

ORDINANCE 2022-34

AN ORDINANCE VACATING A PORTION OF 11TH STREET ABUTTING AND SITUATED BETWEEN PARCELS NUMBERED M240280012900 ON THE SOUTH AND M240180000100 ON THE NORTH AND RUNNING EAST AND WEST BETWEEN THOSE PARCELS AND A PORTION OF MINNESOTA AVENUE ABUTTING AND SITUATED BETWEEN PARCELS NUMBERED M240280012900 ON THE WEST AND M240280009700 AND M240280009800 M240280009900 M240280010000 M240280010100 M240280010200 AND M240280010300 ON THE EAST AND RUNNING NORTH AND SOUTH BETWEEN THOSE PARCELS.

WHEREAS, a petition seeking the vacation of a portion 11th Street and a portion of Minnesota Avenue has been submitted to council by the owner of the abutting parcels of land, and

WHEREAS, pursuant to ORC 723.05, upon petition, the legislative authority for the City of Wellston desires to vacate a portion of 11th Street abutting and situated between parcels numbered M240280012900 on the south and M240180000100 on the North and running East and West between those parcels and a portion of Minnesota Avenue abutting and situated between parcels numbered M240280012900 on the West and M240280009700 and M240280009800, M240280009900, M240280010000, M240280010100, M240280010200 and M240280010300 on the East and running North and South between those parcels, and

WHEREAS, the City Council has determined that there is good cause for vacating a road located, as depicted on attached "Exhibit A", and that such vacation will not be detrimental to the general interest; and

WHEREAS, pursuant to Ohio Revised Code 723.06 notice is not required as the legislative authority has the consent to such vacation of all the owners of the property abutting the part of the street or alley proposed to be vacated; and

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 finds there is good cause for vacation of and said vacation is not detrimental to the general interest of the public and hereby vacates the portion of 11th Street abutting and situated between parcels numbered M240280012900 on the south and M240180000100 on the North and running East and West between those parcels and the portion of Minnesota Avenue abutting and situated between parcels numbered M240280012900 on the West and M240280009700 and M240280009800, M240280009900, M240280010000, M240280010100, M240280010200 and M240280010300 on the East and running North and South between those parcels; and as detailed in attached Exhibit A.

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

Section Three. 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 21st day of July, 2022.



Council President

ATTEST:



Clerk of Council

Approved this 21st day of July, 2022.



Mayor

Published in accordance with the law on _____ and _____ and posted _____ through _____ at The Store, Wellston City Hall, Wellston Senior Citizens' Center, the Wellston Public Library and the Wellston Post Office.



Clerk of Council

Prepared by: Randy H. Dupree, Law Director, City of Wellston