

**AN ORDINANCE AMENDING ORDINANCE 2012-35
WHICH SAID ORDINANCE VACATING THE UNIMPROVED PORTION OF
ROOSEVELT STREET AND ALLEY IN THE VILLAGE OF SWANTON,
FULTON COUNTY, OHIO**

WHEREAS, the Council of the Village of Swanton has received a petition from persons owning property in the Village of Swanton in the immediate vicinity of an unimproved village street and alley requesting its vacation; and

WHEREAS, the Council of the Village of Swanton has determined that there is good cause for vacating the following described unimproved street and alley in the Village of Swanton and that such vacation will not be detrimental to the general interest, namely:

Situated in the Village of Swanton, Township of Swancreek, County of Fulton and State of Ohio, and being the parcels of land designated as the “unimproved portion of Roosevelt Street and alley”, north of Garfield Avenue, south of an unimproved alley abutting the northern property lines of lots 26 and 27 in Zeller’s First Addition, abutting lots 19-26 on the east and abutting lots 27-34 on the west and east in Zeller’s First Addition, as the same is laid out, platted and recorded in the official records of said county;

And notice of said vacation has been provided pursuant to Section 723.06 of the Ohio Revised Code; and

WHEREAS, the Council of the Village of Swanton is satisfied that there is good cause for such vacation and that such vacation should be made and that the prior ordinance should be amended to reflect the correct alley being vacated.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Swanton, Fulton County, Ohio, two-thirds (2/3) of the members elected thereto concurring and as follows:

Section One. That the unimproved portion of Roosevelt Street, north of Garfield Avenue, in the Village of Swanton, be vacated between the points named as follows:

Situated in the Village of Swanton, Township of Swancreek, County of Fulton and State of Ohio, and being the parcels of land designated as the “unimproved portion of Roosevelt Street”, north of Garfield Avenue, south of an unimproved alley abutting the northern property lines of lots 26 and 27

in Zeller's First Addition, abutting lots 19026 on the east and lots 27-34 on the west and east in Zeller's First Addition, as the same is laid out, platted and recorded in the official records of said county. That the alley located west of Roosevelt Street north of Garfield and continuing north to an unimproved alley abutting lots 26 and 27 in Zeller's First Addition, said alley abutting the west property lines of lots 27-34 in Zeller's First Addition be and the same is hereby vacated. See attached Exhibit A incorporated herein by reference.

Section Two. That the Village of Swanton reserves a permanent easement in such vacated street and alley for the purposes of maintaining, operating, renewing, reconstructing and removing any and all utility facilities and for purposes of access to said facilities, with the exception of the portion which abuts the western portion of lot 33, pursuant to Section 723.041 of the Ohio Revised Code.

Section Three. That it is found and determined that all formal actions of this Village Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Village Council, and that all deliberations of this Village Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section Four. That this ordinance shall be effective at the earliest time allowed by law.

Vote on Passage

Moved:

Second:

YEAS:

NAYS:

Date of Passage:

Ann Roth, Mayor

Attest:

I, Jennifer Harkey, Fiscal Officer of the Village of Swanton, do hereby certify that this is a true and accurate copy of Ordinance 2019-XX, passed on

Jennifer Harkey, Fiscal Officer