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07/09/2015 3:10PM MEPCITY OF HI
Terry J. Brown
Franklin County Recorder

Ordinance: 15-15
Page: 1 of 2

Passed: April 27, 2015
Effective: May 27, 2015

VACATING A PORTION OF THE ALLEY NORTHWEST OF AND PARALLEL TO MAIN STREET BETWEEN 4121 MAIN STREET AND 4160 WAYNE STREET IN OLD HILLIARD.

WHEREAS, the owners of the properties abutting both sides of a portion of an unimproved fifteen foot wide alley running parallel to Main Street, between 4121 Main Street and 4160 Wayne Street, have filed a petition with the City to vacate the portion of the alley abutting their properties; and

WHEREAS, the petition seeks to vacate the existing alley graphically depicted on the Vacation Plat attached hereto as Exhibit "A" and incorporated by reference herein; and

WHEREAS, the City Engineer has reviewed the petition and determined that there is good cause for such vacation and that doing so will not be detrimental to the general interest of the City; and

WHEREAS, all necessary utility companies have been advised of the requested vacation and have requested a utility easement be reserved across the entire width of the alley right-of-way for the operation, maintenance, renewal, reconstruction, or removal of their facilities; and

WHEREAS, the two petitioners have written a general utility easement that meets the requirements of all utilities located within the alley right-of-way and will grant this easement to the utilities upon vacation of the right-of-way.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hilliard, Ohio that:

SECTION 1. This Council finds that the petition signed by the owners of all of the properties abutting the portion of the unimproved fifteen-foot wide alley parallel to Main Street between 4121 Main Street & 4160 Wayne Street, between Lots 150 & 195 as shown on the Hilliard Town Plat, Plat Book 2, Page 32 and Lot 149 & Reserve C of the official records of the Franklin County Recorder, has been presented to this Council, praying that the alley between those points be vacated. The fifteen foot alley is graphically depicted on the Vacation Plat attached hereto as Exhibit "A" and incorporated by reference herein.

RECEIVED
CLARENCE E. MINGO II
JUL - 9 2015
FRANKLIN COUNTY AUDITOR
BY *[Signature]*
DEPUTY COUNTY AUDITOR

SECTION 2. Council further finds that there is good cause for the vacation as requested, that such vacation of streets will not be detrimental to the general interest of the City and that it ought to be made.

SECTION 3. All utilities, publicly owned and otherwise, currently located on, over, or under the vacated alley are deemed to have a permanent easement in the vacated portion of the alley for the purpose of maintaining, operating, renewing, reconstructing and removing said utility facilities and for purposes of access to said facilities as provided for by law.

SECTION 4. The Clerk of Council is directed to secure all necessary signatures and endorsements on the Vacation Plat, record this Ordinance and the Vacation Plat in the office of the Recorder of Franklin County, Ohio and notify the Auditor of Franklin County of the vacation by sending the Auditor a certified copy of this Ordinance and attachments.

SECTION 5. This Ordinance shall be in full force and effect from and after the earliest date provided by law.

ATTEST:

Lynne M. Fasone
Lynne M. Fasone
Clerk of Council

SIGNED:

Nathan D. Painter
Nathan D. Painter
President of Council

APPROVED AS TO FORM:

Tracy L. Bradford
Tracy L. Bradford
Director of Law

APPROVED:

Donald J. Schonhardt
Donald J. Schonhardt
Mayor

Ordinance 15-15

VOTE	Yea	Nay	Abstain
Baker	✓		
Carrier	✓		
Erb	✓		
Iosue	✓		
McGivern	✓		
Painter	✓		
Utiley	✓		
TALLY	7	0	0

I, Lynne M. Fasone Clerk of Council
hereby certify that the foregoing is a true copy
of Ordinance 15-15 duly adopted

by the Council of the City of Hilliard
the 27th day of April, 2015.

Lynne M. Fasone
Clerk of Council
City of Hilliard

PRELIMINARY
 APPROVAL
 PENDING VACATION OR DRED
 FRANKLIN COUNTY
 ENGINEERING DEPT.
 DATE: 2/10/15 BY: BB/ATS

DESCRIPTION OF 15' ALLEY RIGHT-OF-WAY

Situated in the State of Ohio, County of Franklin, City of Hilliard, Being a part of Virginia Military Survey No. 3453, and being 0.051 acre portion (2225.25 sq. ft.) of an Existing 15' Alley, as dedicated in the Town Plat of Hilliard as recorded in Plat Book 1, Page 78 and as amended in Plat Book 2, Page 10, destroyed by fire, replatted in Plat Book 2, Page 32, Recorder's Office, Franklin County, Ohio and said 0.051 acre tract of land being more particularly described as follows:

