

RESOLUTION NO. 01-14

**DECLARING COUNCIL'S INTENTION TO A VACATE CERTAIN
ALLEY LOCATED IN THE CITY OF ASHLAND, OHIO**

WHEREAS, Council is considering whether a certain alley located in the City of Ashland, Ohio, is no longer necessary for the public use, and that the vacation thereof will not be detrimental to the general interest; now therefore,

BE IT RESOLVED by the Council of the City of Ashland, State of Ohio, 5 members thereto concurring:

Section 1. That Council's intention be and hereby is to vacate a certain alley located in the City of Ashland, Ohio, described as follows:

a certain 12 foot wide north-south alley, situated between Lot Nos. 395 and 396, South Ashland from the North line of Lot Nos. 395 and 396, South Ashland, being the South right-of-way line of West Walnut Street (60') to the South line of Lot Nos. 395 and 396, South Ashland.

Section 2. That the vacation is to be subject to the right of the City to use all or any part of said alley for the construction, operation, and maintenance of waterline, sewer lines, and any other public utility, and the right of public utility companies including, but not limited to, gas, electric, cable and telephone, to use all or any part of said alley for the operation and maintenance of existing facilities, and if any costs in using said alley as aforesaid are incurred by said City or public utility companies at any time, which costs are greater than would otherwise be, as a result of the erection of buildings or any other structures or obstructions thereon, said costs shall be borne by the property owner or owners of said property of said alley.

Section 3. That the Board of Revision of Assessments shall hold a hearing for the purpose of considering objections to the vacating of said alley on Tuesday, the 18 day of February, 2014 at 7:05p.m., in the Council Chambers, Municipal Building, 206 Claremont Avenue, Ashland, Ohio.

Section 4: That the Clerk of Council shall cause notice of said intention to vacate and said hearing of objection to be served in accordance with Section 105 of the Charter of the City of Ashland, Ohio, upon those abutting owners who have not signed petitions waiving said notice.

Section 5: That this Resolution shall take effect and be in force from and after the earliest period allowed by Law.

PASSED: January 7, 2014

/s/ Stephen L. Stuart
Stephen L. Stuart, President of Council

Attest: /s/ Lindsey Queen
Lindsey Queen, Acting Clerk of Council

Approved: /s/ Glen P. Stewart
Glen P. Stewart, Mayor

Approved as to form & correctness:

/s/ Richard P. Wolfe
Richard P. Wolfe II, Director of Law

Date: January 8, 2014