

Ordinance 2023 -06

AN ORDINANCE ABANDONING EASEMENT ON REAL PROPERTY
LOCATED AT 3810 WATERVILLE SWANTON ROAD IN THE VILLAGE OF
SWANTON, FULTON COUNTY, OHIO AND DECLARING AN EMERGENCY

WHEREAS, the Village of Swanton, Fulton County, Ohio, no longer has a need for the use of the easement legally described on the Attached "Exhibit A" (hereafter "the Easement").

WHEREAS, this Council wishes to abandon the Easement so that the owners of the real property upon which it exists may place permanent structures or other improvements where said Easement exists without concern of the Village of Swanton needing to utilize the Easement in the future.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE
OF SWANTON, OHIO, a majority of all members elected thereto concurring:

SECTION I: That the Easement identified on "Exhibit A" hereto is hereby deemed abandoned by the Village and shall no longer be considered to be possessed by the Village of Swanton, Fulton County, Ohio.

SECTION II: It is hereby found and determined that all formal actions of this Council including any of its committees concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal actions as contained herein were and are in compliance with all legal requirements.

SECTION III: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of said Village and its inhabitants.

WHEREFORE, this ordinance shall be declared an emergency measure necessary for the immediate preservation of public health, safety and welfare of the Village of Swanton and be effective at the earliest time all allowed by law.

Motion to Suspend the Rules

Moved:Kania

Second: Westhoven

YEAS:5

NAYS:0

Vote on Passage

Moved: Kania

Second: Westhoven

YEAS: 5

NAYS: 0

Date of Passage: May 08, 2023



Neil Toeppe, Mayor

Attest:

I, Holden Benfield, Fiscal Officer of the Village of Swanton, do hereby certify that this is a true and accurate copy of Ordinance 2023-06 passed on May 08, 2023.



Holden Benfield, Fiscal Officer

SACRAMENT

Barbara Fabisiak, widow, in and for said county, personally appeared and acknowledged that she is the owner of the sum of One Dollar (\$1.00) and other valuable things of value in hand paid, the receipt of which is hereby acknowledged...

Interest in the south forty (40) acres of the north ninety one (91) acres of the north east quarter (NE 1/4) of section eighteen (18), town seven (7) north, range nine (9) east, in Swanton Township, Lucas County, Ohio.

Interest in the south sixty (60) acres of the southwest quarter (SW 1/4) of section eighteen (18), town seven (7) north, range nine (9) east, in Swanton Township, Lucas County, Ohio. Property of Village of Swanton.

That pipe lines shall be laid over the following course through the above described property:

Beginning at a point that is west two hundred (200) feet from the southeast corner of above described property; thence north forty-three (43) degrees, fifty-two (52) minutes and thirty (30) seconds to a point in the north line of said property, and there ends. easement to cover ten (10) feet high side of above described line.

The said pipe lines shall be buried at least 4 feet.

Provided, however, all damages to crops and fence caused by the laying, operating or maintaining of said pipe lines shall be paid by the Village of Swanton.

The foregoing deed of the said Barbara Fabisiak hereunto sets her hand and seal this 14th day of January, 1938.

Witness my hand and seal in

Lucas County, Ohio.

Barbara Fabisiak
Barbara Fabisiak

Notary Public,
Lucas County, Ohio.

I, Notary Public, in and for said county, personally appeared the above named Barbara Fabisiak, widow, who acknowledged that she is the owner of the foregoing instrument, and that the same is her voluntary act and deed.

In testimony whereof I have hereunto subscribed my name and affixed my seal this 14th day of January, 1938.

Notary Public

RECEIVED and RECORDED at 11:30 A.M.
FEB 25 1938
RECORDED LUCAS COUNTY, OHIO