

ORDINANCE 2022-42

AN ORDINANCE VACATING A PORTION OF ILLINOIS AVENUE AND A PORTION OF TWO ALLEYS RUNNING PARALLEL TO SAID ILLINOIS AVENUE AND DECLARING AN EMERGENCY.

WHEREAS, a petition seeking the vacation of a portion Illinois Avenue and a portion of two alleys 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 Illinois Avenue abutting and situated between parcels numbered M240280007200 (Laura Wells Lots 325,326,327) on the West and M240180005200 (Laura Wells Lots 200,201) on the East and running North and South between those parcels; additionally a portion of an alley right of way abutting and situated between parcel numbered M240280007200 on the West (Laura Wells Lots 328,328,330) and on the East (Laura Wells Lots 325,326,327) and running North and South between those parcels; and additionally a portion of an alley right of way abutting and situated between parcel numbered M240280005200 (Laura Wells Lots 200,201) on the West and M240280005300 (Laura Wells Lots 198,199) on the East and running North and South between those parcels;

WHEREAS, the City Planning and Zoning Commission has recommended the vacation of the roads referenced in the petition, 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 Illinois Avenue abutting and situated between parcels numbered M240280007200 (Laura Wells Lots 325,326,327) on the West and M240180005200 (Laura Wells Lots 200,201) on the East and running North and South between those parcels; additionally a portion of an alley abutting and situated between parcel numbered M240280007200 on the West (Laura Wells Lots 328,328,330) and on the East (Laura Wells Lots 325,326,327) and running North and South between those parcels; and additionally a portion of an alley abutting and situated between parcel numbered M240280005200 (Laura Wells Lots 200,201) on the West and M240280005300 (Laura Wells Lots 198,199) 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. 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, 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.

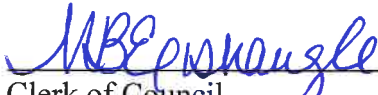
Section Five: It is hereby found and determined that all formal acts of this council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this council and the deliberations of the council and any of its committees that resulted in such formal action were in meetings 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 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