

1st Reading - March 4th, 2021
SR/AP - March 18th, 2021

SPONSOR Woolmer

ORDINANCE 2021-10

AN ORDINANCE VACATING A PORTION OF THE ALLEY RUNNING NORTH-SOUTH FROM EAST FIRST STREET TO EAST SECOND STREET AND LOCATED BETWEEN SOUTH VERMONT AVENUE AND SOUTH MASSACHUSETTS AVENUE AND A PORTION OF THE ALLEY RUNNING EAST-WEST FROM SOUTH VERMONT AVENUE TO SOUTH MASSACHUSETTS AVENUE AND LOCATED BETWEEN EAST FIRST STREET AND EAST SECOND STREET

WHEREAS, pursuant to Ohio Revised Code Section 723.05 the Village Council has determined that there is good cause for vacating an alley located, as depicted on attached "Exhibit A", and that such vacation will not be detrimental to the general interest; and

WHEREAS, the City of Wellston Planning Commission gave notice of a public hearing regarding vacation of this Alley and all abutting property owners to the right-of-way in question were notified of the public hearing by mail; and

WHEREAS, at the public hearing on this matter no abutting property owners appeared to oppose the vacation and the City of Wellston Planning Commission has recommended vacation of this Alley to the Council of the City of Wellston.

NOW, THEREFORE, THE COUNCIL FOR THE CITY OF WELLSTON, OHIO, JACKSON COUNTY, HEREBY ORDAINS THAT:

Section One. The Council of the City of Wellston hereby accepts the recommendation of Planning Commission, finds there is good cause for vacation of the Alley and said vacation is not detrimental to the general interest of the public and hereby vacates the portion of the alley running North-South from East First Street to East Second Street and located between South Vermont Avenue and South Massachusetts Avenue abutting Parcel Nos. M240120017500 and M240120017600 and M240120017700; and the portion of the alley running East-West from South Vermont Avenue to South Massachusetts Avenue and located between East First Street to East Second Street abutting Parcel Nos. M240120011000 and M240120017600 and as detailed in attached Exhibit A.


Section Two. The Village hereby retains a utility easement, including but not limited to: electric, storm sewer, sanitary sewer, water line, cable line and gas line.

Section Three. This Ordinance is hereby declared to be an emergency, necessary for the immediate preservation of the public peace, health or safety of the City of Wellston, in that it is necessary to approve this additional appropriation in order that expenses can be timely paid as incurred and in accordance with the city's obligations. Therefore, this Ordinance shall go into effect upon passage and approval by the Mayor, as provided in the Ohio Revised Code Section 731.30.

Section Four. In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, this Ordinance shall be deemed to have passed but with no emergency clause, and shall take effect at the earliest time permitted by law.

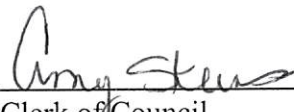
Section Five. It is hereby found and determined that all formal acts of this council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this council and the deliberations of the council and any of its committees that resulted in such formal action were in meetings open to the public and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the legislative authority of the City of Wellston this 18th day of March, 2021.



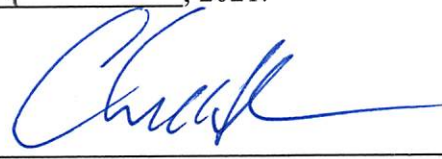
Council President

ATTEST:



Clerk of Council

Approved this 18th day of March, 2021.



Mayor

Posted 3-19-21 through 4-2-21 at The Store, Wellston City Hall, Wellston Senior Citizens' Center, the Wellston Public Library and the Post Office.

