

ORDINANCE NO. 112-76

Amended 10-27-76

VACATING LINK ROAD FROM THE SOUTH LINE OF FAIRWAY BOULEVARD TO THE NORTHERLY LINE OF A CUL-DE-SAC HAVING A RADIUS OF FIFTY-FIVE (55) FEET OF FAIRWAY NO. 2 SUBDIVISION AND DECLARING AN EMERGENCY.

WHEREAS, by the provisions of Section 723.04 of the Revised Code of Ohio, Council, upon petition and after hearing, may vacate a street or alley; and

WHEREAS, Council has received a petition signed by the owners of all the lots abutting upon Link Road from the west line of Fairway Boulevard to the west line of Lots Numbers one hundred twenty-nine (129) and one hundred thirty-two (132) of Fairway No. 2 Subdivision; and

WHEREAS, Council is satisfied there is good cause for this vacation; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1: That Council finds that a petition signed by the owners of all the property abutting upon that portion of Link Road between the south line of Fairway Boulevard and the north line of a cul-de-sac having a radius of fifty-five (55) feet a distance of approximately two hundred seventy-one (271) feet of Fairway No. 2 Subdivision has been presented to this Council praying that said premises above stated be vacated contingent upon the following:

- N-129A 1. That the City shall retain easement rights equal to the width and length of the street being vacated, for maintenance of existing utilities and for the construction of new utilities both public and private.
2. The Highlands Company to pay the engineering and advertising costs associated with this vacation.

SECTION 2: That Council further finds that there is good cause for such vacation of the above property, that such vacation will not be detrimental to the general interest and the said premises ought to be vacated and abandoned inasmuch as it has never been opened for public travel and is of no use to the public.

SECTION 3: That the City Engineers are hereby instructed to prepare vacation plats for said vacated property and the Clerk of this Council is hereby instructed to endorse upon such plat the acts of this Council in vacation of such property and to cause said plats to be recorded in the Office of the Recorder, Franklin County, Ohio, and also to send a copy to the Auditor of Franklin County, Ohio.

SECTION 4: That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety and welfare and for the reasons mentioned in the preamble; wherefore, this ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

PASSED this 2nd day of November, 1976.

s/ Darrell M. Todd
President of Council

ATTEST:

Larry J. Raab
Clerk of Council

APPROVED this 3rd day of November, 1976.

s/ John A. Bishop
Mayor

Requested and Prepared by: David McCabe

Approved as to Form By: George C. Rogers
City Attorney

"I hereby certify the foregoing to be a true and exact copy of Ord. No. 112-76 amended 10-27-76 as passed by the Council of the City of Whitehall, Ohio, at its meeting held November 2, 1976 Approved by the Mayor on November 3, 1976
Larry J. Raab
Clerk of Council of the City of Whitehall, Ohio