Commencing for reference at a 1" iron pipe found in the southerly corner of Morningside Addition, Plat Book 75, Page 72, said point also being the north-easterly corner of the residue of Reserve C in said Hilliard Town Plat, also being on the westerly right-of-way of an Existing 15' Alley of said Hilliard Town Plat, thence **S 41° 10' 15" W**, a distance of **42.00** feet, to a pk nail set being the TRUE POINT OF BEGINNING for the acreage herein described, thence;

S 48° 49' 45" E, a distance of **15.00** feet, to a pk nail set across said Existing 15' Alley, and the northerly corner of Lot 195 of said Hilliard Town Plat, said point also being on the easterly right-of-way of said Existing 15' Alley, thence;

S 41° 10' 15" W, a distance of **148.35** feet, to a pk nail set along the north-westerly lines of lots 195, 194, and 150 of said Hilliard Town Plat; and the easterly line of said Existing 15' Alley, thence;

N 48° 49' 45" W, a distance of **15.00** feet, across said existing alley to a 3/4" iron pin with a illegible cap found in the westerly right-of-way line of said Existing 15' Alley, said point also being the common corner of Lots 147 and 149 in said Hilliard Town Plat, thence;

N 41° 10' 15" E, a distance of **148.35** feet, along the south-easterly line of said Lots 149 and Reserve C, and the westerly right-of-way of said Existing 15' Alley, to the TRUE POINT OF BEGINNING, containing 0.051 acre (2,225.25 sq. ft) acres, more or less.

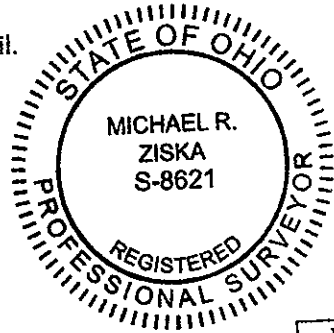
Bearings shown herein are based upon the westerly right-of-way line of said Existing 15' Alley adjoining the southerly boundary of Morningside Addition, Plat Book 75, Page 72 as being **S 41° 10' 15" W**. This description is based upon information obtained from records on file with the Recorder's and Auditor's offices of Franklin County, Ohio.

All monumented corners are set with a PK nail.

See attached Exhibit "A".


M. Ziska
 Michael R. Ziska

2-10-15
 PS 8621



50/50 VACATION
 ADJACENT TO
 (050)
 10,
 62,
 149

DESCRIPTION VERIFIED
 DEAN C. RINGLE, P.E., P.S.
 BY: *DR*
 DATE: 7/9/15



DESCRIPTION OF 15' ALLEY RIGHT-OF-WAY
SITUATED IN THE STATE OF OHIO, COUNTY OF FRANKLIN CITY OF HILLIARD,
BEING A PART OF VIRGINIA MILITARY LANDS SURVEY NUMBER 3453

EXHIBIT "A"

