

RECORD OF ORDINANCES
City of Grandview Heights

Ordinance No. 95-13

Passed April 17 19 95

An Ordinance to vacate a section of Fairview
Avenue between First Avenue and Third Avenue.

WHEREAS, a petition for the vacation of a section of Fairview Avenue has been filed by the Grandview Heights City School District with the Clerk of Council pursuant to the Ohio Revised Code Section 723.04, and,

WHEREAS, a summary of this Ordinance has been published in the Tri-Village News for six consecutive weeks pursuant to the requirements under Revised Code Section 723.07, and,

WHEREAS, Council has conducted a hearing pursuant to Revised Code Section 723.04 and has determined that there is good cause for vacating such section of the street, that it will not be detrimental to the general interest, and that the section of the street should be vacated.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GRANDVIEW HEIGHTS, OHIO:

SECTION 1. That there is good cause for vacating a section of Fairview Avenue between First Avenue and Third Avenue, and that such vacation will not be detrimental to the general interest, and that the section of the street that should be vacated is described as follows:

Situated in the State of Ohio, County of Franklin, and in the City of Grandview Heights being of Fairview Avenue extending North and South beginning at the southeastern corner of lot 53 of the Urlin Grandview Subdivision of Record in Plat Book 4, Page 332 at the Franklin County Recorder's office; thence crossing said Fairview Avenue due east a distance of 60.00 feet to a point in the eastern right of way line of said Fairview Avenue, and in the western boundary of lot 45 of Grandview-Croughton & Denmead Suburban Subdivision of Record in Plat Book 4, Page 320 at said Recorder's office; thence along the wester boundary of said lot 45, and the eastern right of way line of said Fairview Avenue due north a distance of 560.13 feet to a point in said eastern right of way; thence crossing Fairview Avenue due west a distance of 60.00 feet to a point in said western right of way; thence south along the western right of way line of said Fairview Avenue a distance of 560.30 feet to the point of beginning.

RECORD OF ORDINANCES
City of Grandview Heights

Ordinance No. 95-13

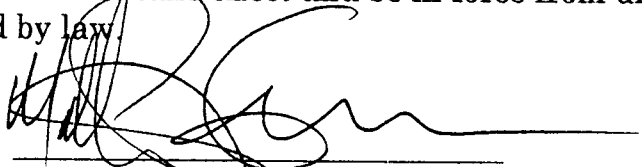
Passed APRIL 17 1995

Such section is indicated in the plat named Exhibit A which is attached hereto and made a part of this ordinance.

SECTION 2. That the section of Fairview Avenue described in Section 1 is hereby vacated pursuant to the sections of Chapter 723 of the Ohio Revised Code, contingent upon the execution of a contract between the City of Grandview Heights and the Grandview Heights City School District attached as Exhibit B and made a part of this ordinance.

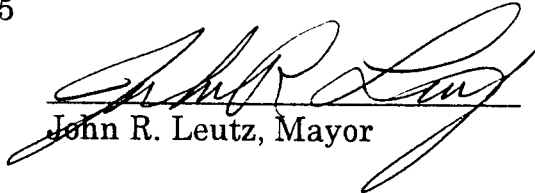
SECTION 3. That the Clerk of Council is directed to transfer a plat or map showing the vacated street section, including all intersecting or connective public ways, certified by a licensed surveyor or engineer, to the offices of the county auditor and county recorder pursuant to Revised Code Section 711.39.

SECTION 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.



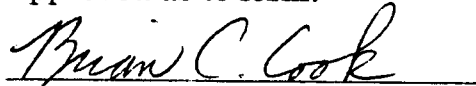
Matthew P. Sinerone, President
Grandview Heights City Council

Passed APRIL 17, 1995



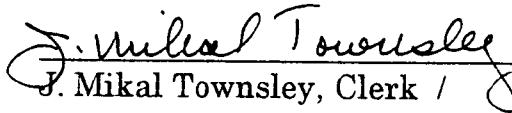
John R. Leutz, Mayor

Approved as to form:



