

ORDINANCE NO. 90-157

Sponsored by:

AN ORDINANCE VACATING SECTIONS OF CAROL LANE IN THE CITY OF ELYRIA, OHIO.

COMM. DEV.

- T. Shores
- W. Grace
- R. Reichard
- L. Tanner
- J. Bennett

WHEREAS, this Council is satisfied that there is good cause shown for the vacation of sections of Carol Lane, as described below, and that it will not be detrimental to the general interest, and ought to be made; and

WHEREAS, Section 723.05 Ohio Revised Code empowers the Council to vacate a street; and

WHEREAS, Section 913.01, Codified Ordinances of the City of Elyria, Ohio, empowers the Council to vacate a street; 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, Highland Development Co. as represented by its President, Dale Yost, is the abutting property owner and Council has his written consent for the vacation.

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

SECTION 1: That the section of Carol Lane which is the northerly 10 feet of Carol Lane abutting Sublot 71, and the Southerly 10 feet of Carol Lane abutting Sublot 70, both sublots in University Oaks Subdivision No. 2, as recorded in Volume 44, Page 32-33 of Lorain County Plat Records, be and the same hereby is vacated. The description of said section is as follows:

PARCEL B  
NORHTERLY 1,300 S.F. PARCEL  
VACATION OF CAROL LANE (80' R/W TO 60' R/W)

Situated in the City of Elyria, County of Lorain, State of Ohio, being known as part of University Oaks Subdivision No. 2, as recorded in Volume 44, Pages 32 and 33 of Lorain County Plat Records, and more definitely described as follows:

Beginning at the southeasterly corner of Sublot No. 71 in said Subdivision;

Thence South 0 degrees 42' 00" West, a distance of 10.00 feet to a point;

Thence North 89 degrees 18' 00" West, a distance of 105.00 feet to a point of curvature;

Thence in the arc of a curve which deflects to the right, a distance of 39.27 feet to the point of tangency of said curve; said curve has a radius of 25.00 feet, a central angle of 90 degrees and a chord of 35.36 feet which bears North 44 degrees 18' 00" West;

CERTIFICATION

I HEREBY CERTIFY THAT THIS IS AN EXACT AND TRUE COPY OF Ordinance No. 90-157

*Jack Lesnick, Acting Clerk* 1/24/91

JACK LESNICK, CLERK OF COUNCIL  
CITY OF ELYRIA, OHIO

DATE

Thence North 0 degrees 42' 00" East, a distance of 10.00 feet to a point in the westerly line of Sublot No. 71;

Thence in the arc of a curve which deflects southerly and easterly along the southwesterly line of Sublot No. 71, a distance of 39.27 feet to the point of tangency of said curve; said curve has a radius of 25.00 feet, a central angle of 90 degrees and a chord of 35.36 feet which bears South 44 degrees 18' 00" East;

Thence South 89 degrees 18' 00" East along the southerly line of Sublot No. 71, a distance of 105.00 feet to the place of beginning;

Enclosing a parcel containing 1,300 S.F., but subject to all legal highways.

PARCEL C  
SOUTHERLY 1,300 S.F. PARCEL  
VACATION OF CAROL LANE (80' R/W TO 60' R/W)

Situated in the City of Elyria, County of Lorain, State of Ohio, being known as part of University Oaks Subdivision No. 2, as recorded in Volume 44, Pages 32 and 33 of Lorain County Plat Records, and more definitely described as follows:

Beginning at the northeasterly corner of Sublot No. 70 in said Subdivision;

Thence North 89 degrees 18' 00" West along the northerly line of Sublot No. 70, a distance of 105.00 feet to a point of curvature;

Thence in the arc of a curve which deflects to the left along the northwesterly line of Sublot 70, a distance of 39.27 feet to a point; said curve has a radius of 25.00 feet, a central angle of 90 degrees and a chord of 35.36 feet which bears South 45 degrees 42' 00" West;

Thence North 0 degrees 42' 00" East, a distance of 10.00 feet to a point of curvature;

Thence in the arc of a curve which deflects to the right a distance of 39.27 feet to the point of tangency of said curve; said curve has a radius of 25.00 feet, a central angle of 90 degrees and a chord of 35.36 feet which bears North 45 degrees 42' 00" East;

Thence South 89 degrees 18' 00" East, a distance of 105.00 feet to a point;

Thence South 0 degrees 42' 00" West, a distance of 10.00 feet to the place of beginning.

