

RESOLUTION NO. 13-15

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

WHEREAS, Council is considering whether certain alleys located in the City of Ashland, Ohio, are 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 certain alleys located in the City of Ashland, Ohio, described as follows:

a certain 15 foot wide, north-south alley, situated between Lot Nos. 919, 242, 581, 582, 583, and 584 South Ashland, from the south right of way line of High Street (50') to the north right of way line of Pearl Street (50')

Section 2. That the vacation is to be subject to the right of the City to use all or any part of said alleys for the construction, operation, and maintenance of any existing public utility, and the right of private 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 private 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 alleys.

Section 3. That the Board of Revision of Assessments shall hold a hearing for the purpose of considering objections to the vacating of said alleys on Tuesday, the 7th day of July, 2015, at 7:10 p.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: May 19, 2015

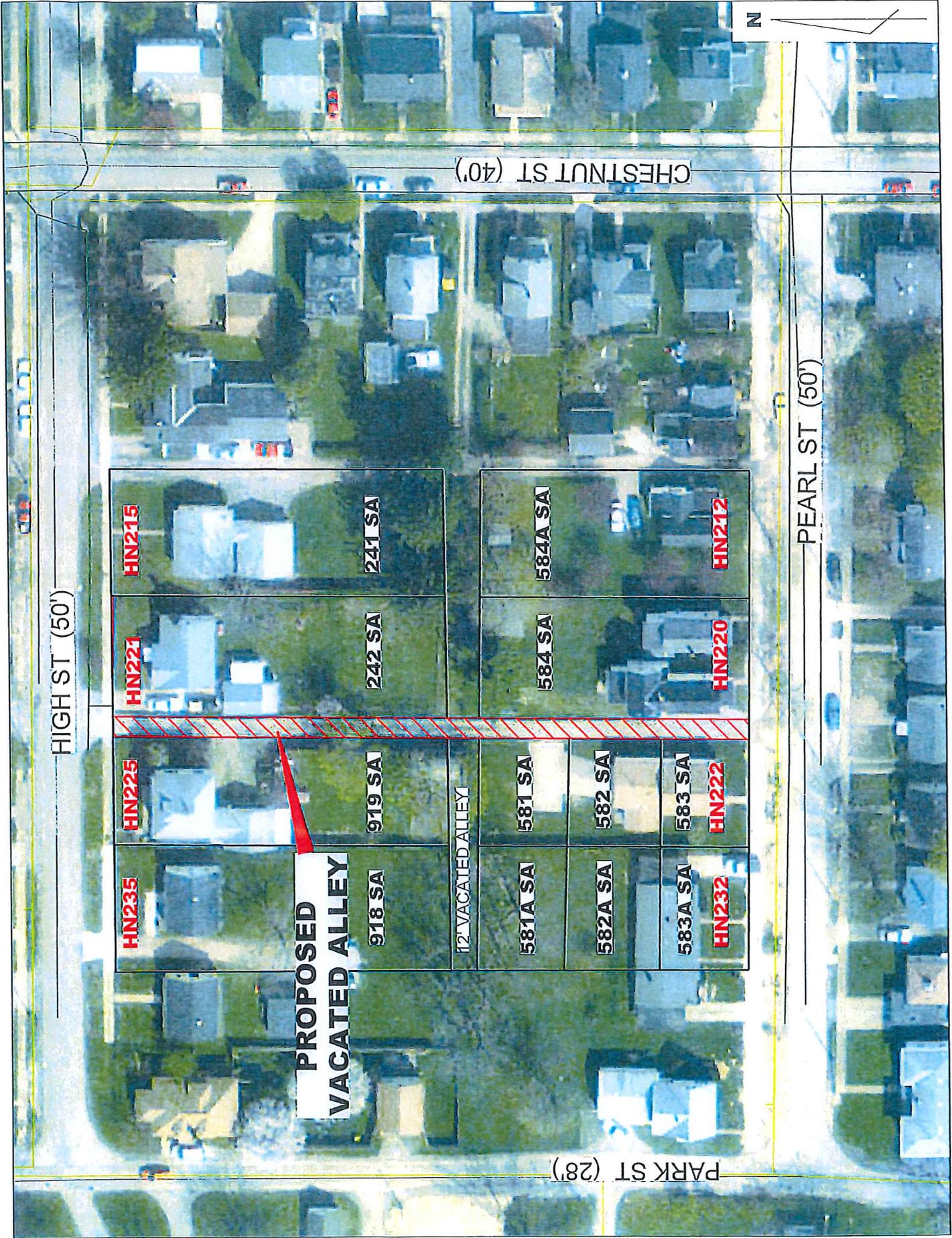
Stephen L. Stuart
Stephen L. Stuart, President of Council

