

sponsored by:

COMM. DEV.

. Shores
. Tanner
. Reichard
. Ferguson

ORDINANCE NO. 93-230

AN ORDINANCE VACATING THE EASTERLY ONE-HALF
AND THE WESTERLY ONE-HALF OF VAN BUREN AVENUE
IN THE CITY OF ELYRIA, OHIO.

WHEREAS, this council is satisfied that there is good cause shown for the vacation of part of Van Buren Avenue; the easterly one-half of Van Buren Avenue conveyed to Thomas E. Breno, and the westerly one-half of Van Buren Avenue conveyed to John Hostetler, and that it will not be detrimental to the general interest and ought to be made;

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

SECTION 1: That part of the easterly and westerly of Van Buren Avenue hereinafter described as Parcel A and Parcel B be and the same hereby are vacated:

PARCEL A: EASTERLY ONE-HALF OF VAN BUREN AVENUE

Situated in the Township of Elyria, City of Elyria, County of Lorain and State of Ohio and being part of Original Lot No. 28, West of the Black River of said township, and also being part of Cloverdale Allotment as appears in Plat Volume 6, Pages 29 & 30 of the Lorain County Record of Plats, bounded and described as follows:

Beginning at an iron pin found in the Northerly line of Louisiana Avenue at the Southwesterly corner of Sublot No. 58 of Cloverdale Allotment as recorded in Plat Volume 6, Pages 29 & 30 of the Lorain County Record of Plats; said point also being the Easterly line of Van Buren Avenue.

Thence in the Westerly line of Sublot No. 58 and the Northerly extension thereof, Due North, a distance of 125.68 feet to an iron pin set in the centerline of a vacated alley (11.35 feet in width); said point also being in the Southerly line of John F. Kennedy Memorial Parkway (State Route 57 & 113).

Thence in the Southerly right-of-way line of John F. Kennedy Memorial Parkway, North 81° 07' 06" West, a distance of 30.30 feet to an iron pin set in the centerline of Van Buren Avenue.

Thence in said centerline, Due South, a distance of 129.95 feet to an iron pin found in the Northerly line of Louisiana Avenue. Thence in said line, Due East, a distance of 30.00 feet to the place of beginning of land herein described.

PARCEL B: WESTERLY ONE-HALF OF VAN BUREN AVENUE

Situated in the Township of Elyria, City of Elyria, County of Lorain and State of Ohio and being part of Original Lot No. 28, West of the Black River of said township, and also being part of Cloverdale Allotment as appears in Plat Volume 6, Pages 29 & 30 of the Lorain County Record of Plats, bounded and described as follows:

Beginning at a point in the Northerly line of Louisiana Avenue at the Southeasterly corner of Sublot No. 56 of Cloverdale Allotment as recorded in Plat Volume 6, Pages 29 & 30 of the Lorain County Record of Plats.

Thence Due North, in the Easterly line of Sublot No. 56 and the Easterly line of Sublot No. 133 of the

CERTIFICATION

I HEREBY CERTIFY THAT THIS IS AN EXACT AND TRUE COPY OF Ordinance 93-230

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

DATE

9/21/97

Cloverdale Allotment a distance of 134.24 feet to an iron pin set in the Southerly line of John F. Kennedy Memorial Parkway (State Route 57 & 113).

Thence in the Southerly right-of-way Kennedy Memorial Parkway, South 81° 07' 06" East, a distance of 30.30 feet to an iron pin set in the centerline of Van Buren Avenue.

Thence in said centerline, Due South, a distance of 129.95 feet to an iron pin found in the Northerly line of Louisiana Avenue.

Thence in said line, Due West, a distance of 30.00 feet to the place of beginning of land herein described.

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 full area of vacation shall remain subject to an easement to the City for storm sewer and/or drainage purposes, as well as future like uses, including sanitary sewers.

SECTION 4: 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 rights of utilities now maintained on said lands 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 inspecting, altering, replacing, repairing, patrolling, and maintaining such structures, fixtures and appurtenances.

SECTION 5: That the property as herein vacated shall revert to the owners of the abutting property.

SECTION 6: 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 7: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSES: 9/20/93

Shirley G. Guinta
Shirley G. Guinta, President

ATTEST: Jack Lesnick
Jack Lesnick, Clerk

APPROVED: 9/20/93

Michael B. Keys
Michael B. Keys, Mayor

DATE: 9-21-93

APPROVED AS TO FORM:

Terry S. Shilling
Terry S. Shilling, Solicitor

NO TRANSFER NECESSARY

JULIAN A. [unclear]

LORAIN COUNTY AUDITOR

9/21/93
DEPUTY

20562 V

APPROVED
LORAIN CO.
MAP DEPT.

