

Sponsored by:

COMM. DEV.

ORDINANCE NO. 97- 81

F. Bullocks
M. Lotko
T. Shroes
G. Gibbs

AN ORDINANCE VACATING A PORTION OF NELSON STREET, NORTH OF FULLER ROAD, AND WEST OF BUTLER AVENUE, IN THE CITY OF ELYRIA

WHEREAS, this Council is satisfied that there is good cause shown for the vacation of a portion of Nelson Street which is North of Fuller Road and extends West from Butler Avenue, as described below, 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 a portion of Nelson Street (North of Fuller Road and West of Butler Avenue) as described below be and the same is hereby vacated:

Situated in the City of Elyria, County of Lorain and State of Ohio. Being known as part of Nelson Street, 60.06 feet wide, as shown on the John Kelley Plat as recorded in Volume 3, Page 2 of Lorain County Plat Records, and more definitely described as follows:

Beginning at the intersection of the southwesterly sideline of Butler Avenue and the southeasterly sideline of Nelson Street, said point being the most northerly corner of Sublot No. 84 in the John Kelley Plat;

Thence southwesterly in the southeasterly sideline of Nelson Street and in the northwesterly line of Sublot No. 84, a distance of about 73.92 feet to an angle point therein;

Thence westerly in the southerly sideline of Nelson Street and in the northerly line of Sublots Nos. 84, 86, 87, and 88 in the John Kelley Plat, a distance of about 229.18 feet to the northwesterly corner of Sublot No. 88 and a point in the easterly sideline of vacated Edward Court and the westerly line of the John Kelley Plat;

Thence northerly in the easterly sideline of vacated Edward Court and the westerly line of the John Kelley Plat, a distance of 60.06 feet to the southwesterly corner of Sublot No. 85 in the John Kelley Plat;

Thence easterly in the southerly line of Sublot No. 85 and in the northerly sideline of Nelson Street, a distance of about 211.53 feet to an angle point therein;

Thence northeasterly in the southeasterly line of Sublot No. 85 and in the northwesterly sideline of Nelson Street, a distance of about 56.76 feet to a point in the southwesterly sideline of Butler Avenue;

Thence southeasterly, a distance of 60.06 feet to the place of beginning;

Enclosing a parcel containing about 0.39 acre of land

SECTION 2: The ownership of the portion of Nelson Street hereby vacated and as described above shall revert to Robert Smith and Cheryl Smith and Berniece S. Eckard, the abutting property owners of each side of said Nelson Street.

CERTIFICATION

I HEREBY CERTIFY THAT THIS IS AN EXACT AND TRUE COPY OF Ordinance 97-81

Arthur J. Weber
ARTHUR J. WEBER, CLERK OF COUNCIL
CITY OF ELYRIA, OHIO

4-30-97
DATE

NO TRANSFER NECESSARY

MARK R. STEWART
LORAIN COUNTY AUDITOR

4-29-97 JW
DEPUTY

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: 4-21-97

Thomas O. Shores
Thomas O. Shores, President

ATTEST: Arthur Weber
Arthur Weber, Clerk

APPROVED: 4-21-97

Michael B. Keys
MICHAEL B. KEYS, Mayor

Dated: 4-22-97

Approved as to form:

Terry S. Shilling Acting Solicitor 2-27-97
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. 97- 81 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 FOURTEEN (14) DAYS, TO WIT, FROM;

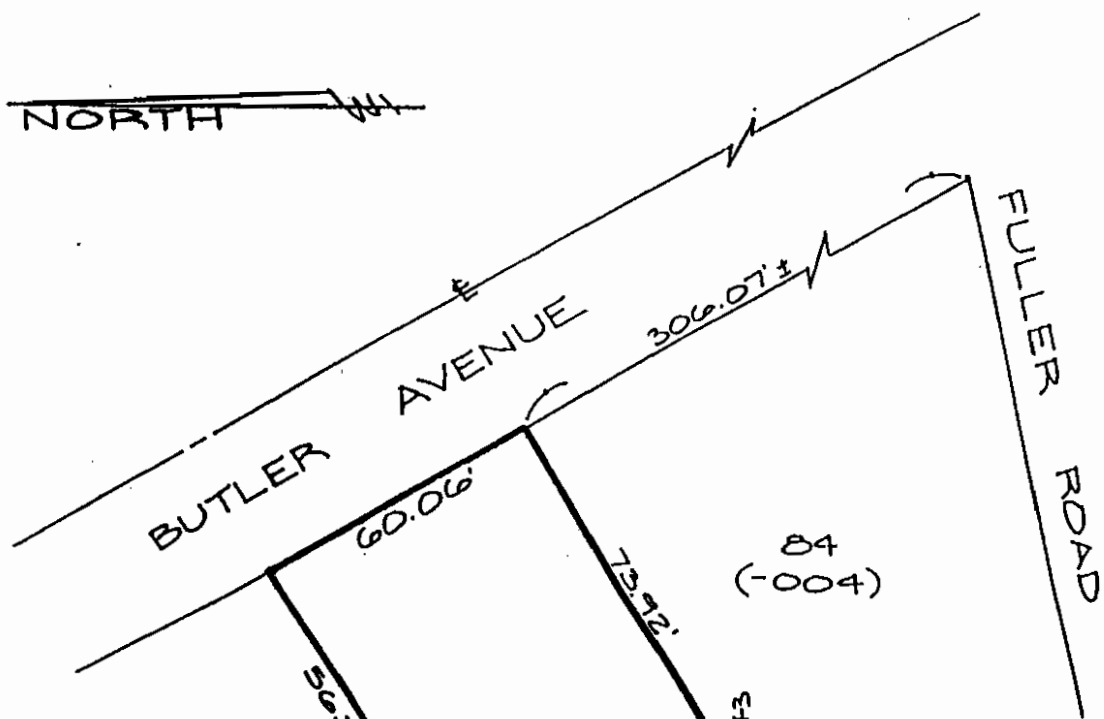
_____ to _____

Dated: _____

CLERK OF COUNCIL,
CITY OF ELYRIA, OHIO

Code presented to the Mayor: 4-22-97

NORTH



114

B5 (-001)
BERNIECE S. ECKARD

211.53'±

NELSON STREET
AREA TO BE VACATED
0.39 AC. ±

B4 (-004)

B6 (-003)

SMITH

B7 (-002)

CHERYL

111

B8 (-001)

ROBERT

#22194-V

APPROVED LORAIN CO. MAP DEPT
DATE 6-10-97
PAGE 10-00-004B
BY R. BELL
#22194-V

NBC USA HOUSING INC. SEVEN
VACATED EDWARD COURT

ORD. 08-56



STREET VACATION MAP
 PART OF CARLISLE TWP. SEC. 4
 PART OF NELSON ST. IN THE
 JOHN KELLEY PLAT P.V.3 P.2
 CITY OF ELYRIA
 COUNTY OF LORAIN
 STATE OF OHIO

EXHIBIT B

MAP PREPARED FROM RECORD ONLY

DATE: 11/98
 PAGE: 10
 SURVEYOR: DAVID L. ELWELL
 SCALE: 1" = 40'
 JANUARY 28, 1997
 David L. Elwell
 DAVID L. ELWELL P.S.