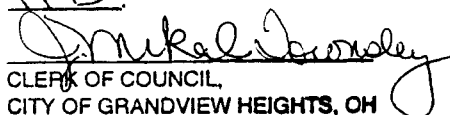
Brian C. Cook, City Attorney

Attest:



J. Mikal Townsley, Clerk /

I HEREBY CERTIFY THAT PUBLICATION OF THE FOREGOING ORDINANCE OR RESOLUTION WAS MADE BY POSTING TRUE COPIES THEREOF AT FIVE OF THE MOST PUBLIC PLACES IN GRANDVIEW HEIGHTS AS DETERMINED BY COUNCIL PURSUANT TO ORD. 50-80, TO WIT: GRANDVIEW HEIGHTS MUNICIPAL BUILDING, STEVENSON ELEMENTARY SCHOOL, EDISON ELEMENTARY SCHOOL, GRANDVIEW HEIGHTS HIGH SCHOOL, GRANDVIEW HEIGHTS PUBLIC LIBRARY, EACH FOR A PERIOD OF FIFTEEN DAYS COMMENCING ON THE 19th DAY OF April, 1995.



CLERK OF COUNCIL,
CITY OF GRANDVIEW HEIGHTS, OH

EXHIBIT B

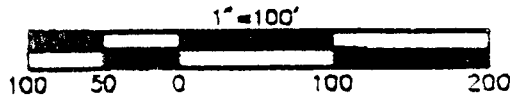
THE CONTRACT BETWEEN THE CITY OF GRANDVIEW HEIGHTS AND THE GRANDVIEW HEIGHTS CITY SCHOOL DISTRICT WILL CONSIST OF THE FOLLOWING TERMS, TO BE NEGOTIATED DURING THE NEXT FEW WEEKS:

1. SCHOOL DISTRICT WILL DEDICATE LAND TO THE CITY FOR A CUL-DE-SAC;
2. SUCH CUL-DE-SAC WILL BE WIDE ENOUGH FOR SAFETY VEHICLES TO ENTER;
3. THE SCHOOL DISTRICT WILL EXPEND FUNDS TO BUILD THE CUL-DE-SAC;
4. THE CITY SHALL MAINTAIN THE CUL-DE-SAC AFTER IT IS CONSTRUCTED;
5. THE CUL-DE-SAC SHALL BE DESIGNED TO ACCOMMODATE THE RESIDENTS OF FAIRVIEW AVE;

RECEIVED

FEB 3 5 02 PM '95

GRANDVIEW HTS.