Enclosing a parcel containing 1,300 S.F., but subject to all legal highways.

SECTION 2: That these sections of Carol Lane hereby vacated and further described as Parcel B and Parcel C shall revert entirely to the abutting property owner.

SECTION 3: 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 4: That this Ordinance shall take effect and be in force from and immediately after the earliest period allowed by law.

PASSED: 6/4/90 Leo Bullocks  
Leo Bullocks, President

ATTEST: Jack Lesnick, Acting Clerk APPROVED: 6/4/90  
Jack Lesnick, Clerk

Michael B. Keys  
Michael B. Keys, Mayor

DATE: 6-5-90

APPROVED AS TO FORM:  
Terry S. Shilling  
Terry S. Shilling, Solicitor

CERTIFICATE OF PUBLICATION

I, THE UNDERSIGNED CLERK OF COUNCIL OF THE CITY OF ELYRIA, OHIO, HEREBY CERTIFY THAT THE FULL TEXT OF THE FOREGOING ORDINANCE NO. 90-\_\_\_\_\_ WAS POSTED IN THREE PLACES WITHIN THE CITY AS DETERMINED BY COUNCIL, AND THAT SUCH PLACES WERE AS FOLLOWS: CITY HALL, CENTRAL FIRE STATION, AND THE POLICE STATION, FOR A PERIOD FOURTEEN (14) DAYS, TO-WIT, FROM:

\_\_\_\_\_ TO \_\_\_\_\_

DATED: \_\_\_\_\_

\_\_\_\_\_  
CLERK OF COUNCIL  
CITY OF ELYRIA, OHIO



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

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February 5, 1991

Mr. Frank Colbert  
Lorain County Tax Map Department  
226 Middle Ave.  
Elyria, OH 44035

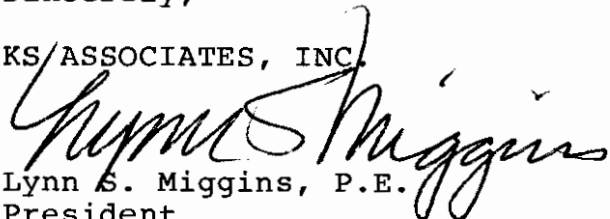
RE: University Oaks Subdivision No. 3

Dear Mr. Colbert:

Attached please find a certified copy of Elyria's Ordinance No. 90-157 vacating a portion of Carol Lane east of Ashland Ave. in University Oaks Subdivision No. 2. This item should resolve at least one question about the recordation of this plat.

Sincerely,

KS ASSOCIATES, INC.

  
Lynn S. Miggins, P.E.  
President

LSM/mlj  
Enclosure  
cc: Dale Yost, Highland Development Co.

0205LSM



## Elyria Ohio

Unofficial excerpt from the minutes of the Elyria City  
Planning Commission meeting of February 19, 1991:

Chrmn: The next item is a letter addressed to the City Engineer dealing with the recording of the plat of University Oaks No. 3. The problem is the naming of a street in that subdivision. Lonny would you explain this please.

Lonny Shippy: (With a map in front of him) University Oaks No. 2 as approved by this commission has Carol Lane between lots 70 and 71, a short stub. There was a change in plans and this was made a no-outlet. Carol Lane in the future will come down to this location. This no-outlet section is Bryan Court. Bryan Court in University Oaks No. 3 now butts up to this short stub named Carol Lane. I think it is the intent of the owner and of the city approving this University Oaks No. 3 that this short stub be named Bryan Court also. I think a motion to that affect that the street between sublots No. 70 and 71 should be renamed Bryan Court may serve to be sufficient for the tax map office.