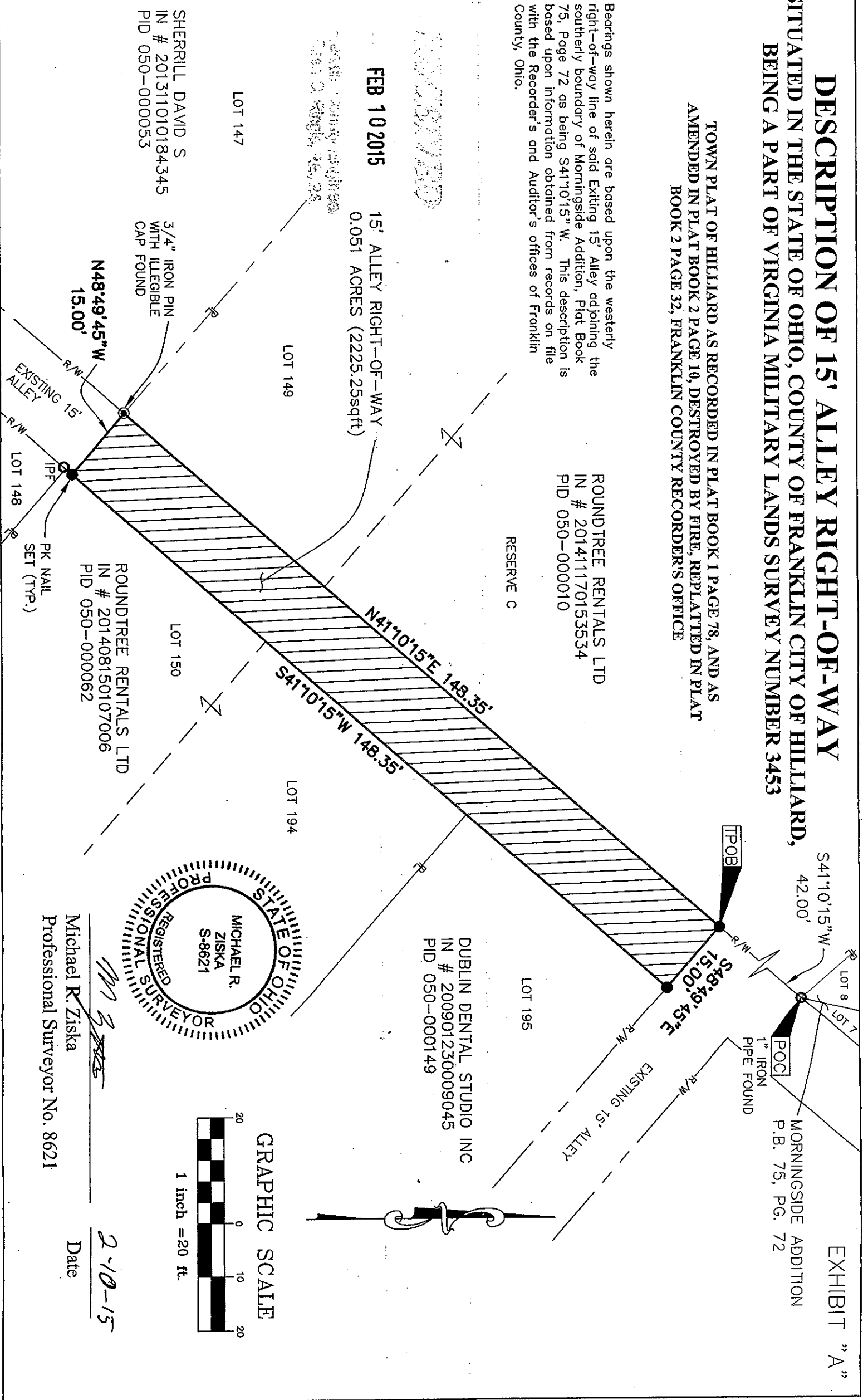
TOWN PLAT OF HILLIARD AS RECORDED IN PLAT BOOK 1 PAGE 78, AND AS
 AMENDED IN PLAT BOOK 2 PAGE 10, DESTROYED BY FIRE, REPLATTED IN PLAT
 BOOK 2 PAGE 32, FRANKLIN COUNTY RECORDER'S OFFICE

Bearings shown herein are based upon the westerly
 right-of-way line of said Existing 15' Alley adjoining the
 southerly boundary of Morningside Addition, Plat Book
 75, Page 72 as being S41°10'15" W. This description is
 based upon information obtained from records on file
 with the Recorder's and Auditor's offices of Franklin
 County, Ohio.

ROUNDTREE RENTALS LTD
 IN # 20141170153534
 PID 050-000010

DUBLIN DENTAL STUDIO INC
 IN # 200901230009045
 PID 050-000149

FEB 10 2015
 15' ALLEY RIGHT-OF-WAY
 0.051 ACRES (2225.25sqft)



SHERILL DAVID S
 IN # 201311010184345
 PID 050-000053

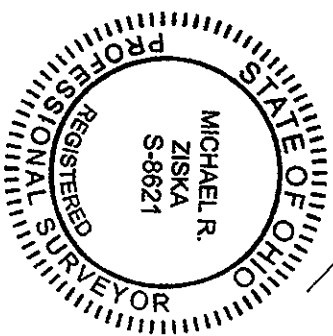
3/4" IRON PIN
 WITH ILLEGIBLE
 CAP FOUND

N48°49'45"W
 15.00'

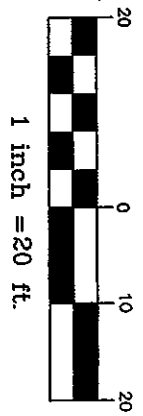
EXISTING 15'
 ALLEY

IPF
 PK NAIL
 SET (TYP.)

ROUNDTREE RENTALS LTD
 IN # 201408150107006
 PID 050-000062



Michael R. Ziska
 Professional Surveyor No. 8621



GRAPHIC SCALE

Date 2-10-15