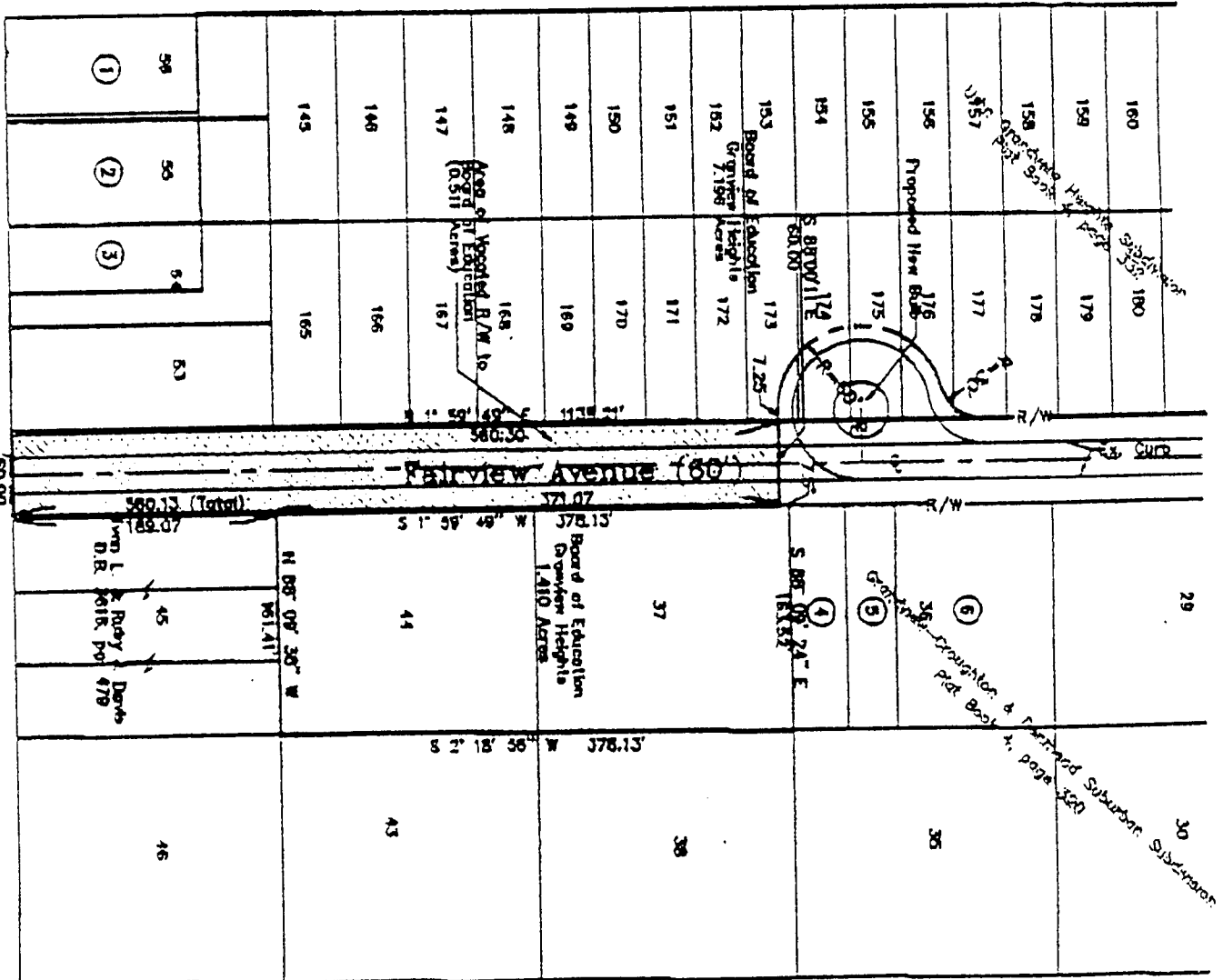
ADJACENT PROPERTY OWNERS:

1. Celestia A. Anderson Inc.
P.O. Box 28
O.R. 18028 P12
2. Derringer, K. K.
O.R. 1804, P. 36
3. The Claude Bell Company
4 Mark S. Woodhouse and
Wren A. Bell
O.R. 1877 B02
5. K.F. 19, 20, 21, 22, 23, 24
O.R. 20328 G30
6. David P. and Elizabeth G. Moore
O.R. 2312 P. 8

4877821-300

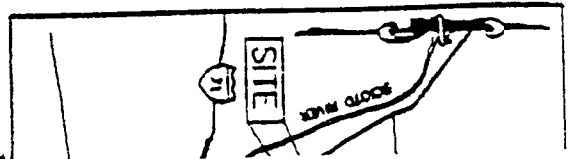
Oakland Avenue (60')

First Avenue (60')



Broadview Avenue (60')

EXHIBIT A



RECORD OF ORDINANCES

29495E03

City of Grandview Heights

Ordinance No. 95-13 Passed April 17 19 95

12 42 PM JUL 11 1995

An Ordinance to vacate a section of Fairview Avenue between First Avenue and Third Avenue.

RICHARD B. METCALF, RECORDED

RECORDS FEE \$

3/00

WHEREAS, a petition for the vacation of a section of Fairview Avenue has been filed by the Grandview Heights City School District with the Clerk of Council pursuant to the Ohio Revised Code Section 723.04, and,

WHEREAS, a summary of this Ordinance has been published in the Tri-Village News for six consecutive weeks pursuant to the requirements under Revised Code Section 723.07, and,

096532

WHEREAS, Council has conducted a hearing pursuant to Revised Code Section 723.04 and has determined that there is good cause for vacating such section of the street, that it will not be detrimental to the general interest, and that the section of the street should be vacated.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GRANDVIEW HEIGHTS, OHIO:

