

ORDINANCE NO. 92-130

Sponsored by:

AN ORDINANCE VACATING BRIDGEPORT DRIVE IN THE
CITY OF ELYRIA, OHIO, AND DECLARING AN EMERGENCY.COMM. DEV.T. Shores
R. Reichard
L. Tanner
M. Ferguson

WHEREAS, this Council is satisfied that there is good cause shown for the vacation of Bridgeport Drive, 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 Bridgeport Drive from Carol Lane to its southerly terminus abutting sublots nos. 107, 108, 109, and 110, all sublots in University Oaks Subdivision No. 3 as recorded in Volume 47, Page 8 and 9 of Lorain County Plat Records, be and the same hereby is vacated. The description of said Bridgeport Drive is as follows:

Situated in the City of Elyria, County of Lorain, State of Ohio, being known as part of University Oaks Subdivision No. 3, as recorded in Plat Volume 47, Pages 8 and 9 of Lorain County Plat Records, and more definitely described as follows:

Beginning at the southwesterly corner of Sublot 108 in said subdivision;

Thence North 89 degrees 45' 8" West along the southerly terminus of Bridgeport Drive, a distance of 60.00 feet to a point;

Thence North 0 degrees 14' 52" East along the easterly line of Sublots 109 and 110, a distance of 219.69 feet to a point of curvature;

Thence in the arc of a curve which deflects westerly, a distance of 42.31 feet to its point of tangency with the southerly right of way line of Carol Lane; said curve has a radius of 25.00 feet, a central angle of 96 degrees 58' 21", and a chord of 37.44 feet which bears North 48 degrees 14' 19" West;

Thence in the arc of a curve which deflects easterly and northerly defining the southerly boundary of Carol Lane, a distance of 91.17 feet to the point of tangency; said curve has a radius of 213.14 feet, a central angle of 24 degrees 30' 33", and a chord of 90.48 feet which bears North 71 degrees 0' 56" East;

Thence North 58 degrees 45' 59" East, a distance of 17.06 feet to a point on the northerly line of Sublot

107 of said subdivision;

Thence in the arc of a curve which deflects southerly and westerly, distance of 25.53 feet to its point of tangency; said curve having a radius of 25.00 feet, a central angle of 58 degrees 31' 7", and a chord of 24.44 feet which bears South 29 degrees 30' 25" West;

Thence South 0 degrees 14' 52" West along the westerly line of Sublot 107 and its southerly extension, a distance of 261.89 feet to the point of beginning of this description;

Enclosing a parcel containing 15,891.3 square feet (0.3648 acres), but subject to all legal highways.

SECTION 2: That the section of Bridgeport Drive described in Section 1 is hereby vacated and title thereto shall revert entirely to the abutting property owner on either side of said vacated section of Bridgeport Drive.

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 actions, 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 after the earliest period allowed by law.

PASSED: 7/13/92 Shirley G. Guinta
Shirley G. Guinta, President

ATTEST: Jack Leshick APPROVED: 7/13/92
Jack Leshick, Clerk

Michael B. Keys Acting
Michael B. Keys, Mayor

DATE: 7-15-92

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 TEST OF THE FOREGOING ORDINANCE NO. 92- 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 OF FOURTEEN (14) DAYS, TO-WIT, FROM:

_____ TO _____

DATED: _____

CLERK OF COUNCIL
CITY OF ELYRIA, OHIO