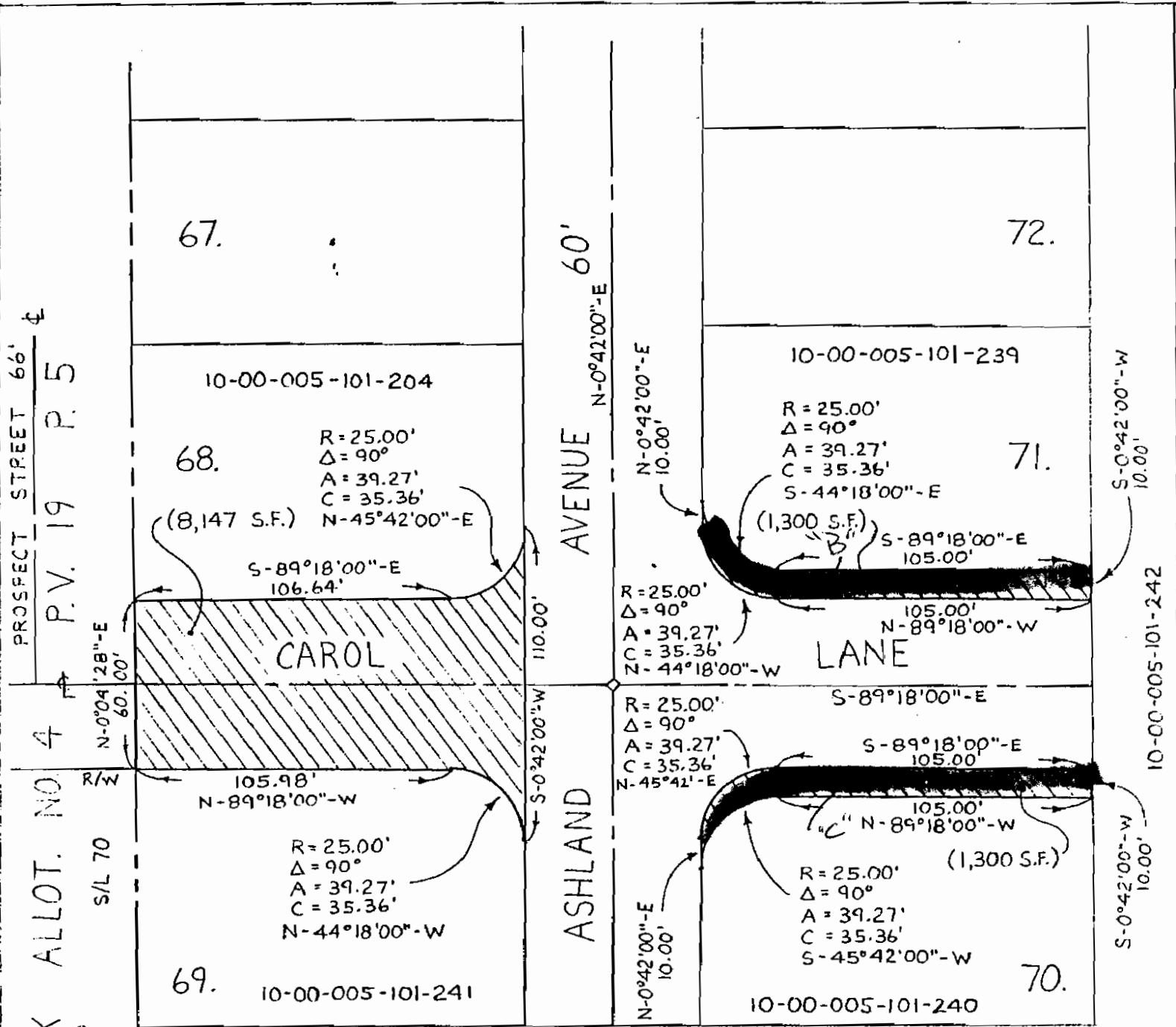
Chairman: The chair will entertain a motion.