Attest: Elizabeth A. McClurg
Elizabeth A. McClurg
Interim Clerk of Council

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

Approved as to form and correctness:
Richard P. Wolfe II
Richard P. Wolfe II, Director of Law

Date: May 19, 2015



HIGH ST (50')

CHESTNUT ST (40')

PEARL ST (50')

PARK ST (28')

| | | | |
|-------------------|--------|--------|---------|
| HN235 | HN225 | HN221 | HN215 |
| 918 SA | 919 SA | 242 SA | 241 SA |
| 12' VACATED ALLEY | 581 SA | 584 SA | 584A SA |
| 581A SA | 582 SA | HN220 | HN212 |
| 582A SA | 583 SA | HN222 | |
| 583A SA | HN232 | | |

**PROPOSED
VACATED ALLEY**



This petition has been signed by 4 of 4 adjoining property owners and was delivered to the Mayor's office for the Clerk of Council on May 11, 2015. Shane A. Kremser, P.E., City Engineer

By: Laura J. Bullard
Laura J. Bullard, P.S.

Date: April 14, 2015

PETITION

TO: COUNCIL OF THE CITY OF ASHLAND, STATE OF OHIO:

We, the undersigned, owners of the lots and lands bounding and abutting on:
a certain 15 foot wide alley, situated between Lot Nos. 919, 242, 581, 582, 583, and 584 South Ashland,;

do hereby petition your honorable body to vacate the alleys: being a 15 foot wide north-south alley, from the south right of way line of High Street (50') to the north right of way line of Pearl Street (50');

That this vacation is to be subject to the right of the City to use all or any part of said alley for the construction and maintenance of water lines, 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 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 the respective alley.

Said alley is no longer of use to the public and its vacation will not be detrimental to the general interest.

We, the undersigned, hereby waive any notice of passage of the resolution declaring the intention of Council to vacate the above mentioned alley as specified, and we do further waive any notice of the time and place of the hearing before the board of Revision and Assessments.

| OWNER | SPOUSE | LOT NO. |
|---|---|---|
| <u>Paul D. Snader</u> Signature <u>Paul D. Snader</u> Printed Name | <u>Patricia A. Snader</u> Signature <u>Patricia A. Snader</u> Printed Name | <u>919, S.A.</u> |
| <u>Paul M. Breiner</u> Signature <u>Paul Milo BREINER</u> Printed Name | <u>DECEASED</u> Signature _____ Printed Name | <u>242 S.A.</u> |
| <u>[Signature]</u> Signature _____ Printed Name | _____ Signature _____ Printed Name | <u>581 S.A.</u> <u>582 S.A.</u> <u>583 S.A.</u> |
| <u>[Signature]</u> Signature <u>JAMES R. LAWRENTZ</u> Printed Name | <u>PHIL PERRY</u> Signature <u>PHIL PERRY</u> Printed Name | <u>584 S.A.</u> |

