

ORDINANCE NO. 2019.008

TO VACATE ALLEY RUNNING PERPENDICULAR FROM CARR STREET TO BURROUGHS STREET RUNNING IN A GENERAL NORTH-SOUTH DIRECTION BEHIND LOTS 1, 2, 3, 4, 5, 6 & 11 OF THE BURROUGHS HEIRS ADDITION.

WHEREAS, there currently exists within the Village of Blanchester an alley running perpendicular from Carr Street to Burroughs Street running and in a general North-South direction behind lots 1, 2, 3, 4, 5, 6 & 11 of the Burroughs Heirs Addition (hereinafter the "Alley"); and,

WHEREAS, Ohio Revised Code 723.04 provides, "The legislative authority of a municipal corporation, on petition by a person owning a lot in the municipal corporation praying that a street or alley in the immediate vicinity of such lot be vacated or narrowed, or the name thereof changed, upon hearing, and upon being satisfied that there is good cause for such change of name, vacation, or narrowing, that it will not be detrimental to the general interest, and that it should be made, may, by ordinance, declare such street or alley vacated, narrowed, or the name thereof changed. The legislative authority may include in one ordinance the change of name, vacation, or narrowing of more than one street, avenue, or alley. The original ordinance or a certified copy thereof shall be recorded in the official records of the county recorder"; and,

WHEREAS, the Village of Blanchester, on January 25, 2018, held a public hearing on the matter of the vacation of the Alley as required by Ohio Revised Code 723.04; and

WHEREAS, upon petition of the owners of lots 2, 3, 4 & 5 of the Burroughs Heirs Addition and following Council, upon consideration finds good cause for vacating the Alley; the same to not be detrimental to the general interest; and,

WHEREAS, all the owners of the property abutting the Alley have consented to the vacation of the Alley in writing as provided 723.06, obviating the need for further notice.

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

- Section 1. That the alley running perpendicular from Carr Street to Burroughs Street in a general North-South direction behind lots 1, 2, 3, 4, 5, 6 & 11 of the Burroughs Heirs Addition be hereby vacated.
- Section 2. Any and all permanent utility easements in said alley, if any, are hereby reserved for the benefit of said Village.
- Section 3. That this Ordinance be declared an emergency, three fourth's the members of council concurring and suspending the requirement of three separate readings.
- Section 4. That this ordinance be and remain in force and effect from and hereafter at the earliest period allowed by law.
- Section 5. This ordinance supersedes any and all prior ordinances in conflict herewith, including Ordinance No. 2018.005.

Passed this 14th day of February, 2019.


John Carman, Mayor


Attest: Jewelle Casteel, Fiscal Officer



Fiscal Officer's Certificate:
The State of Ohio, County of Clinton, ss:

I, Jewell Casteel, Fiscal Officer of the Village of Blanchester, Clinton County, and in whose custody the Files, Journals, and Records are required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing Ordinance is taken and copied from the original Ordinance now on file with said Village, that the foregoing Ordinance has been compared by me with the said original and that the same is a true and correct copy thereof, and has been posted as required by law. This Ordinance has been duly published by posting in the following places: Blanchester Municipal Building, 318 E. Main St.; First National Bank, 121 E. Main St.; Blanchester Post Office, 115 S. Wright St.; Save-A-Lot, 121 S. Broadway St.; and at the Blanchester Public Library, 110 N. Broadway St., each for a period of fifteen (15) days commencing on the 22nd day of February, 2019.

Witness my signature this 14th day of February, 2019.


Fiscal Officer of the Village of Blanchester, Clinton County, Ohio

Consented:

Lot 1 and Pt. Lot 2:

Andrew Woods	_____	Date
Elissa Woods	_____	Date

Lot 3, Pt. Lot 2 & Pt. Lot 4:

Mark Redmond	_____	Date
Laura Redmond	_____	Date

Pt. Lot 4 & Lot 5:

Dennis Brewster	_____	Date
Terry Brewster	_____	Date

Pt. Lot 6:

TK Properties, LLC	_____	Date
By: _____		

James Burten	_____	Date
Amy Burten	_____	Date

Pt. Lot 6 & Lot 11:

William Martin	_____	Date
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