SECTION 1. That there is good cause for vacating a section of Fairview Avenue between First Avenue and Third Avenue, and that such vacation will not be detrimental to the general interest, and that the section of the street that should be vacated is described as follows:

Situated in the State of Ohio, County of Franklin, and in the City of Grandview Heights being of Fairview Avenue extending North and South beginning at the southeastern corner of lot 53 of the Urlin Grandview Subdivision of Record in Plat Book 4, Page 332 at the Franklin County Recorder's office; thence crossing said Fairview Avenue due east a distance of 60.00 feet to a point in the eastern right of way line of said Fairview Avenue, and in the western boundary of lot 45 of Grandview-Croughton & Denmead Suburban Subdivision of Record in Plat Book 4, Page 320 at said Recorder's office; thence along the wester boundary of said lot 45, and the eastern right of way line of said Fairview Avenue due north a distance of 560.13 feet to a point in said eastern right of way; thence crossing Fairview Avenue due west a distance of 60.00 feet to a point in said western right of way; thence south along the western right of way line of said Fairview Avenue a distance of 560.30 feet to the point of beginning.

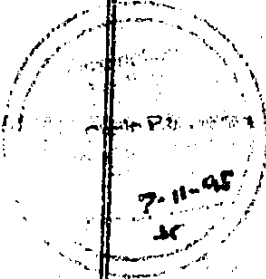
M-64 VAC. ROAD ADJACENT TO 030-1419 1362 1097 2228 1430 30 17

J.M. Townsley Clerk Auditor of The City of Grandview Heights, Ohio, do hereby certify that the above is a true and correct copy.

J. M. Townsley

RECEIVED JOSEPH W. TESTA JUL 11 1995 FRANKLIN COUNTY AUDITOR BY D.V. DEPUTY COUNTY AUDITOR

MAIL CITY OF GRANDVIEW HEIGHTS BRITH COOK, CITY ADMINISTRATOR 1016 GRANDVIEW AVE. COLUMBUS OH 43212



RECORD OF ORDINANCES
City of Grandview Heights

2949504

Ordinance No. 95-13

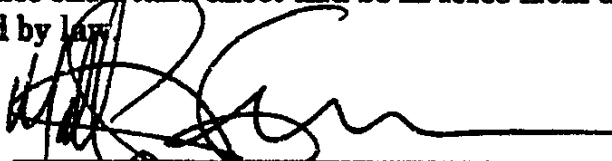
Passed APRIL 17 1995

Such section is indicated in the plat named Exhibit A which is attached hereto and made a part of this ordinance.

SECTION 2. That the section of Fairview Avenue described in Section 1 is hereby vacated pursuant to the sections of Chapter 723 of the Ohio Revised Code, contingent upon the execution of a contract between the City of Grandview Heights and the Grandview Heights City School District attached as Exhibit B and made a part of this ordinance.

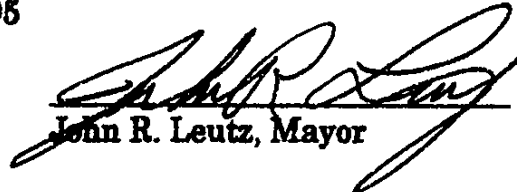
SECTION 3. That the Clerk of Council is directed to transfer a plat or map showing the vacated street section, including all intersecting or connective public ways, certified by a licensed surveyor or engineer, to the offices of the county auditor and county recorder pursuant to Revised Code Section 711.39.

SECTION 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.



