

RECORD OF ORDINANCES

1-00-004-C

National Graphics Corp., Cols., O.

Form No. 2808-A

Ordinance No. 91-14 Passed May 6, 19 91

COPY

AN ORDINANCE VACATING A PORTION OF BOYNTON ROAD, EAST OF FERNDALE AVENUE IN THE CITY OF VERMILION, LORAIN COUNTY, OHIO PROVIDING THAT THE CITY SHALL RESERVE THE RIGHT TO MAINTAIN A PUBLIC EASEMENT FOR CONSTRUCTION AND OPERATION OF UTILITIES THEREIN IF A FUTURE NEED SHOULD EVER ARISE AS THE SAME HAS BEEN FAVORABLY RECOMMENDED BY THE VERMILION CITY PLANNING COMMISSION.

WHEREAS, the City Planning Commission has favorably recommended upon the vacation of Boynton Road at its regular meeting of February 28, 1991.

WHEREAS, this Council wishes to reserve the right to place future public utility lines therein at the City's discretion without the necessity of obtaining further right of way,

WHEREAS, the City Engineer has indicated that future City planning precepts will not be adversely effected by such vacation,

WHEREAS, Vermilion City Council held a Public Hearing on such vacation on May 6, 1991.

NOW, THEREFORE BE IT OKDAINED by the Council of the City of Vermilion, Counties of Erie and Lorain, State of Ohio:

SECTION 1: That this City Council hereby adopts the favorable recommendation of Vermilion City Planning Commission made at its regular meeting of February 28, 1991, to conditionally vacate the public right of way for street purposes known as Boynton Road east of Ferndale Avenue in accordance with a graphic survey attached hereto, marked "Exhibit A" and made a part hereof by this legislation as if reappearing in full herein. The City of Vermilion, however, does reserve the right to the use of a public easement for the future construction of underground or overhead utilities as it may deem to be necessary and conducive to the public welfare in the future without paying compensation or needing further authorization, to enter upon, construct and operate such utilities within such vacated street right of way.

SECTION 2: That the Clerk of this Council shall cause a certified copy of this enactment to be served upon the County Engineer of Lorain County, Ohio and to be recorded in the office of the Lorain County Recorder in order that titles to such vacated street shall revert equally to adjoining land owners according to law, to wit, 12.5 feet by approximately 141.71 feet each, the same shall also be served upon the County Auditor's Office in order that tax evaluations may be readjusted.

SECTION 3: Wherefore, this ordinance shall take effect and be in force from and after its adoption by a majority vote of members elected or appointed to Vermilion City Council and upon the signature of the Mayor; otherwise at such time as is provided for by the Charter of the City of Vermilion, Ohio.

PASSED: 5/06/91 John T. Hale President of Council

ATTEST: 5/6/91 Eileen Dulan Clerk of Council

APPROVED: 5/6/91 Guy C. Gregory Mayor

Eileen Dulan Clerk of Council City of Vermilion, O

#19632-A

FILED 12/31/91

	50 FT. FERDALE AVENUE N 2°05'20"W 25.02'	SUBLOT 492	25.02' N 1°56'40"W WOODVIEW ESTATES SUBDIVISION NO. 3 VOLUME 33 PAGE 53	O.R. 453/756
		SUBLOT 491		
		SUNNYSIDE BEACH ALLOTMENT Volume 12 Page 20 JOHN HUCKEY SUBLOT 490 789 Ferndale Ave., Vermilion, Ohio		
		25.02' 58°54'50"E 114.71' (CALC.) 58°54'50"E 114.71' (REC.)		
BOYNTON RD.				N 89°47'44"E D.L. 4 D.L. 13
ALTO, a Partnership Volume 1170, Page 526 LEON ATSELD P.O. Box 5, Elyria, Ohio 44035				
DESCRIPTION: SITUATED in the City of Vermilion, County of Lorain and State of Ohio. Being known as part of Original Bronhela Township Lot 4, bounded and described as follows: BEGINNING at the southeast corner of Sunnyside Beach Allotment as recorded in Volume 12, Page 20 of Lorain County Plat Records, THENCE North 1°56'40" West along the east line of said Allotment, being also the west line of Woodview Estates Subdivision No. 3 as recorded in Volume 33, Page 53 of Plat Records, a distance of 25.02 feet to the southeast corner of Sublot 490 of Sunnyside Beach Allotment. THENCE North 89°54'50" West along the south line of Sublot 490, a distance of 114.77 feet to a point in the east line of Ferndale Avenue. THENCE South 2°05'20" East in the projection southerly of the east line of Ferndale Avenue, a distance of 25.02 feet to the south line of Original Lot 4 and the south line of Boynton Road. THENCE South 89°54'50" East along the south line of Original Lot 4, a distance of 114.71 feet to the place of beginning, embracing 0.066 acre of land but being subject to all legal highways. The above description has been prepared from matters of record. Bearings used are an extension of those recorded in the plat of Woodview Estates Subdivision No. 3. No monumentation has been set at this time.				
ACREAGE 0.066 DATE MAR-91 DRAWN MGH SCALE 1" = 40 ft.	PREPARED FOR <u>JOHN HUCKEY</u> 967-5564 <u>789 FERDALE AVE VERMILION</u>			
	MICHAEL G. HURA registered surveyor 12706 MASON ROAD, VERMILION, OHIO [216] 965-4040			CITY OF VERMILION
	STREET VACATION REQUEST			
	SUBLOT _____ OF _____ OF _____ Volume _____ Page _____ of PLATS PART OF O.L. 4 TRACT _____ SECTION _____ OF <u>EDDWILHELM</u> TOWNSHIP <u>LORAIN</u> CO., OHIO Perm. Parcel No _____ Ref. deed: _____			

Mail EOF:
 Mrs. Lynn S. Miggins
 City Engineer
 5541 Liberty Avenue
 Vermilion, O. 44089

THY L. EGREX

6/21 12/11/91
 ID FOR RECORD
 LORAIN COUNTY
 OR VOL 453 PAGE 755
 11⁰⁰ MW 1 M/E
 Mailed in

FILM ROLL NO. 517

COPY

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123 - 021

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454-010	473
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WOODSIDE

FERNDALE

RD.