STREET/ALLEY VACATION PROCEDURE

DATE

- 4-9-15 Petitioner makes request for Street/Alley Vacation to Engineering Division.
- 4-14-15 Engineering prepares Petition, including Lot Nos. for all Lots abutting the Street/Alley.
- 4-14-15 Engineering sends Petition to Petitioner to obtain Lot Owners signatures.
- 4-24-15 Petitioner returns completed petition to Engineering Division.
- 4-27-15 Engineering Division sends notice to all City Utility Departments and Utility Companies requesting their comments, approval or objections.
- 5-11-15 Engineering submits original Petition and Resolution to Mayor's office for Council agenda.
Council Meeting Date: _____
- _____ Engineering submits a copy of Petition and proposed Resolution to Board of Revisions and Assessments (Mayor, Law Director and Finance Director)
- _____ Council presents the Petition and Resolution at the Council Meeting. A public hearing time and date is set for the Board of Revision of Assessments.
Hearing Date/Time: _____
- _____ Clerk of Council delivers copy of Resolution with hearing date to Engineering.
- _____ Clerk of Council places the public hearing notice in the Ashland Times Gazette 30 days prior to the date the hearing will be held at a City Council meeting. Copy of Notice to Engineering.
TG Notice Date: _____
- _____ Clerk of Council sends certified letters to the list of Lot Owners abutting the Street/Alley.
(The list with addresses is provided by Engineering)
- _____ Engineering submits an Ordinance to the Mayor's office to be placed on Council agenda for consideration after the public hearing.
- _____ Board of Revision of Assessments makes its recommendation to Council after the hearing.
- _____ Council considers the Ordinance
- _____ Clerk of Council sends notice of Council's decision to petitioner.
- _____ Engineering Division records the ORIGINAL Ordinance with the County Recorder's Office within 10 days of Council's decision and retains the original document. A color copy of recorded Ordinance is given to Clerk of Council.
- _____ Engineering updates Street/Alley Vacation Map and all City Maps.

**CHECK LIST FOR ALLEY AND/OR STREET
WHICH HAS BEEN PETITIONED TO BE VACATED**

Name: DARL SNADER
 Address: 225 HIGH ST
 Phone: 419-289-1233 419-908-3231
 Date: 4-14-15
 Petition returned: 4-24-15

Letters and copy of petition and map sent to and received from:

| | Sent | Reply Received | Approved | Disapproved | No Objection |
|---------------------|----------------|----------------|-----------------|-------------|--------------|
| Police Department | <u>4-27-15</u> | <u>5-11-15</u> | | | |
| Fire Department | <u>"</u> | <u>5-5-15</u> | | | |
| City Engineer | <u>"</u> | <u>4-27-15</u> | | | |
| Water/Sewer | <u>"</u> | <u>5-11-15</u> | <u>✓ VERBAL</u> | | |
| Street & Sanitation | <u>"</u> | <u>4-27-15</u> | <u>✓</u> | | |
| Columbia Gas Co. | <u>"</u> | <u>5-5-15</u> | | | <u>✓</u> |
| Frontier | <u>"</u> | <u>5-5-15</u> | | | <u>✓</u> |
| Ohio Edison Co. | <u>"</u> | <u>5-6-15</u> | | | <u>✓</u> |
| Armstrong Cable | <u>"</u> | <u>5-1-15</u> | <u>✓</u> | | |

Recommendation of City Engineer: 4-27-15

Property owners names checked at Court House: Date: 5-11-15 By: LSB
4-14-15

Petition to Clerk of Council thru Mayor's office for submission to City Council: 5-11-15

Recommendation of Council's Street and Alley Committee: _____
 _____ Date: _____

Resolution Number: _____ Date: _____ Hearing Date: _____

Ordinance Number: _____ Date: _____ Vacation Denied: _____

Ordinance Recorded: Vol. _____ Page. _____ Date: _____

Comments: _____



Bullard, Laura <bullard.laura@ashland-ohio.com>

(no subject)

1 message

Marcelli, David <marcelli.david@ashland-ohio.com>
To: Laura Bullard <bullard.laura@ashland-ohio.com>

Mon, May 11, 2015 at 8:28 AM

Laura,

I have no problem with vacating the alley between Park St. And High Street

--

Chief David T. Marcelli

Ashland Police Division
1211 East Main St.
Ashland, Ohio 44805
419-289-3639

marcelli.david@ashland-ohio.com





Bullard, Laura <bullard.laura@ashland-ohio.com>

Alley vacation

1 message

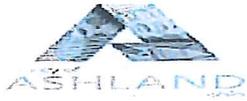
Anderson, Rick <anderson.rick@ashland-ohio.com>
To: Laura Bullard <bullard.laura@ashland-ohio.com>