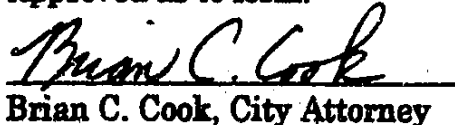
Matthew P. Simone, President
Grandview Heights City Council

Passed APRIL 17, 1995



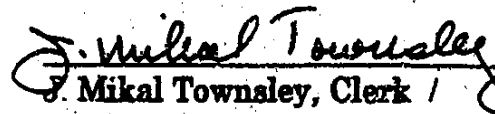
John R. Leutz, Mayor

Approved as to form:



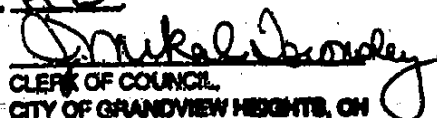
Brian C. Cook, City Attorney

Attest:



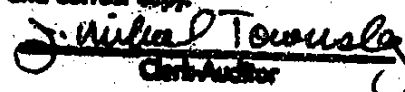
J. Mikal Townsley, Clerk

I HEREBY CERTIFY THAT PUBLICATION OF THE FOREGOING ORDINANCE OR RESOLUTION WAS MADE BY POSTING TRUE COPIES THEREOF AT FIVE OF THE MOST PUBLIC PLACES IN GRANDVIEW HEIGHTS AS DETERMINED BY COUNCIL PURSUANT TO CRO. 30-60, TO WIT: GRANDVIEW HEIGHTS MUNICIPAL BUILDING, STEVENSON ELEMENTARY SCHOOL, EDSON ELEMENTARY SCHOOL, GRANDVIEW HEIGHTS HIGH SCHOOL, GRANDVIEW HEIGHTS PUBLIC LIBRARY, EACH FOR A PERIOD OF FIFTEEN DAYS COMMENCING ON THE 19th DAY OF APRIL 1995



J. Mikal Townsley
CLERK OF COUNCIL,
CITY OF GRANDVIEW HEIGHTS, OH

I, J. M. Townsley Clerk-Auditor of The City of Grandview Heights, Ohio, do hereby certify that the above is a true and correct copy.

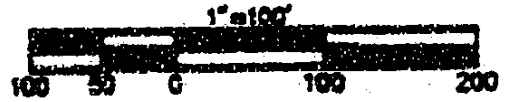


J. Mikal Townsley
Clerk-Auditor

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GRANDVIEW HTS.