Mrs. Betounes moved for approval, it was seconded by Mr. Jones.

Chrmn: It has been moved and seconded to rename the stub of Carol Lane, between sublots 70 and 71, in University Oaks No. 2 as Bryan Court rather than Carol Lane. Is there anyone in the audience wishing to address this matter? Anything further? Motion Carried.

*Mary Siwierka* 2-26-91  
Mary Siwierka, Planning Commission Clerk

10-00-005-101-101 - VACATION 10-00-005-A



PROSPECT STREET 66'

P.V. 19 P. 5

CUSICK ALLOT. NO. 4

CARLISLE TOWNSHIP

SECTION 4

SECTION 5

CITY OF ELYRIA

R/W

S/L 70

110.00'

10.00'

10.00'

10.00'

10.00'

HATCHED AREA = VACATION  
 ORD. 90-157, passed 1-31-91

**MAP OF STREET VACATION**

OF PARTS OF CAROL LANE  
 IN UNIVERSITY OAKS SUB. NO. 2  
 P.V. 44 PP. 32-33

PREPARED BY: **KS ASSOCIATES INC.**  
 ENGINEERS ~ SURVEYORS

SCALE: 1" = 50'



#19332-A

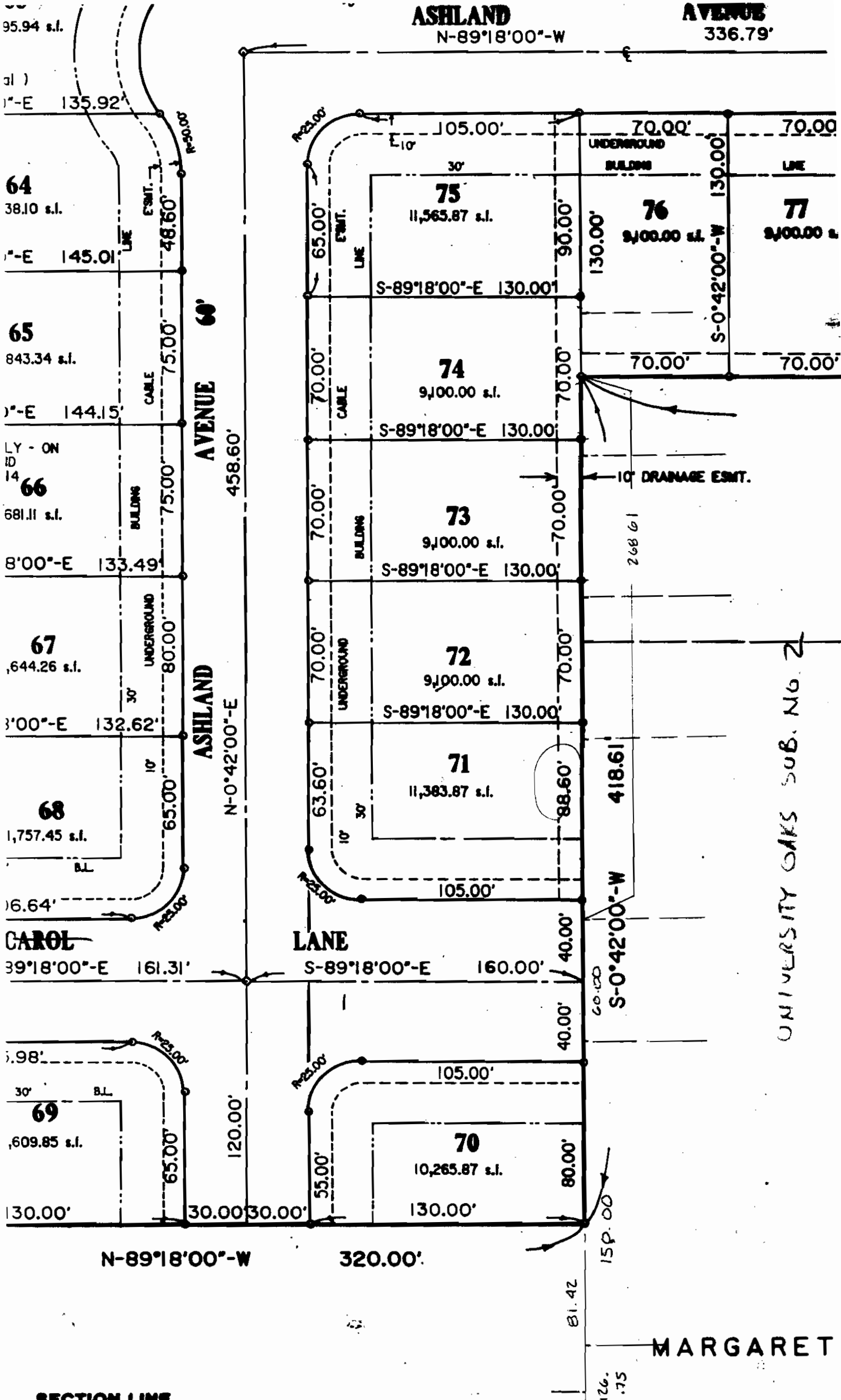
4/12/91

10-00-005-A

T. Holler