Tue, May 5, 2015 at 2:02 PM

Laura, I am OK with the proposed alley vacation (High / Chestnut / Pearl / Park).
Chief Anderson

--

Rick Anderson, OFE, OFC
Chief
City of Ashland
Division of Fire
274 Cleveland Ave.
Ashland, Ohio 44805
419-289-6575 w
419-289-7660 f
anderson.rick@ashland-ohio.com



Bullard, Laura <bullard.laura@ashland-ohio.com>

Alley Vacation Petition.

1 message

Mack, Jerry <mack.jerry@ashland-ohio.com>
To: Laura Bullard <bullard.laura@ashland-ohio.com>

Mon, Apr 27, 2015 at 1:36 PM

OK.Pearl to High.



Bullard, Laura <bullard.laura@ashland-ohio.com>

FW: Alley Vacation petition

1 message

Tue, May 5, 2015 at 7:12 AM

Sauber, James <Jim.Sauber@ftr.com>
To: "Bullard, Laura" <bullard.laura@ashland-ohio.com>

Laura,
Frontier has no objection to this alley vacation.

Jim Sauber
Engineer- Frontier Network Engineering
1534 Sr.511 South
Ashland, Ohio 44805
419-282-6551-office
419-651-5874-cell
419-289-2198-Fax
" If tomorrow was a gift, What would you do with it?"

-----Original Message-----

From: Sauber, James
Sent: Tuesday, May 05, 2015 7:10 AM
To: Sauber, James
Subject:

This E-mail was sent from "RNPD5B53F" (MP 2550/LD425).

Scan Date: 05.05.2015 07:09:37 (-0400)

This communication is confidential. Frontier only sends and receives email on the basis of the terms set out at http://www.frontier.com/email_disclaimer.

20150505070938100.pdf
1471K



Bullard, Laura <bullard.laura@ashland-ohio.com>

alley vacation petition on High St

1 message

Fri, May 1, 2015 at 11:04 AM

Edwards, Michael J <medwards@agoc.com>
To: "bullard.laura@ashland-ohio.com" <bullard.laura@ashland-ohio.com>

Armstrong Utilities approves the petition

MIKE EDWARDS

ARMSTRONG UTILITIES

1215 CLAREMONT AVENUE

ASHLAND, OHIO 44805

419-289-0161 EXT. 50602

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender or send back to returns@agoc.com and delete the material from any computer.

May 5, 2015

Ms. Laura J. Bullard
City Surveyor, City of Ashland
206 Claremont Ave.
Ashland, OH 44805

RE: Vacations of alley between High St. and Pearl St., alley east of Cottage St. and alley between W. Washington St. and W. Walnut St., Ashland, OH

Dear Ms. Bullard:

Columbia Gas of Ohio, Inc. has reviewed the request to vacate the alleys at the above referenced locations. Please note that Columbia Gas of Ohio does not operate gas facilities within the concerned areas (see attached map). Therefore, Columbia has no objection to the vacation of the aforementioned alleys.

If you have questions on this matter, please contact me at the number provide below.

Respectfully,

Dave R. Kelly

Dave Kelly
Field Engineering Tech
Columbia Gas of Ohio, Inc.
Office: (419) 528-1102

Cc: Mike Groomes (COH map #'s: 3574-L, 3574-P)



May 1, 2015

Attn: Laura Bullard, P.S.
Municipal Building
206 Claremont Avenue
Ashland, Ohio 44805

STREET VACATION PETITION
BETWEEN HIGH ST & PEARL ST
CITY OF ASHLAND

Dear Ms. Bullard:

This is in regard to the vacation of a street at the above-mentioned location in Ashland per your letter of April 27, 2015.

Ohio Edison has no facilities at this location. We have no objection to the vacating of this portion of alley.

Very truly yours,

A handwritten signature in cursive script that reads "Karen J. Young".

Karen J. Young
Distribution Technician