

RECORD OF ORDINANCES

Ordinance No. 91-3

Passed December 16,

1991

AN ORDINANCE CONDITIONALLY VACATING BERKSHIRE ROAD EQUALLY BETWEEN ADJOINING LOT OWNERS FROM LIBERTY AVENUE (STATE ROUTE SIX) SOUTHERLY TO ITS TERMINUS PROVIDING ALL SUCH PROPERTY OWNERS AGREE TO COMBINE ALL UNDERSIZED LOTS TO CONFORM WITH MINIMUM CITY LOT SIZES AT THE TIME OF USE OR DEVELOPMENT; AS AMENDED.*

WHEREAS, the City Planning Commission has favorably recommended upon the vacation of Berkshire Road at its regular meeting of October 25, 1990,

WHEREAS, such proposed vacation of street right of way is also made conditionally dependent upon all adjoining owners first combining all non-conforming undersized lots so as to conform to minimum City lot sizes required at the time of use, improvement or development,

NOW, THEREFORE BE IT ORDAINED 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 October 25, 1990, to conditionally vacate the public right of way for street purposes known as Berkshire Road from Liberty Avenue southerly to its terminus. This City Council has granted such vacation upon the determinations made that

- a. Such street right of way no longer serves the public interests or long range community development goals and,
- b. All lots are combined to become conforming to the Vermilion Planning Code.

SECTION 2: That such vacation is made conditionally dependent upon the following:

That Norman L. Kessler and spouse firstly combine parcels 415.006-416.007, 417.008, 418.009, 402.014, 401.015, 400.016 and 399.017 into one (1) lot;

That Village Motel Partnership firstly combine parcels 410, 409, 408.001, 407, 411.002, 412.003, 413.004, 414.005, 406.010, 405.011, 404.012, and 403.013 into one (1) lot;

That Willard C. Bivins and spouse firstly combine parcels 509.018 and 509.028 as one (1) lot and nextly combine parcels 510.017, 511.016, 512.015, 513.019, 508.027, 514.020, 507.029, 515.021, 506.030, 516.022, 505.031, 517.023, 504.032, 518.024, 503.033, 502.034, and 501.035 as another one (1) combined parcel.

That such combination shall be accomplished by a deed covenant placed in the chain of record title and recorded as such. The effect thereof shall be that such combined lots except for 509.018 and 508.028 shall not in the future be utilized or developed unless the sizes and the lots conform with the then existing frontage areas required by the Vermilion Planning and Zoning Code.

*ORDINANCE AMENDED AT THIRD READING, DECEMBER 16, 1991.
See minutes of that meeting.