*David L. Elwell*  
 REG. SURV. NO. 6333





95.94 s.l.

1°-E 135.92'

**64**  
38.10 s.l.

1°-E 145.01'

**65**  
843.34 s.l.

1°-E 144.15'

LY - ON  
ID  
14  
**66**  
681.11 s.l.

8'00"-E 133.49'

**67**  
644.26 s.l.

3'00"-E 132.62'

**68**  
1,757.45 s.l.

16.64'

**CAROL**  
39°18'00"-E 161.31'

1.98'

**69**  
609.85 s.l.

130.00'

N-89°18'00"-W

320.00'

**ASHLAND**  
N-89°18'00"-W

**AVENUE**  
336.79'

**ASHLAND**  
60'

**ASHLAND**  
N-0°42'00"-E

**LANE**

S-0°42'00"-W

**MARGARET**

— SECTION LINE

UNIVERSITY OAKS SUB. NO. 2

**75**  
11,565.87 s.l.

**74**  
9,100.00 s.l.

**73**  
9,100.00 s.l.

**72**  
9,100.00 s.l.

**71**  
11,383.87 s.l.

**70**  
10,265.87 s.l.

**76**  
9,100.00 s.l.

**77**  
9,100.00 s.l.

UNDERGROUND BUILDING

10" DRAINAGE ESMT.

S-0°42'00"-W

159.00'

126.75'

458.60'

N-0°42'00"-E

120.00'

30.00' 30.00'

R=25.00'

R=25.00'

R=25.00'

R=25.00'

R=25.00'

E 10'

30'

105.00'

