

RESOLUTION NO. 14-15

DECLARING COUNCIL'S INTENTION TO VACATE CERTAIN ALLEYS 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:

two certain 12 foot wide alleys, situated between Lot Nos. 869, 870, 871 and 872, North Ashland; being a north-south alley, from the south right of way line of E. 9th Street (50') to the south line of Lot No. 870, North Ashland and a north-south alley from the south right of way line of E. 9th Street (50'), to the south line of Lot No. 871, North Ashland;

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: June 2, 2015

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

Attest: Elizabeth E. Woodruff
Elizabeth E. Woodruff, 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: June 2, 2015

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 22, 2015. Shane A. Kremser, P.E., City Engineer

Date: May 11, 2015

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

PETITION

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

We, the undersigned, owners of the lots and lands bounding and abutting: two certain 12 foot wide alleys, situated between Lot Nos. 869, 870, 871 and 872, North Ashland;

do hereby petition your honorable body to vacate the alleys: being a north-south alley, from the south right of way line of E. 9th Street (50') to the south line of Lot No. 870, North Ashland;

and a north-south alley from the south right of way line of E. 9th Street (50'), to the south line of Lot No. 871, North Ashland;

That this vacation is to be subject to the right of the City to use all or any part of said alleys 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 alleys for the operation and maintenance of existing facilities, and if any costs in using said alleys 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 alleys.

Said alleys are 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 alleys 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>Bruce Bailey</u> Signature	<u>Cheryl L. Bailey</u> Signature	<u>869 N.A.</u>
<u>Bruce Bailey</u> Printed Name	<u>Cheryl L. Bailey</u> Printed Name	
<u>Shawn M Pence</u> Signature	<u>Jennifer Pence</u> Signature	<u>870 N.A.</u>
<u>SHAWN M PENCE</u> Printed Name	<u>Jennifer Pence</u> Printed Name	
<u>Lonnie Cox</u> Signature	<u>Mary E. Cox</u> Signature	<u>871 N.A.</u>
<u>LONNIE COX</u> Printed Name	<u>Mary E. Cox</u> Printed Name	
<u>Wesley R. Metek</u> Signature	<u>Michelle R. Metek</u> Signature	<u>872 N.A.</u>
<u>WESLEY R. METEK</u> Printed Name	<u>Michelle R. Metek</u> Printed Name	



**PROPOSED
VACATED ALLEYS**

E 9TH ST (50')

E 8TH ST (50')

HN357

873 NA

HN351

872 NA

HN347

871 NA

HN341

870 NA

HN337

869 NA

HN333

868 NA

15' VACATED ALLEY

15' VACATED ALLEY

1064 NA

1063 NA

1062 NA

1061 NA

1060 NA

1059 NA

HN336

HN328

12' VACATED ALLEY

12' VACATED ALLEY

12' VACATED ALLEY