

NO TRANSFER NECESSARY

J. CRAIG SNOGDORSS, CPA, CGFM

LORAIN COUNTY AUDITOR ORDINANCE NO. O-19-19

JS **5-22-19**

AN ORDINANCE AMENDING ORDINANCE NO. O-19-14 (AN ORDINANCE VACATING LORAIN COUNTY AUDITOR'S PERMANENT PARCEL NO. 05-00-038-900-003 AND RETAINING A UTILITY EASEMENT THEREON); AND DECLARING AN EMERGENCY.

WHEREAS, on March 25, 2019, the Council for the City of Amherst duly adopted Ordinance No. O-19-14 (An Ordinance Vacating Lorain County Auditor's Permanent Parcel No. 05-00-038-900-003 and Retaining a Utility Easement Thereon);

WHEREAS, the Lorain County Auditor has informed the City that a more detailed description of Permanent Parcel No. 05-00-038-900-003 is required in the ordinance for such parcel to be vacated;

WHEREAS, the City desires to amend Ordinance No. O-19-04 to provide the more detailed description of Permanent Parcel No. 05-00-038-900-003 requested by the Lorain County Auditor; and

WHEREAS, the Building and Lands Committee of Amherst City Council, at a special meeting on May 13, 2019, considered the matter of amending Ordinance No. O-19-14 and voted to send this matter to the floor of Council on emergency.

NOW, THEREFORE, be it ordained by the Council of the City of Amherst, County of Lorain, and State of Ohio:

SECTION 1: That the title of Ordinance No. O-19-14 be and hereby is amended to read as follows: An Ordinance Vacating Lorain County Auditor's Permanent Parcel No. 05-00-038-900-003, Identified as "Walk" in Woodhill Acres No. 1 Recorded in Plat Volume 20 Page 15-A of Lorain County Records, and Retaining a Utility Easement Thereon.

SECTION 2: That Section 3 of Ordinance No. O-19-14 be and hereby is amended to provide in its entirety as follows:

That the City of Amherst, Ohio hereby vacates ownership of the Parcel identified as "walk" in Woodhill Acres No. 1, recorded in plat volume 20 page 15-A of Lorain County Records (Lorain County Permanent Parcel No. 05-00-038-900-003) having a length of 116.68 feet on its northerly side, a width of 10.04 feet on its westerly end, a length of 116.36 feet on its southerly side and a width of 10.16 feet on its easterly end.

SECTION 3: That Ordinance No. O-19-14 shall remain in full force and effect except as specifically modified in this ordinance.

SECTION 4: 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 5: That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of Amherst, Ohio, the emergency being the need for the City to divest itself of property it no longer wishes to control, thereby eliminating as soon as possible certain liability risks and maintenance expenses; and provided it receives the majority vote of two-thirds or more of those elected to City Council, it shall go into full force and effect from and immediately after its passage and its approval by the Mayor; otherwise it shall take effect at the earliest period allowed by law.

1st reading 5-13-19
2nd reading _____
3rd reading _____

Jennifer Wasilk
Jennifer Wasilk, President of Council

PASSED May 13, 2019

5/13/19
APPROVED

ATTEST Dawn Murrell

Mark Costlow
Mark Costlow, Mayor

Approved as to form by:

[Signature]

Anthony R. Pecora, Director of Law

Filed with the Mayor: 5-16-19

A-19-25