DATE 12-2-93

PAGE 6-8-2

BY CAROLYN
FRANCIS

VOID
AFTER # 20562

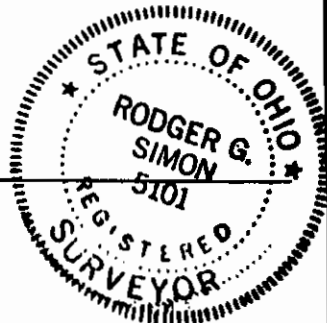
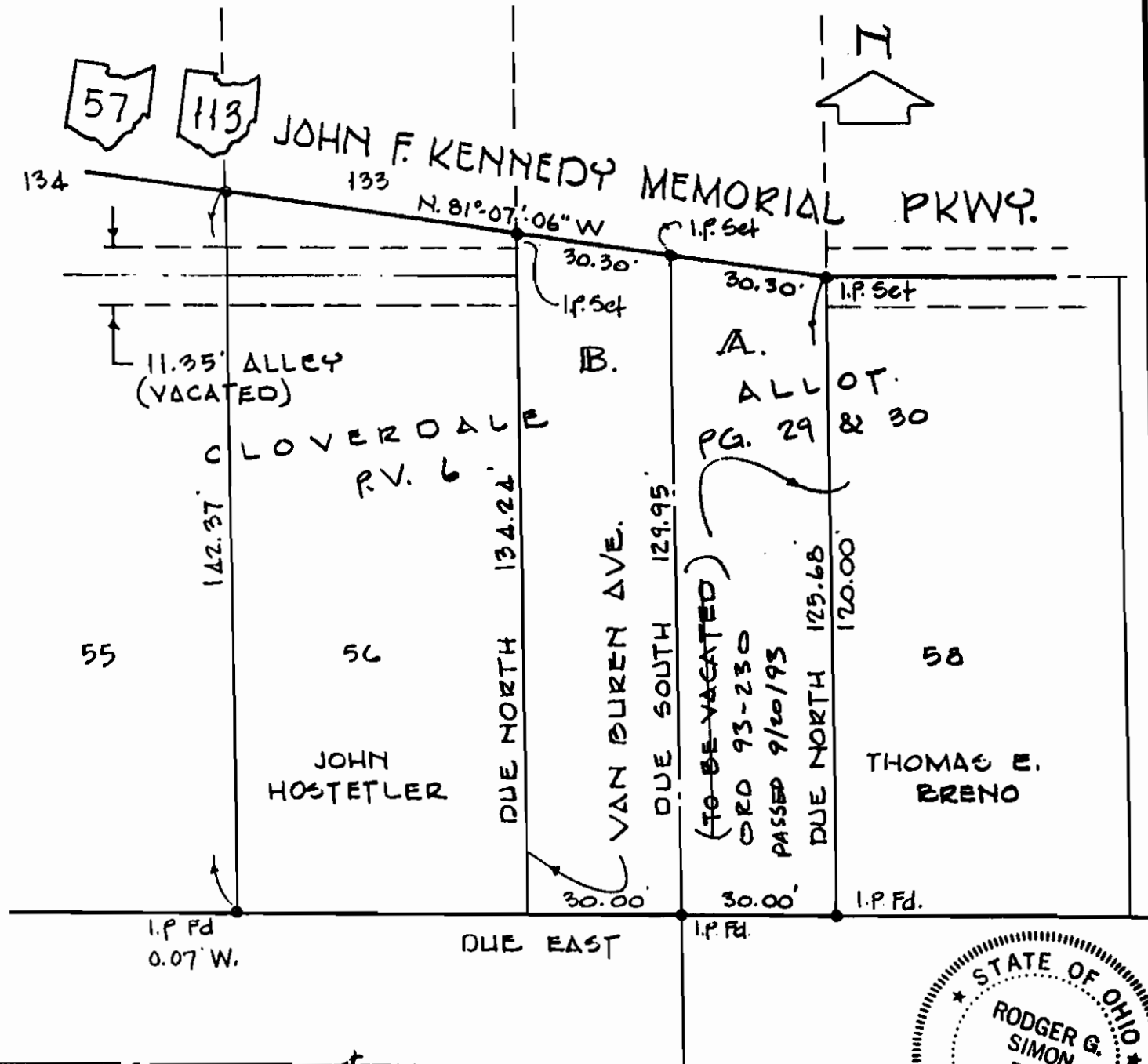
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LAUNDON • SIMON • CAHL & ASSOC., INC.
CONSULTING ENGINEERS & SURVEYORS
110 MIDDLE AVE., ELYRIA, O. 44035

SURVEY FOR:
JOHN HOSTETLER &
THOMAS E. BRENO

Orig. Lot 28	City of ELYRIA	Date DEC. '92 Scale 1" = 30'
Orig. Sec	Village of	Dwn. by R.G.S. Chkd. by R.C.
Tract WEST OF RIVER	County of LORAIN	Job No. 92-2280 F.B. 226/65
Township of ELYRIA	State of OHIO	Printed



BEARINGS ASSUMED TO DESCRIBE ANGLES ONLY.