

ORDINANCE NO. 99-83

AN ORDINANCE VACATING THE ALLEY (16 feet wide) NORTH OF WEST 13TH STREET EXTENDING FROM THE WESTLINE OF REID AVENUE WESTERLY 500.00 FEET TO THE EASTLINE OF LEXINGTON AVENUE, AND DECLARING AN EMERGENCY.

WHEREAS, a petition signed and submitted to Lorain City Council on May 23, 1983 and an ordinance adopted by Lorain City Council on June 6, 1983 represents 100% of the owners of property abutting that portion of the alley North of West 13th Street extending from the Westline of Reid Avenue westerly 500.00 feet to the Eastline of Lexington Avenue praying that said alley be vacated; and

WHEREAS, City Council upon hearing is satisfied that there is good cause for such vacation as prayed for; that it will not be detrimental to the general interest and ought to be made; and

WHEREAS, under the provisions of Section 723.06, ORC notice of pendency and prayer of said petition is not required.

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

SECTION I. That the alley (16 feet wide) north of West 13th Street extending from the westline of Reid Avenue westerly 500.00 feet to the eastline of Lexington Avenue, be the same is hereby vacated, subject however to the reservations that the City of Lorain, Ohio, reserves to itself and others, easement rights to construct or maintain sanitary sewer conduits, storm sewer conduits, water conduits, gas conduits, fire alarm system conduits, electric conduits, telephone and electric pole transmission lines and other similar facilities under, on or above said alley whenever deemed necessary.

SECTION II. That each one-half of the alley will revert to the respective owners on each side of said alley.

SECTION III. That it is found and determined that all formal actions of this Council concerning and relating to the passage 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 and in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

SECTION IV. That this ordinance is hereby declared to be an emergency, the nature of the emergency being as it is no longer needed for the purpose of a public alley and in order to provide adjacent real property owners with the exact dimensions of the real estate owned by the City of Lorain which abuts this alley in order to facilitate the sale of said property pursuant to Ordinance No. 76-83.

PASSED: June 6, 1983
ATTEST: Arlene K. Kokinda CLERK
APPROVED: _____, 1983

[Signature]
PRESIDENT OF COUNCIL
Vetoed 6/10/83
MAYOR

CITY CLERK DEPARTMENT
OF LORAIN, OHIO
WARD M. ZALESKI
CITY MANAGER
CITY DIRECTOR
CITY HALL - 7TH FLOOR
LORAIN, OHIO 44082-1683
PHONE: (216) 244-5663

I, ARLENE K. KOKINDA, CLERK OF COUNCIL OF THE CITY OF LORAIN, OHIO, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND ACCURATE COPY OF ORDINANCE/RESOLUTION NO. 99-83 PASSED ON THE 6th DAY OF June, 1983 BY SAID COUNCIL AND TAKEN FROM THE RECORDS ON FILE IN THE OFFICE OF THE CLERK OF COUNCIL.
May 5 1983
Arlene K. Kokinda
CLERK OF COUNCIL

I, Arlene K. Kokinda, Clerk of Council, hereby certify the veto of ordinance #99-83 was considered at the regular session of Lorain City Council held on 18 July 1983.
MOTION TO OVER-RIDE: YEA- 10; NAY-2
MOTION CARRIED.

7-21-83 Arlene K. Kokinda
Date Clerk of Council

JAMES S. PAROBK
President
CHARLES F. CHEVALIER
At Large
WOODROW MATHNA
At Large
ROBERT HRITSKO
At Large
RICHARD T. ROULE
First Ward
EDMOND SKIMIN
Second Ward
EMMETT ROSS JR.
Third Ward

*Copy Made
for
[unclear]*

THE CITY OF LORAIN, OHIO CITY COUNCIL

200 West Erie Ave., Room 101
Lorain, Ohio 44052

JOSEPH POLTRONE
Fourth Ward
KENNETH SHAWVER
Fifth Ward
VICTOR WLASZYN
Sixth Ward
DONALD GLEISNER
Seventh Ward
FRED J. RITENAUER
Eighth Ward
ANGEL L. ARROYO
Ninth Ward
ARLENE KOKINDA
Clerk

August 3, 1983

RECEIVED

AUG 02 1983

LAWRENCE V. MCGLINCHY
LORAIN COUNTY ENGINEER

Mrs. Dorothy Essex
Lorain County Recorder
County Administration Building
Elyria, Ohio 44035

Dear Mrs. Essex:

Enclosed please find a certified copy of Ordinance No. 99-83, vacating the alley North of West 13th Street...

This legislation was initially passed during the regular session of Lorain City Council held on 6 June 1983, although it was vetoed by Mayor Parker within ten days of passage. Subsequently, Lorain City Council had successfully overridden this veto at a meeting held on 21 July 1983, as stipulated on the face of the ordinance.

Enclosed is our check in the amount of \$11.00 to cover the cost of filing. As you will note, a copy of this correspondence is also directed to the Office of the County Auditor for appropriate filing.

Yours very truly,

Arlene K. Kokinda
Clerk of Council

Enclosures

cc: County Auditor
County Engineer ✓

#15214

APPROVED
LORAIN CO.
MAP DEPT.

DATE 8-10-83

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BY T. McMain

VOID
IF RE-
FER