

ORDINANCE NO. 18-02-07

**AN ORDINANCE VACATING ALLEYS IN MACKINAW
ADDITION EAST OF WILMONT STREET BETWEEN MAPLE
STREET AND PEARL STREET**

WHEREAS, Section 723.05 of the Ohio Revised Code empowers Council for the Village of Sherwood, Ohio to vacate alleys for good cause and that such vacations will not be detrimental to the general interest; and

WHEREAS, Council for the Village of Sherwood, Ohio there are a number of unimproved alleys and streets in the Village of Sherwood, Ohio for which there is good cause to vacate; and

WHEREAS, Council for the Village of Sherwood, Ohio has determined there is good cause to vacate the following described alleys and that such vacations are not detrimental to the general interest:

A 12' wide north-south alley lying between Lots 51, 52, 57 and 58 and Lots 53 and 56 commencing on the southerly right-of-way line of Pearl Street to the northerly right-of-way line of Maple Street and a 12' wide east-west alley lying between Lots 52, 53 and 54 and Lots 55, 56 and 57 commencing on the easterly right-of-way line of Wilmont Street to the easterly right-of-way line of the former Cincinnati and Northern Railroad in Mackinaw Addition in the Village of Sherwood, Ohio.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF SHERWOOD, OHIO:

SECTION 1. In accordance with Section 723.05 of the Ohio Revised Code, there is good cause to vacate the following described alleys and that such vacations are not detrimental to the general interest, and:

A 12' wide north-south alley lying between Lots 51, 52, 57 and 58 and Lots 53 and 56 commencing on the southerly right-of-way line of Pearl Street to the northerly right-of-way line of Maple Street and a 12' wide east-west alley lying between Lots 52, 53 and 54 and Lots 55, 56 and 57 commencing on the easterly right-of-way line of Wilmont Street to the easterly right-of-way line of the former Cincinnati and Northern Railroad in Mackinaw Addition in the Village of Sherwood, Ohio.

SECTION 2. In accordance with Section 723.041 of the Ohio Revised Code, any affected public utility located on, over, or under the portion of the alleys affected by such vacation shall be deemed to have a permanent easement in the vacated portion of such alleys for the purpose of maintaining, operating, reconstructing, and removing said utility facilities and for purposes of access to said facilities.

SECTION 3. Upon vacation of an alley by the Village of Sherwood, Ohio, abutting lot owners, as to that portion of the alley abutting their properties, are vested with a fee simple interest in one-half of the width of the strip of land that formerly comprised the alley.

SECTION 4. A copy of this ordinance shall be sent by ordinary U.S. mail by the Fiscal Officer to all property owners of record that abut the vacated street as of the date of passage of this ordinance.

SECTION 5. A copy of this ordinance shall be delivered by the Fiscal Officer to the County Auditor with a list of all property owners of record that abut the vacated alleys as of the date of passage of this ordinance.

SECTION 6. A certified copy of this ordinance shall be filed by the Fiscal Officer with the County Recorder.

SECTION 7. This Ordinance shall be effective on the earliest date permitted by law.

Date Passed: _____

MAYOR

ATTEST:

FISCAL OFFICER

CERTIFICATION

I, the undersigned Fiscal Officer of the Village of Sherwood, Ohio, do hereby certify that the foregoing is a true and accurate copy of the Ordinance passed by the Council of the Village of Sherwood, Ohio, on the date set forth therein.

