



LORAIN COUNTY COMMISSIONERS

Michelle Hung

Matt Lundy

David J. Moore



cc STAFF
File

RECEIVED

JUL 27 2022

KEN CARNEY
LORAIN COUNTY SANITARY ENGINEER

July 19, 2022

Joe A. Nicholson
36140 Capel Road
Grafton, Ohio 44044

Dear Mr. Nicholson:

Lorain County Board of Commissioners approved Res#22-494 on July 19, 2022 rejecting the petition request to Vacate the southernly 300' portion of Boardwalk Ave., located in Original Lot 57, within Garden of Eaton Allotment No. 1, Eaton Township, Ohio.

This is being forwarded for your information and file.

Sincerely,

Theresa L. Upton
Clerk

tlu/Enclosure

Cc: Ken Carney, LC Engineer ✓
Ted Spillman, LC Tax Map
Eaton Township Trustees
Dan Petticord, LCAPA
File

RESOLUTION NO. 22-494

In the matter of rejecting the petition request to)
Vacate the southernly 300' portion of Boardwalk Ave.,)
located in Original Lot 57, within Garden of Eaton)
Allotment No. 1, Eaton Township, Ohio)

July 19, 2022

WHEREAS, a petition to vacate pursuant to Section 5553.042 was received from Joe A. Nicholson on May 18, 2022; and

WHEREAS, May 31, 2022 all utility companies were notified for easement purposes and June 14, Columbia Gas stated they will retain easement through the Ohio Revised Code; and

WHEREAS, June 6, 2022 the Engineer had concerns with the petition as submitted relating to incorrect legal description and will landlock various parcels; and

WHEREAS, the residents who signed the petition were notified on June 21, 2022 and notice was published in the Chronicle Telegram on June 28, 2022 and July 15, 2022 of the viewing that was held on July 11, 2022 and the hearing was scheduled for today; and

WHEREAS, June 29, Res#22-467 amended Res#22-384 accepting the revised legal description.

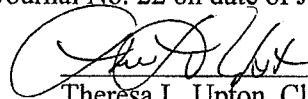
NOW THEREFORE BE IT RESOLVED, that upon consideration of the evidence and testimony presented the Board of Commissioners find that granting the proposed petition to vacate would not serve the public interest and welfare based on:

- 1)the report provided by the County Engineer and because
- 2)granting the petition to vacate would landlock certain residential parcels. In addition,
- 3)technical deficiencies with the petition and the associated notice to potentially affected residents

Motion by Lundy, seconded by Hung to adopt. Upon roll call the vote taken thereon, resulted as: Ayes: All Lundy, Hung & Moore / Nays: None

Motion carried. _____(discussion was held on the above)

I, Theresa L. Upton, Clerk to the Lorain County Board of Commissioners do hereby certify that the above Resolution No. 22-494 is a true copy as it appears in Journal No. 22 on date of July 19, 2022.



Theresa L. Upton, Clerk