

DESCRIPTION DOES NOT MEET
STANDARDS,
APPROVED FOR TRANSFER
BY: AAA DATE 8-26-16
PERRY COUNTY ENGINEER

Drew Cannon
Perry County Auditor
Date: 8-30-16
By: [Signature]

Village of Crooksville, Ohio

Instrument 201600003160 OR Book Page 427 1557
201600003160
Filed for Record in
PERRY COUNTY, OHIO
JACKIE HOOVER, RECORDER
08-30-2016 At 12:53 pm.
VACATION 56.00
OR Book 427 Page 1557 - 1559

ORDINANCE NO. 2562

**ORDINANCE VACATING A PORTION OF AN ALLEY SOUTH OF LOT 454 ON
ELVA STREET IN WILLIAM J. BELL'S FIRST ADDITION TO
THE VILLAGE OF CROOKSVILLE, PERRY COUNTY, OHIO**

Whereas, pursuant to Ohio Revised Code § 723.04, the legislative authority of a municipal corporation, on petition by a person owning a lot in the municipal corporation praying that an alley in the immediate vicinity of such lot be vacated, and upon hearing and being satisfied that there is good cause for such vacation, that it will not be detrimental to the general interest, and that it should be made, may by Ordinance, declare such street vacated; and

Whereas, pursuant to the original plat for William J. Bell's First Addition to the Village of Crooksville, in the Plat Records, Perry County Recorder, there exists a public way known as an Alley between Lot 454, identified by the Perry County Auditor's Office as Parcel Number 110009570000 and currently owned by Kenneth D. and Lou Ann Presgrave, and an approximate 0.33 acre parcel identified by the Perry County Auditor's Office as Parcel Number 110009550000 and currently owned by Kenneth D. and Lou Ann Presgrave; and

Whereas, on or about February 1993, and thereafter again on or about May 2016, Village residents and owners of Lot Number 454 in William J. Bell's First Addition, Kenneth D. and Lou Ann Presgrave, did present to this Village Council their Petition praying that that portion of all the Alley, 15' wide, South of and immediately adjacent to Lot Number 454 be vacated; and

Whereas, upon hearing said Petition of Kenneth D. and Lou Ann Presgrave, and being satisfied that there is good cause for such vacation, that it will not be detrimental to the general interest, and that it should be made, the Village Council hereby desires to take action in accordance with Ohio Revised Code Section 723.04, but reserving to the Village all rights for public utilities purposes as provided herein below and as provided by Ohio Revised Code Section 723.041.

NOW THEREFORE BE IT, AND IT IS HEREBY ORDAINED by the Village of Crooksville, Perry County, State of Ohio, that:

Section 1. That certain tract of land 15' x 124.78' directly South of and immediately adjacent to Lot Number 454 of William J. Bell's First Addition to the Village of Crooksville, Ohio, as depicted in the Vacation Plat attached hereto and incorporated herein by reference, is hereby VACATED.

Section 2. Provided however, the Village of Crooksville reserves and retains a permanent easement in such vacated portion of Alley, for the purpose of installing, maintaining, operating, renewing, reconstructing, repairing, replacing, removing and accessing, by itself or by any

licensees or a holder of a franchise from the Village, any poles, wires, pipes, conduits, sewer mains, water mains, or any other facility or equipment for the maintenance or operation of any utility now or hereafter located in the street or portion thereof vacated by this Ordinance.

Section 3. In accordance with Ohio Revised Code § 711.39 and 723.04, a certified copy of this Ordinance and the Vacation Plat attached hereto and incorporated herein by reference shall be transferred in the office of the Perry County Auditor. Further, the vacated portion of Alley shall be returned to the tax duplicate and taxed to the owner of Lot 454, the benefitting adjacent lot.

Section 4. In accordance with Ohio Revised Code § 723.04, a certified copy of this Ordinance and the Vacation Plat attached hereto and incorporated herein by reference shall be recorded in the office of the Perry County Recorder in the same manner as plats are originally transferred and recorded. Further, upon the filing of the Vacation Plat with the Perry County Recorder, a cross reference to the record of the vacated portion of the plat shall be made by the Recorder on the original plat of William J. Bell's First Addition to the Village of Crooksville.