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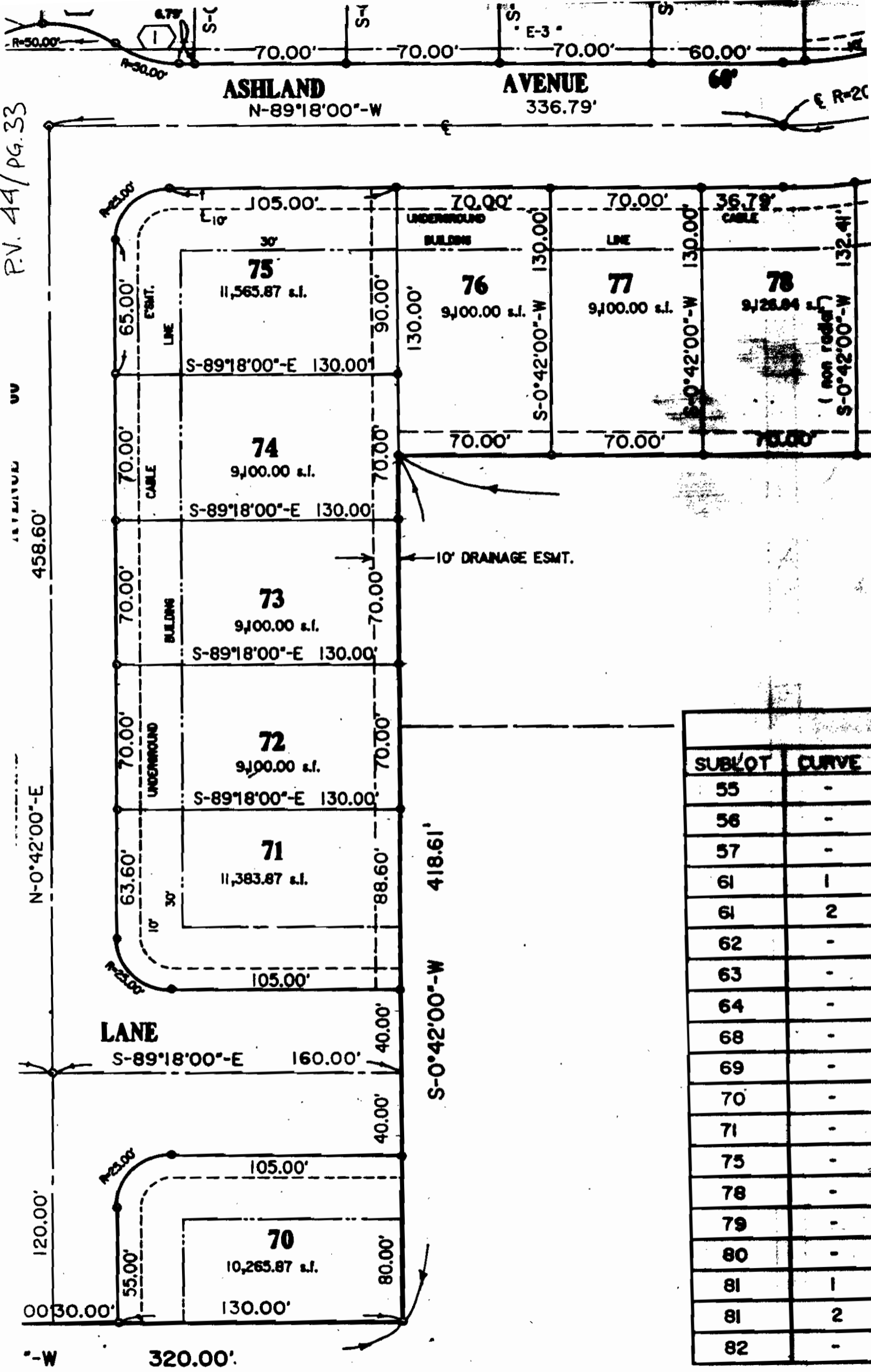
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P.V. 44/Pg.33



SUBLOT	CURVE
55	-
56	-
57	-
61	1
61	2
62	-
63	-
64	-
68	-
69	-
70	-
71	-
75	-
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80	-
81	1
81	2
82	-

