

AN ORDINANCE APPROVING A VACATION FOR PORTIONS OF ALAMEDA AVENUE, NORTH DRIVE, AND ELECTRIC BOULEVARD AND DECLARING AN EMERGENCY.

WHEREAS, Avon Lake Regional Water has petitioned the City for a vacation of unimproved portions of Alameda Avenue, North Drive, and Electric Boulevard within an P-I Public and Institutional Zoning District; and

WHEREAS, the Planning Commission did consider said petition aforementioned at its regular meeting of November 1, 2022 and recommended that said vacation should be granted; and

WHEREAS, this Council is satisfied that there is good cause for the vacation as prayed for and that such will not be detrimental to the general interest, safety and welfare of the public, and that said vacation should be granted.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the vacation of unimproved portions of Alameda Avenue, North Drive, and Electric Boulevard in the Avon Lake Harbor Estate Subdivision is hereby vacated. (Exhibit A)

Section No. 2: That it is found and determined that all formal actions of this Council 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 which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of allowing the City to finalize a contract for the sale of the property. Therefore, this Ordinance shall go into immediate force and effect from and after its passage and approval by the Mayor.

PASSED: 10/10/2023

/s/ Martin E. O'Donnell

President of Council

POSTED: 10/13/2023

APPROVED: 10/11/2023

ATTEST: /s/ Valerie E. Rosmarin

Clerk of Council

/s/ Gregory J. Zilka

Mayor

Exhibit "A"

Vacation Parcel

January 2023

0.7568 Acres

Situated in the City of Avon Lake, County of Lorain, State of Ohio, and known as being part of Original Avon Township Section Number 6 and further described as part of Alameda Avenue (50 feet), North Drive (40 feet) and Electric Boulevard (20 feet) in Avon Lake Harbor Estates Subdivision as recorded in Volume 12, Page 24 of the Lorain County Plat Records and further described as follows:

Commencing at the intersection of the easterly right-of-way line of Miller Road (60 feet wide) with the northerly right-of-way line of Durrell Avenue (50 feet wide) and being the southwesterly corner of Sublot 3 in Paws by the Lake Subdivision Number 2 as recorded in Volume 104, Page 12 of the Lorain County Plat Records;

Thence South 87° 05' 00" East, along the southerly line of said Sublot 3 and the northerly right-of-way line of said Durrell Avenue, a distance of 285.05 feet to point in the westerly right-of-way line of said Alameda Avenue and the easterly line of said Sublot 3 and the **True Place of Beginning** of land herein described;

Course 1: Thence **North 02° 20' 00" East**, along the westerly right-of-way line of said Alameda Avenue and the easterly line of said Sublot 3, a distance of **336.70 feet** to an angle point and being in the easterly line of Sublot 1 in Paws by the Lake Subdivision as recorded in Volume 102, Page 50 of the Lorain County Plat Records;

Course 2: Thence **North 14° 24' 58" West**, along the westerly right-of-way line of said Alameda Avenue and the westerly terminus of said Electric Boulevard and North Drive, a distance of **73.57 feet** to a point;

Course 3: Thence **North 75° 35' 02" East**, along the northerly right-of-way line of said North Drive, a distance of **250.10 feet** to a rebar set;

Course 4: Thence **South 14° 24' 58" East**, a distance of **60.00 feet** to a rebar set in the southerly right-of-way line of said Electric Boulevard and the northerly line of Sublot 1 in Avon Lake Regional Water Administration Subdivision as recorded in Volume 108, Page 5 of the Lorain County Plat Records;

Exhibit "A"

Vacation Parcel

January 2023

0.7568 Acres

Course 5: Thence **South 75° 35' 02" West**, along the southerly right-of-way line of said Electric Boulevard and the northerly line of said Sublot 1 in Avon Lake Regional Water Administration Subdivision, a distance of **193.79 feet** to a point at the intersection of the southerly right-of-way line of said Electric Boulevard and the easterly right-of-way line of said Alameda Avenue; Said point being 0.24 feet southerly and 0.19 feet westerly from a 1-1/4" iron pipe found;

Course 6: Thence **South 02° 20' 00" West**, along the easterly right-of-way line of said Alameda Avenue and the westerly line of said Sublot 1 in Avon Lake Regional Water Administration Subdivision, a distance of **366.42 feet** to a point in the easterly prolongation of the northerly right-of-way line of said Durrell Avenue; Said point being 0.81 feet northerly and 0.46 feet easterly from a 3/4-inch pipe found;

Course 7: Thence **North 87° 05' 00" West**, along the northerly right-of-way line of said Durrell Avenue, a distance of **50.00 feet** to a point in the westerly right-of-way line of said Alameda Avenue and the **True Place of Beginning**.

Containing within said bounds **0.7568 acres** of land, be the same more or less, but subject to all legal highways and easements of record as surveyed in December 2021 by Amy M. Kelly, P.S. 8469 for Bramhall Engineering & Surveying Company. All bearings are intended to describe angles only. The basis of bearings used was a portion of the centerline of Miller Road which was assumed to be North 02° 20' 00" East.

The above intends to describe a portion of Alameda Avenue (50 feet), North Drive (40 feet) and Electric Boulevard (20 feet) to be vacated.

All rebar to be set are 5/8-inch in diameter by 30 inches in length with yellow cap stamped "BRAMHALL 8073".



SITUATED IN CITY OF AVON LAKE, COUNTY OF LORAIN, AND
STATE OF OHIO AND KNOWN AS BEING PART OF ORIGINAL AVON
TOWNSHIP SECTION NUMBER 6 AND FURTHER KNOWN AS PART OF
AVON LAKE HARBOR ESTATES AS RECORDED IN VOLUME 12,
PAGE 24 OF THE LORAIN COUNTY PLAT RECORDS