Section 4. This Ordinance shall take effect at the earliest date allowable by law.

1st Reading: June 20, 2016

2nd Reading: July 5, 2016

3rd Reading: August 1, 2016

Passed: August 1, 2016



Fred Redfern, Mayor

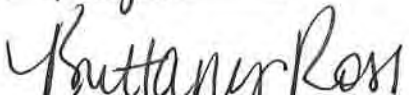
ATTESTED:



Brittany Ross, Fiscal Officer

Posting Certification

This ordinance was posted at the five prescribed locations within the Village of Crooksville, Ohio, on the 2nd day of August, 2016.



Brittany Ross, Fiscal Officer

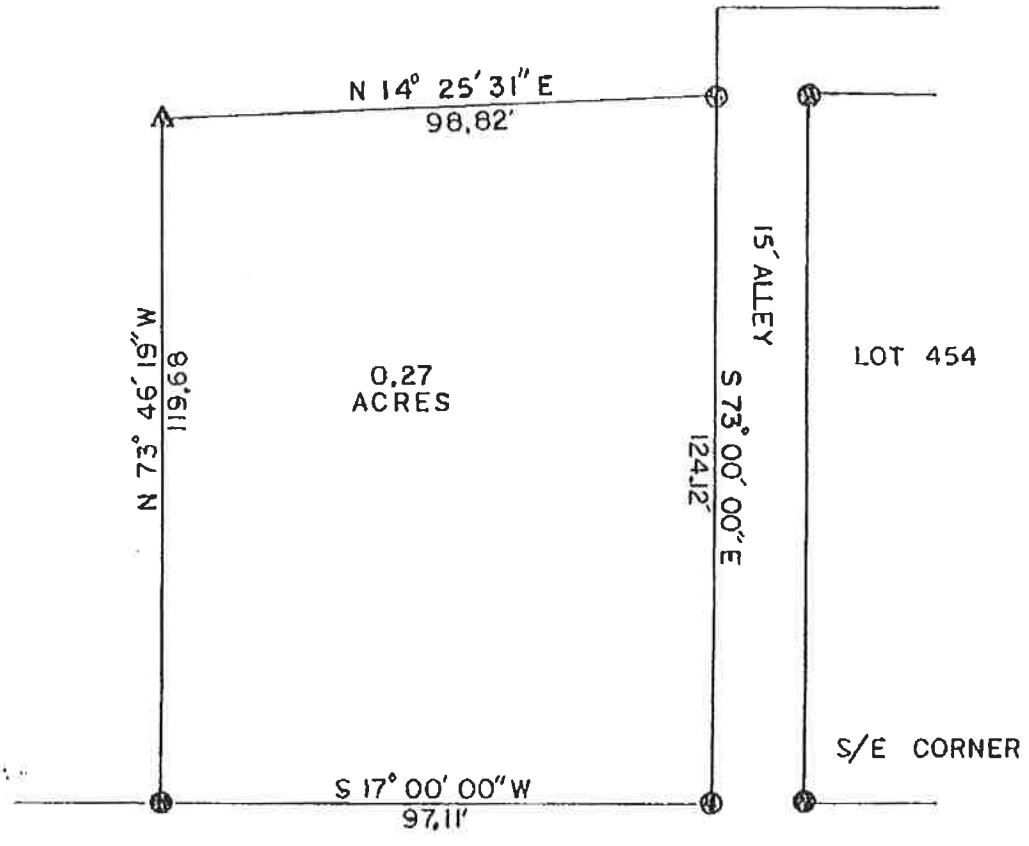


CANNON LAND SURVEYING

809 N. WALNUT STREET
CROOKSVILLE, OHIO 43731
614-982-8276



201600003160
ALLEN & BAUGHMAN
PICK UP



ELVA ST., 50' WIDE



Richard Max Cannon

2/23/89