

ORDINANCE NO. 122-59

AN ORDINANCE TO VACATE ALLEYS IN THE CITY OF WHITEHALL, OHIO, BETWEEN WESTPHAL AVENUE AND BERNHARD ROAD, AND SOUTH FROM McALLISTER AVENUE TO THE ABOVE DESCRIBED EAST-WEST ALLEY BETWEEN WESTPHAL AVENUE AND BERNHARD ROAD, AND DECLARING AN EMERGENCY.

WHEREAS, it is immediately necessary to vacate an east-west alley in the City of Whitehall, Ohio, between Westphal Avenue and Bernhard Road, and a north-south alley in the City of Whitehall, Ohio, extending south from McAllister Avenue to said east-west alley between Westphal Avenue and Bernhard Road, for the preservation of the health, peace, safety and welfare of the City of Whitehall, and

WHEREAS, petitions have been duly presented to this Council signed by the property owners of all of the lots abutting upon the following described alleys sought to be vacated between Westphal Avenue and Bernhard Road and a north-south alley extending south from McAllister Avenue to said east-west alley between Westphal Avenue and Bernhard Road in Bernhard's Second Addition as per following description:

- A. East-West Alley - "Being that portion of an alley between Westphal Avenue and Bernhard Road in the City of Whitehall, Ohio, specifically described as follows:

Being that portion of said alley abutting Lots 230, 231, 232, 233, 234, 235, 236 and 237 of Bernhard's Second Addition and extending from the east line of Westphal Avenue to the west line of Bernhard Road and being 16 feet in width by approximately 287.04 feet in length."

- B. North-South Alley - "Being that portion of an alley extending south from McAllister Avenue to the above described east-west alley extending between Westphal Avenue and Bernhard Road in the City of Whitehall, Ohio, specifically described as follows:

Being that portion of said alley abutting Lots 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252 and 253 of Bernhard's Second Addition and extending from the south line of McAllister Avenue to the north line of the said east-west alley described in Section A, hereabove, and being 16 feet in width by approximately 420.43 feet in length."

WHEREAS, the Council of the City of Whitehall, Ohio, upon hearing is satisfied that there is good cause for the vacation of said alleys as described and prayed for in said petitions and that such vacation will not be detrimental to the general interests and should be made:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, FRANKLIN COUNTY, STATE OF OHIO:

SECTION 1. That the following alleys as per descriptions A and B,

- A. East-West Alley - "Being that portion of an alley between Westphal Avenue and Bernhard Road in the City of Whitehall, Ohio, specifically described as follows:

Being that portion of said alley abutting Lots 230, 231, 232, 233, 234, 235, 236 and 237 of Bernhard's Second Addition and extending from the east line of Westphal Avenue to the west line of Bernhard Road and being 16 feet in width by approximately 287.04 feet in length."

- B. North-South Alley - "Being that portion of an alley extending south from McAllister Avenue to the above described east-west alley extending between Westphal Avenue and Bernhard Road in the City of Whitehall, Ohio, specifically described as follows:

Being that portion of said alley abutting Lots 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252 and 253 of Bernhard's Second Addition and extending from the south line of McAllister Avenue to the north line of the said east-west alley described in Section A, hereabove, and being 16 feet in width by approximately 420.45 feet in length."

be and the same hereby are vacated.

SECTION 2. That the City of Whitehall reserves the right to operate and maintain any and all present easements for sewers, water lines, and other public utilities now owned by the City and/or installed in the alley described above as Sub-section B, North-South Alley, of Section 1 only.

SECTION 3. That this ordinance shall be and is, because of the emergency set forth in the preamble, hereafter declared to be an emergency ordinance and shall take effect immediately upon its passage and approval by the Mayor.

PASSED this the 7 day of April, 1939.

S/ A. Zettler Greely

President of Council

ATTEST:

S/ Susan Boulger

Clerk of Council

APPROVED this the 7th day of April, 1939.

S/ Walter E. Moling

MAYOR