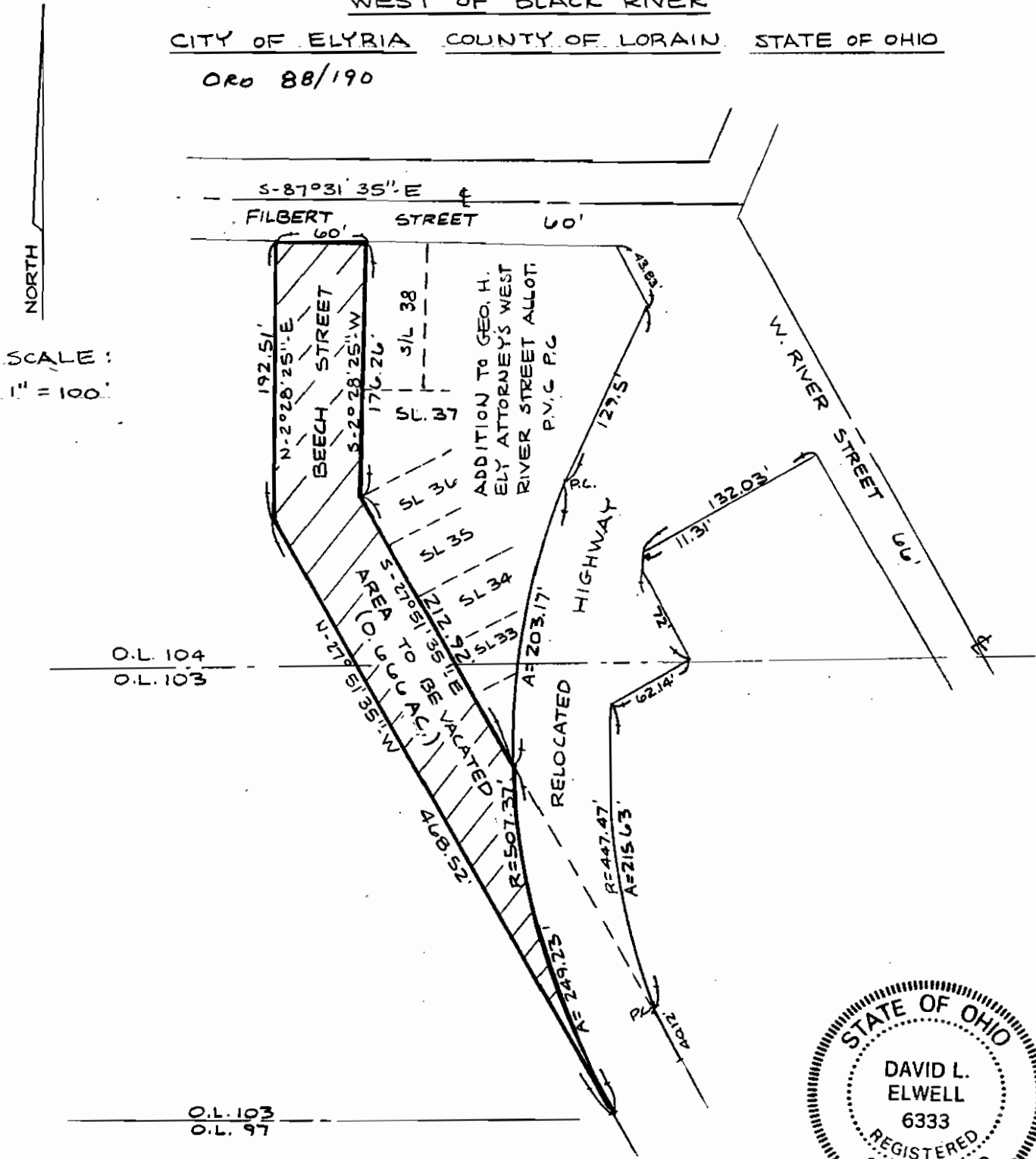
Enclosing a parcel containing 0.666 acre, but subject to all legal highways.

# PROPOSED VACATION - BEECH ST.

PART OF ELYRIA TOWNSHIP ORIGINAL LOTS 103 & 104  
WEST OF BLACK RIVER

CITY OF ELYRIA COUNTY OF LORAIN STATE OF OHIO

ORD 88/190



NORTH  
SCALE:  
1" = 100'



PREPARED BY:

**KS ASSOC. INC.**  
ENGINEERS SURVEYORS