RD.

838.80 S 86° 48' E 12.51

VACATION ORD. NO. 91-14 5/16/91

HUCKEY, JOHN D & RUTH

0.03 Ae.

0.03 Ae.

01-00-013-000-023 24.04A,
 ALTFELD, LEON ETAL
 THIS IS THE ADJOINER TO THE SOUTH

941300

vol. 1170 PAGE 526

TITLELAND REGISTERED U.S. PAT. OFFICE
TITLE LAW FIRM PUBLISHED BY STATE OF OHIO

Know all Men by these Presents,

That Eastern Construction Corporation, fka Vogel Construction Inc,

a corporation organized under the laws of Ohio
and having its usual place of business at 757 E. Market Street, Tiffin, Ohio, 44883

of Erie County, State of Ohio, for valuable consideration paid, grants with
general warranty covenants, to ALTO, A Partnership

whose tax mailing address is P.O. Box 5, Elyria, Ohio, 44035

the following real property:

SEE ATTACHED SCHEDULE "A "

251000701291

TRANSFERRED
IN COMPLIANCE WITH SEC. 315-202
OHIO REV. CODE

MAR 25 1977

JULIAN A. PIJOR
LORAIN COUNTY AUDITOR

COPY

I hereby certify that the within named
a partnership, has a certificate on file in
this office.
Natalie B. Neeson, Clerk

For Administrative
Book of P. Vol. 1170 #15 5790 Pg 755

Exhibit A

Situated in the City of Vermilion, County of Lorain, and State of Ohio and known as being a part of Original Brownhelm Township Lot Number 13, and bounded and described as follows;

Beginning at a point in the centerline of Sunnyside Road-being the northeasterly corner of said lot Number 13:

Thence N. $87^{\circ}21'$ W. along the northerly line of lot Number 13 a distance of 1,982.05 feet to a point;

Thence S. $2^{\circ}39'$ W. a distance of 300 feet to a point;

Thence S. $66^{\circ}47'$ E. a distance of 854.18 feet to a point;

Thence S. $87^{\circ}21'$ E. in a line parallel to the northerly line of lot Number 13 a distance of 1,200 feet to the centerline of Sunnyside Road;

Thence N/ ~~S111E~~ ^{$00^{\circ}57'30''$} E. along the centerline of Sunnyside Road a distance of 600.24 feet to the place of beginning, and containing within said bounds 24.7 acres of land, be the same more or less, but subject to all legal highways.

Excepting from the above described real estate a parcel of approximately .66 acres of land conveyed to Lawrence W. Reed and Roberta P. Reed.

It is hereby intended to convey 24.04 acres of land by this instrument.

Y
P
O
C

Witness our hands this 25th day of February

19 77.

Signed and acknowledged in presence of

[Handwritten signature]
[Handwritten signature]

EASTERN CONSTRUCTION CORPORATION, FKA
VOGEL CONSTRUCTION INC.

[Handwritten signature]
President

[Handwritten signature]
Secretary

State of Ohio , County of Lorain , MS.

Be it Remembered, That on this 25th day of February

in the year of our Lord, one thousand nine hundred and seventy-seven (19 77),

before me, the subscriber, a Notary Public in and for said County and State, personally appeared

Robert R. Ames, Jr. President,

and Cynthia Paskvan Secretary,

of Eastern Construction Corporation, fka Vogel Construction Inc. the corporation, whose name is subscribed to and which executed the foregoing instrument, and for themselves and as such officers respectively, and for and on behalf of said corporation, acknowledged the signing and execution of said instrument; and acknowledged that the seal affixed to said instrument is the corporate seal of said corporation, that they affixed such corporate seal to, and otherwise executed, said instrument, by authority of the Board of Directors, and on behalf, of said corporation; and that the signing and execution of said instrument is their free and voluntary act and deed, their free act and deed as such officers respectively, and the free and voluntary act and deed of said corporation, for the uses and purposes in said instrument mentioned.

I have hereunto subscribed my name and affixed my Notarial seal, on the day and year last aforesaid.

[Handwritten signature]
Notary Public, Lorain County,

State of Ohio Embossed Notary Seal
Notary Public Seal
My Commission Expires
Alberta Van Buren

This instrument prepared by Richard Colella, Attorney at Law

INDEXED 941300 INDEXED

Durandy Reed

Form Corp. - Statutory Form

Eastern Construction Corporation,
fka
Vogel Construction Inc.

TO

ALTO
A Partnership

Transferred _____ 19 _____

COUNTY ADDRESS

RECEIVED FOR RECORD
AT 10:40 A.M.

MAR 2 5 1977

RECORDED IN LORAIN
COUNTY RECORDS
Deed Vol 1170 Page 576
COUNTY CLERK
Lorain County Recorder

FILM ROLL NO. 6.00
1585

Prepared by:
Richard Colella, Attorney
2115 West Park Drive
Lorain, Ohio 44033

[Handwritten scribble]