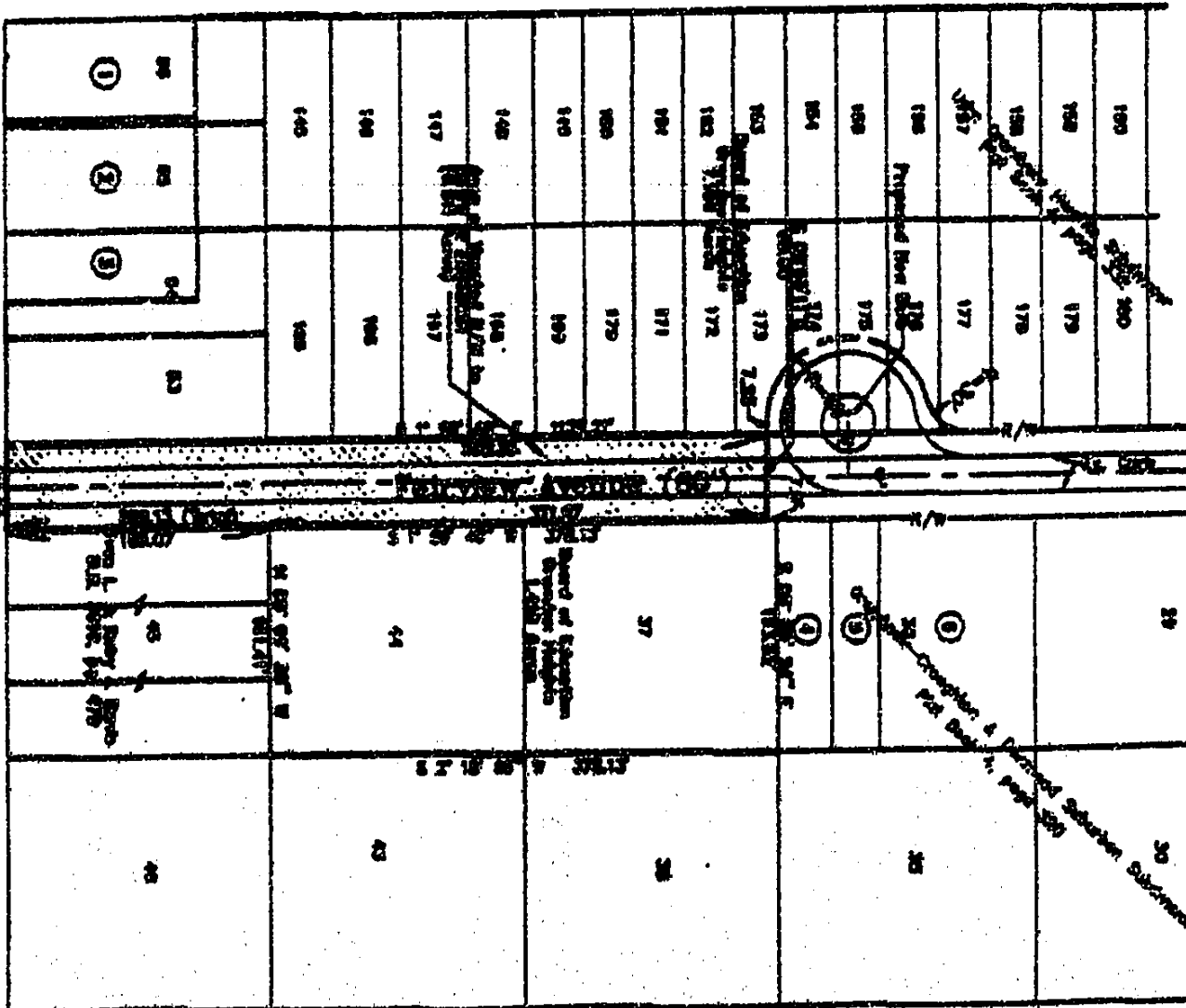


1. [Illegible]
2. [Illegible]
3. [Illegible]
4. [Illegible]
5. [Illegible]
6. [Illegible]
7. [Illegible]

Oakland Avenue (60')

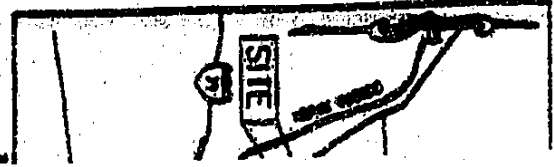
Vacation Plat of Fairview Avenue

First Avenue (60')



Broadview Avenue (80')

EXHIBIT A



CONTRACT

This agreement made this 10th day of June July, 1995, is between the City of Grandview Heights, Ohio, hereinafter referred to as "CITY", and the Grandview Heights City School District, hereinafter referred to as "SCHOOL DISTRICT."

WITNESSETH:

WHEREAS, the SCHOOL DISTRICT is desirous of a segment of Fairview Avenue being vacated by the CITY, such segment being defined in Ordinance 95-13 passed by the Grandview Heights City Council on May 1, 1995, and

WHEREAS, the CITY is desirous of a cul-de-sac being constructed and financed by the SCHOOL DISTRICT to accommodate changing traffic patterns resulting from the vacation of such segment of Fairview Ave., and

WHEREAS, the SCHOOL DISTRICT recently dedicated property to the CITY for construction of a public street or highway, which is property that can be used for a cul-de-sac, and

WHEREAS, it is in the best interests of both the CITY and SCHOOL DISTRICT to enter into this contractual arrangement.

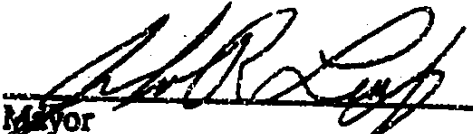
NOW, THEREFORE, the CITY and SCHOOL DISTRICT voluntarily, knowingly and willingly enter into a contract with the following terms:

1. The SCHOOL DISTRICT shall provide for the design, construction and financing of a cul-de-sac on Fairview Avenue in the location depicted and defined by Exhibit A, attached hereto which is hereby incorporated and made a part hereof as if written in full herein.
2. Such cul-de-sac shall be designed to accommodate the residents of Fairview Ave. between First Ave. and Third Avenue, the general public and safety vehicles. Final plans shall be signed by the Mayor of the CITY, and such signature shall indicate that the design meets the above-stated requirements.
3. The CITY shall maintain the cul-de-sac after it is constructed, including street maintenance and snow and ice removal, as it maintains any other street in the City of Grandview Heights.
4. By signing this agreement, the CITY vacates the segment of Fairview Ave. defined in Ordinance 95-13 adopted by the Grandview Heights City Council on May 1, 1995.


