

Sponsored by:

COMM. DEV.

S. Guinta
G. Hammond
F. Bullock

ORDINANCE NO. 94-128

AN ORDINANCE VACATING A PORTION OF AN UNNAMED ALLEY IN THE CITY OF ELYRIA, OHIO

WHEREAS, this Council is satisfied that good cause has been shown for the vacation of a portion of an unnamed alley which extends east from Cedar Street, as described below, and that the vacation 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 a portion of an unnamed alley as hereinafter set forth is hereby vacated. The description of the portion of the unnamed alley is as follows:

Situated in the City of Elyria, County of Lorain, and State of Ohio, being known as part of Block No. 85 in Heman Ely's Original Town Plat of Elyria as recorded in Volume 3, Page 14 of Lorain County Plat Records, and more definitely described as follows:

Beginning at the intersection of the northerly sideline of Broad Street and the northwesterly sideline of East Bridge Street;

Thence north 45° 37' 21" east in the northwesterly sideline of East Bridge Street, a distance of 115.48 feet to a point; said point is the principal place of beginning;

Thence continuing north 45° 37' 21" east in the northwesterly sideline of East Bridge Street, a distance of 20.00 feet to a point;

Thence north 44° 22' 39" west, a distance of 165.64 feet to a point;

Thence north 45° 37' 21" east, a distance of 60.00 feet to the most southerly corner of a 0.039 acre parcel, being part of an alley vacated by Ordinance No. 88-128;

Thence north 41° 18' 59" west in the southwesterly line of said vacated alley parcel, a distance of 20.03 feet to a point;

Thence south 45° 37' 21" west, a distance of 80.00 feet to a point;

Thence south 0° 03' 52" east, a distance of 29.26 feet to a point;

Thence south 89° 56' 08" west in a line parallel with and 185 feet distant northerly from the northerly sideline of Broad Street, a distance of 33.41 feet to a point;

Thence south 0° 03' 52" east, a distance of 20.00 feet to a point;

Thence north 89° 56' 08" east, a distance of 80.00 feet to a point;

Thence south 44° 22' 39" east, a distance of 117.85 feet to a point in the northwesterly sideline of East Bridge Street and the principal place of beginning;

Enclosing a parcel containing 0.1539 acre of land, but subject to all legal ~~highway~~ ^{highway} ELYRIA

I HEREBY CERTIFY THAT THIS IS AN EXACT AND TRUE COPY OF Ordinance 94-128

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

7/14/94
DATE

NO TRANSFER NECESSARY
JULIAN A. PIOR
LORAIN COUNTY AUDITOR
7-14-94
DEPUTY

SECTION 2: The ownership of the vacated portion of the alley shall revert to Spitzer Management, Inc. and Investment Discount Co., the abutting property owners, subject to the reservation of an easement over the vacated property in favor of the City of Elyria for the maintenance, repair, improvement and replacement of a sanitary sewer which may exist on the property.

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 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: 7/11/94

Shirley G. Guinta
SHIRLEY G. GUINTA, President

ATTEST: Jack Lesnick
JACK LESNICK, Clerk

APPROVED: 7/11/94

Michael B. Keys
MICHAEL B. KEYS, Mayor
7-12-94

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. 94-128 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