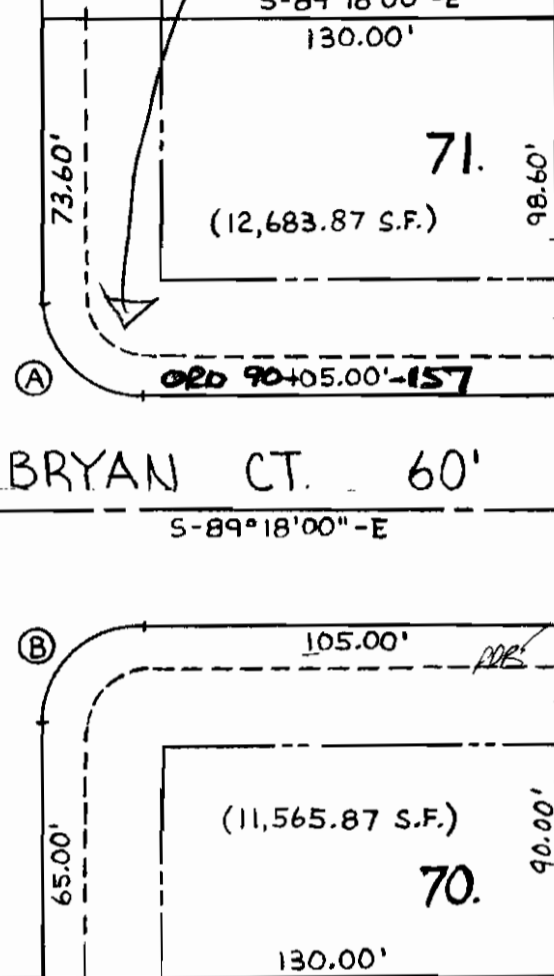
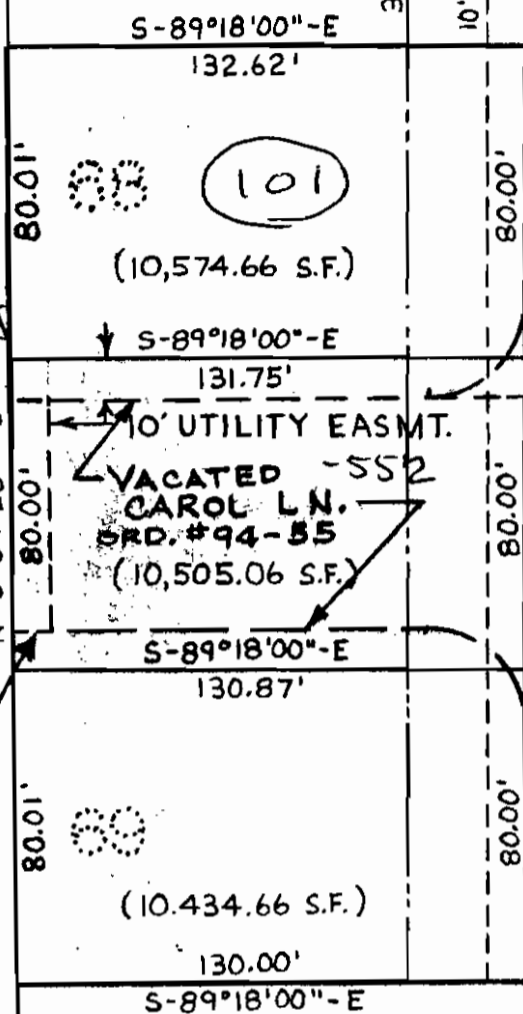


VACATING of  
CAROL LN. &

RENAMING  
Carol Lane -  
VACATING 10' S.  
ON edges of R/W

67.

72.



10-00-005-2

10-00-005-101-552

SECTION 4  
SECTION 5

UNIVERSITY  
OAKS  
SUB. No. 3  
P.V. 47 P. 8 & 9

(A) R=25.00'  
Δ=90°  
A=39.27'  
C=35.36'  
N-44°18'-W

(B) R=25.00'  
Δ=90°  
A=39.27'  
C=35.36'  
N-45°42'-E

**SURVEY**  
**MAP OF RESUBDIVISION**  
**OF SUBLOTS 68 & 69**  
**AND PART OF VACATED CAROL LANE**  
**IN UNIVERSITY OAKS SUB. NO. 2**  
**P.V. 44 PP. 32-33**

PREPARED BY: **KS ASSOCIATES INC.**  
ENGINEERS ~ SURVEYORS



ORD 91-42

*David L. Ellwell*  
REG. SURV. NO. 6333



10-00-005-A

81-007-3