29495007

IN WITNESS WHEREOF, the parties have hereunto set their signatures this 10th day of July, 1995.

ON BEHALF OF THE CITY

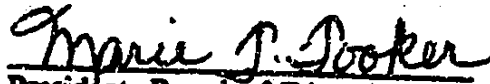


Mayor

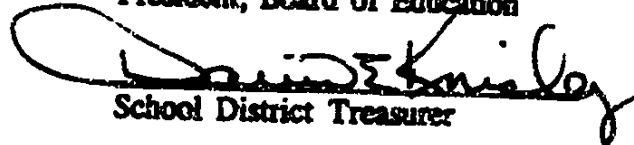


Director of Finance

ON BEHALF OF THE SCHOOL DISTRICT



President, Board of Education



School District Treasurer

Approved as to form:



City Attorney

BEA

CIVIL ENGINEERING

ASSOCIATES

9015

Antares Avenue

Columbus, Ohio 43240

Tel 614.433.9018

Fax 614.433.9513

0.153 Acres

Situated in the State of Ohio, County of Franklin, City of Grandview Heights, and being 0.153 acres out of Lots 173, 174, 175, 176 and 177 of Urtin Grandview Heights Subdivision, of record in Plat Book 4, Page 332 as conveyed to Grandview Heights Board of Education (all deed references refer to the records of the Recorder's Office in Franklin County, Ohio) and described as follows:

Beginning, for reference, at the northerly right-of-way line of First Avenue (60 feet wide) with the westerly right-of-way line of vacated Fairview Avenue (60 feet wide);

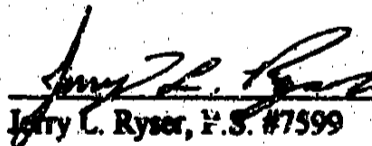
Thence North $00^{\circ}00'00''$ East with said westerly right-of-way line of vacated Fairview Avenue, a distance of 560.30 feet to a point at the northerly terminus of said vacated Fairview Avenue, said point being the true point of beginning for this description;

Thence with a new division line across said Lot 173, 174, 176 and 177 new line also being the proposed westerly right-of-way line of said Fairview Avenue the following three courses:

- 1) North $90^{\circ}00'00''$ West, a distance of 7.25 feet to a point of curvature;
- 2) With a curve to the right, having a radius of 60.00 feet, a central angle of $165^{\circ}21'31''$, a whose chord bears North $07^{\circ}19'15''$ West, a chord distance of 119.02 feet to a point of reverse curvature;
- 3) With a curve to the left, having a radius of 30.00 feet, a central angle of $75^{\circ}21'31''$, and whose chord bears North $37^{\circ}40'33''$ East, a chord distance of 36.68 feet to a point of tangency in the existing westerly right-of-way line of said Fairview Avenue;

Thence South $00^{\circ}00'00''$ West with the existing westerly right-of-way line of said Fairview Avenue, a distance of 147.08 feet to this true point of beginning and containing 0.153 acres of land more or less.

This description was prepared by Civil Engineering Associates, Inc., Columbus, Ohio from records. The basis of bearings is North $00^{\circ}00'00''$ East from said Urtin Grandview Heights Subdivision of record in Plat Book 4, Page 332 and all other drawing of this description is attached hereto and made a part thereof.


