

ORDINANCE NO. 18-02-08

**AN ORDINANCE VACATING A NORTH-SOUTH ALLEY IN  
THE AUDITOR'S PLAT BETWEEN PEARL STREET AND THE  
RAILROAD**

WHEREAS, Section 723.05 of the Ohio Revised Code empowers Council for the Village of Sherwood, Ohio to vacate streets and 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 alley and that such vacation is not detrimental to the general interest:

A 12' wide north-south alley lying between Lot 41 and Lot 39 & Lot 42 commencing on the northerly right-of-way line of Pearl Street to the southerly right-of-way line of the railroad in the Auditor's Plat 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 alley and that such vacation is not detrimental to the general interest, and:

A 12' wide north-south alley lying between Lot 41 and Lot 39 & Lot 42 commencing on the northerly right-of-way line of Pearl Street to the southerly right-of-way line of the railroad in the Auditor's Plat 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 streets or alleys affected by such vacation shall be deemed to have a permanent easement in the vacated portion of such streets and 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 a street or alley by the Village of Sherwood, Ohio, abutting lot owners, as to that portion of the street or 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 street or 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 streets or alleys 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 streets or 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

13<sup>th</sup> reading 2/19/18

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Samuel Openlander B. H.

Samuel Openlander.  
Rt 40 H.

23-1  
Emiley E. Shock.  
18.75 A.

27  
John G. Openlander  
40 A.

SEC. 30

**SEC. 19.**

**SEC. 29**

**SEC. 20.**

L.D. Wood I.

John G. Openlander  
3B A.

Heagren 50.54 A.

Scale - 1 inch = 250 feet.  
Feas - 72.98.

Filed March 5<sup>th</sup> 1915.  
Recorded- March 9<sup>th</sup> 1915.  
C.W. Palmer-Recorder.  
By M.A. Wade-Deputy.

Deposited March 5<sup>th</sup> 1915.  
Roger Pearson,  
County Auditor.