

TEMPORARY ORDINANCE NO. 18-11

PERMANENT ORDINANCE NO. _____

AN ORDINANCE TO VACATE THE RIGHT-OF-WAY OF A 15 FOOT PUBLIC ALLEY IN THE RISING PARK ADDITION

WHEREAS, the Planning Commission approved on September 8, 2011, vacating with conditions, the above property; and

WHEREAS, the City must pass an ordinance to vacate the right-of-way; and

WHEREAS, published notice of the filing of the petition is necessary pursuant to Ohio Revised Code since contiguous property owners did not sign the petition; and

WHEREAS, the City pursuant to Ohio Revised Code 723.04 shall conduct a public hearing with notice of said hearing published in newspaper twice;

BE IT ORDAINED by the Council of the City of Lancaster, Fairfield County, State of Ohio

SECTION 1. That the City hereby vacates the right-of-way of a 15 foot public alley in the Rising Park Addition, described in Exhibit A, with the below contingencies:

- a. A 15' utility right-of-way is maintained for existing utilities and any future utilities;
- b. The Petitioner is responsible for all costs associated with the vacation, including but not limited to all survey costs, legal advertising costs, and recording costs.

SECTION 2. That a 15 foot easement is retained for storm sewer, sanitary sewer, water line, and gas line.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Approved: _____

President of Council

Clerk: _____

Mayor

Offered by: _____

Second by: _____

Requested by Planning, Zoning & Economic Development Committee

I, Teresa Lee Sandy, Clerk of Council do hereby certify that on _____, 2011 and _____, 2011 the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio Revised Code 731.24.

Clerk of Council