

ORDINANCE

No. 20-03-01

**AN ORDINANCE VACATING THE PORTION OF WILMOT STREET
THAT LIES SOUTH OF EAST MAPLE STREET
IN MACHINAW ADDITION TO THE VILLAGE OF SHERWOOD,
DEFIANCE COUNTY, OHIO.**

WHEREAS, the Village of Sherwood received a request to vacate the portion of Wilmot Street that lies south of East Maple Street in the Village of Sherwood, Ohio; and

WHEREAS, all adjoining property owners have consented to the proposed vacation and have waived the right to have a hearing on the vacation; and

WHEREAS, Council finds that there is good cause for such vacation and finds that the street is not needed for municipal purpose and further finds that such a vacation will not be detrimental to the general public;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Sherwood, Ohio, that:

Section 1: The portion of Wilmot Street that lies south of East Maple Street located in the State of Ohio, County of Defiance, and Village of Sherwood is hereby vacated as shown on the attached plat.

Section 2: This vacation shall not affect the existing easements, of any public utility, whether owned privately or by any governmental authority, located on, over, or under the area affected by this vacation or the right of access for the purpose of said easement as provided in Ohio Revised Code Section 723.041.

Section 3: The Fiscal Officer or her designee is hereby authorized and directed to cause a certified copy of this Ordinance along with such other documents, exhibits, further legal descriptions, and/or forms as may be necessary to evidence the vacation of the alley to be forwarded to the Defiance County Auditor, Defiance County Recorder, and such other authorities as may be necessary to effect the vacation.

Section 4: This Ordinance is hereby declared to be an emergency ordinance that is necessary for the public peace, safety, health, morals and welfare. The reason for such necessity is that the structure located on an adjoining property (300 East Maple Street) encroaches on Wilmot Street. The adjoining structure is currently vacant and cannot be sold until the encroachment is resolved. It is in the public interest to avoid having unnecessary vacant structures in the Village of Sherwood, Ohio. The Ordinance shall be in effect immediately upon passage.

Passed: March 16, 2020 Jackie D. Stantz
Mayor

Attest: Dawn Buskirk
Fiscal Officer