Dawn Buskirk, Fiscal Officer

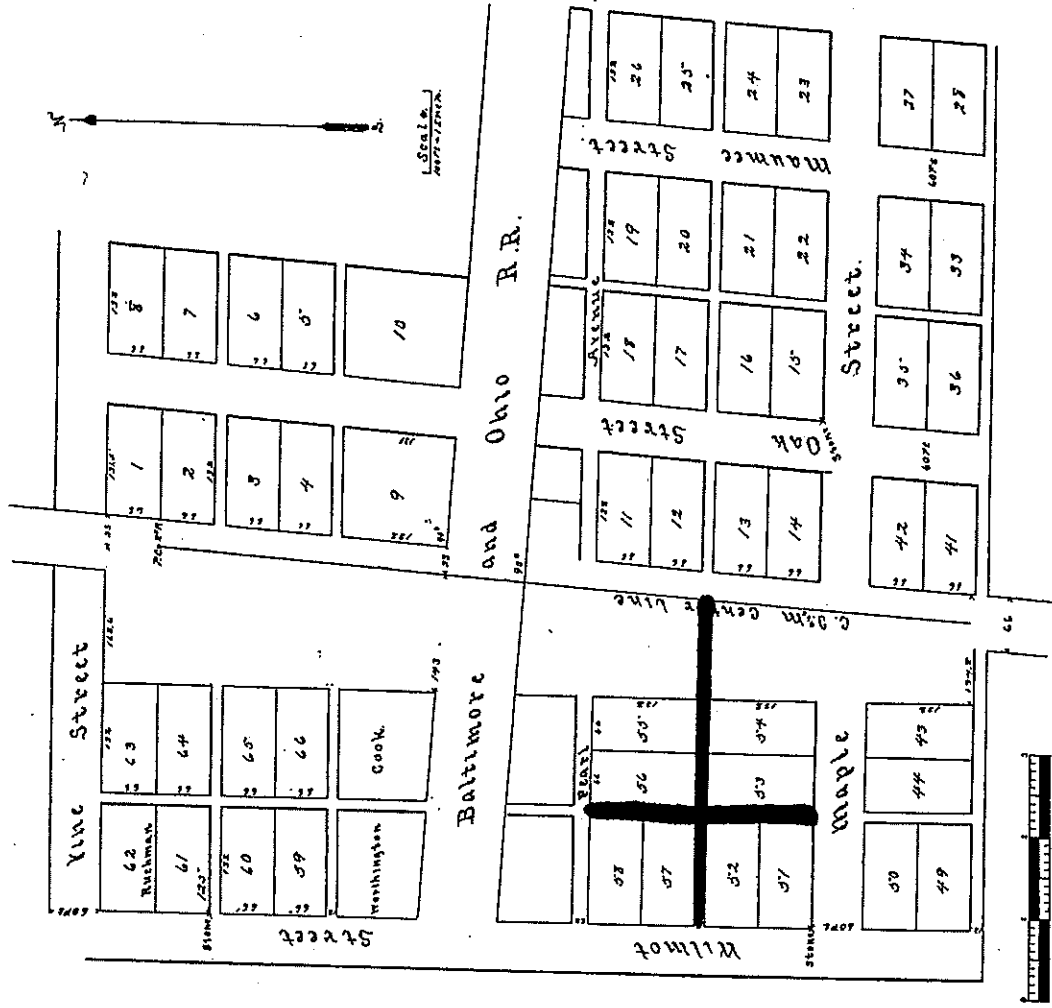
Date

1st reading 2/14/18

MACKINAW ADDITION

TO THE VILLAGE OF

SHERWOOD



The Mackinaw Addition to the Village of Sherwood is land set by Elias Miller on the South West portion of Subdivision Section 16, Township 19, Range 14, 1880 of subdivisions in the west half of Section Twenty-two, Town Four (N) Range Three (W) and contains about thirteen acres of land more or less. Subject to the Right of Way of the Road & Rail Road and tracts hereafter sold abutting on said Right of Way.

The size of all lots except as otherwise noted is 66 by 132 feet and the widths of streets and alleys are marked on said Plat. The C. & M. R.R. right of way is also designated on said Plat. Sherwood Ohio Oct 15th 1887. James W. Rauer

Surveyor.

I hereby certify that Elias Miller of the County of Defiance in the State of Ohio do hereby certify the above and foregoing Plat of the Mackinaw Addition to the Village of Sherwood to be correct and that the Streets and Alleys as therein shown are hereby dedicated to the Public use.

Witness my hand and Seal this 18th day of October A.D. 1887.

E. L. Hammer

Notary Public.

The State of Ohio } Personally appeared before me a Notary Public, Defiance County } Elias Miller who acknowledged to the execution of the foregoing Plat of the Mackinaw Addition to the Village of Sherwood to be his voluntary act and deed for the uses and purposes therein mentioned. Witness my hand and notarial seal this 18th day of October A.D. 1887.

W. W. Huff

Notary Public.

I hereby certify that I have planted stakes with crosses on top at corners of Lots 18, 19 and 20 as indicated on Plat thus X from which to make future surveys. Jan. 2, 1888

Filed Oct. 17th 1887 at 2 o'clock P.M. Recorded Oct 21st 1887.

Geo. A. Meeley

Recorder.

Forwarded May 24th 1897, to the Recorder.

Record.