 Jerry L. Ryser, P.S. #7599 5/25/95

Prepared: May 19, 1995

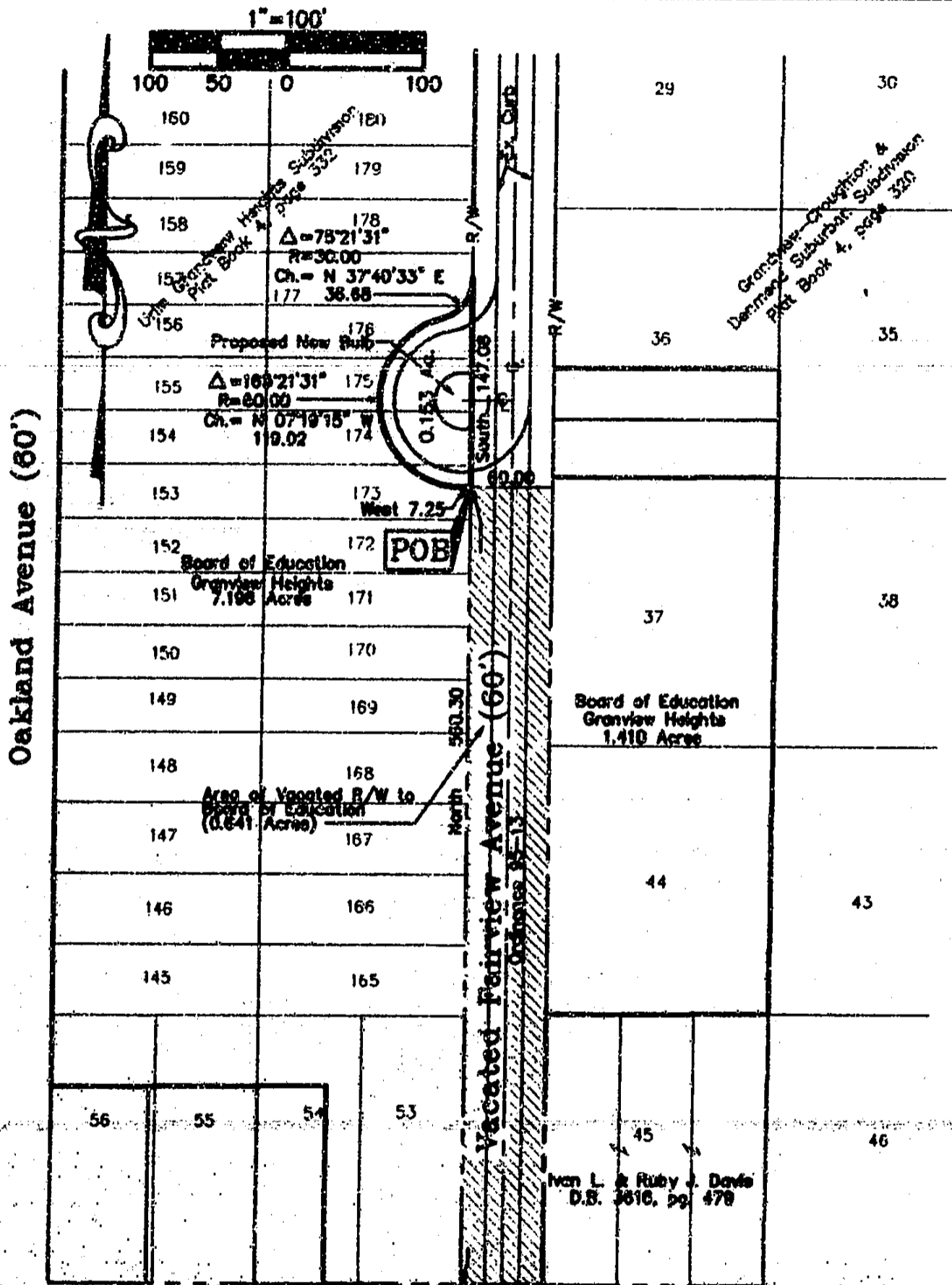




**CIVIL ENGINEERING
ASSOCIATES**

9015
Antares Avenue
Columbus, Ohio 43240
Tel. 614.433.9015
Fax 614.433.9513

0.153 ACRES



REFERENCE POINT OF BEGINNING

First Avenue (60')

This drawing was prepared from records only by Civil Engineering Assoc., Inc. The base of bearing is the same as that in Plat Book 4, page 320.



Jerry L. Ryser 6/25/95
 Jerry L. Ryser, P.S.#7896
 Civil Engineering Associates, Inc. Date