

ORDINANCE NO. 2021-05

AN ORDINANCE VACATING THE UNIMPROVED PORTION OF AN ALLEY IN LACEY'S ADDITION IN THE VILLAGE OF SWANTON, FULTON COUNTY, OHIO AND DECLARING AN EMERGENCY

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 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 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, County of Fulton and State of Ohio, and being the parcels of land designated as the "unimproved portion of an alley", located between the following points: the north line of Lots 11 and 16, extending to the south line of Lots 8 and 19 in Lacey's Addition, as the same is laid out, platted and recorded in the official records of said county and as set forth on the map attached hereto.

And notice of said vacation is not required as all adjoining property owners have consented to the vacation of said alley 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;

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 an alley in Lacey's Addition, in the Village of Swanton, be vacated between the points named as follows:

Situated in the Village of Swanton, County of Fulton and State of Ohio, and being the parcels of land designated as the "unimproved portion of an alley", located between the following points: the north line of Lots 11 and 16, extending to the south line of Lots 8 and 19 in Lacey's Addition, as the same is laid out, platted and recorded in the official records of said county. 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 including water and sewer lines and for purposes of access to said facilities, 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 is hereby declared to be an emergency measure for the preservation of the public peace, health, safety and general welfare of the Village. The reason for such necessity is that it will allow the timely sale of one of the parcels adjoining said alley. This Ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it shall be effective at the earliest time allowed by law.

Motion to Suspend the Rules and Declare an Emergency

Moved: Kreuz                      Second: Rochelle                      YEAS: 6                      NAYS: 0

Vote on Passage

Moved: Rochelle                      Second: Pilliod                      YEAS: 6                      NAYS: 0

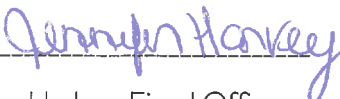
Date of Passage: February 22, 2021

  
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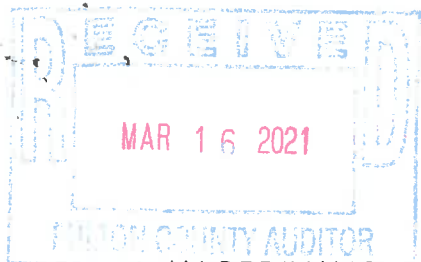
Neil Toeppe, Mayor

Attest:

I, Jennifer Harkey Fiscal Officer of the Village of Swanton, do hereby certify that this is a true and accurate copy of Ordinance 2021-05, passed on February 22, 2021.

  
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Jennifer Harkey, Fiscal Officer



202100001551 03/16/2021 10:43:23 AM  
Filed for Record in FULTON County, OH  
Wendy S. Hardy, Recorder Rec Fees: \$42.00  
VACATION  
OR Vol 365 Pgs 4287 - 4289

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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;

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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.

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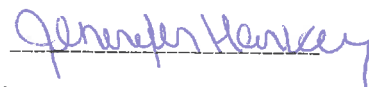
Date of Passage: February 22, 2021



Neil Toeppe, 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 2021-05, passed on February 22, 2021.



Jennifer Harkey, Fiscal Officer

