

ORDINANCE NO. 6, 2016

**AN ORDINANCE VACATING AN ALLEY BETWEEN PRAIRIE STREET
AND CHURCH STREET IN THE VILLAGE OF MARBLEHEAD**

WHEREAS, the Village has received a Petition to Vacate an alley between Prairie Street and Church Street (hereinafter "Alley") submitted by persons owning a lot in the Village; and

WHEREAS, the Village, upon receipt of the Petition, provided notice of the intention of Council to vacate the Alley as required by Revised Code §723.06 and §723.07;

WHEREAS, this Council finds and determines that the Alley described in Exhibit A attached hereto is no longer needed for public purpose, that there is good cause to vacate the Alley as requested, and that vacation will not be detrimental to the general interests and it is in the best interests of the Village to approve the vacation.

THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MARBLEHEAD, OTTAWA COUNTY, OHIO AS FOLLOWS:

Section 1.

This Council finds that the Petition signed by Deborah M. Mercer, Richard Dziak, Mary Ward and John Starcher, all owners of lots in the Village of Marblehead, has been presented to this Council praying that the Alley described in Exhibit A be vacated.

Section 2.

This Council further finds that there is good cause for the vacation of the Alley as prayed for, that the Alley is no longer needed for public purpose, that there is good cause to vacate the Alley as requested, the vacation of the Alley will not be detrimental to the general interests and ought to be made.

Section 3.

That the Alley, as described in Exhibit A attached hereto, be and the same is hereby vacated subject to the continuing easement rights for constructing, maintaining, operating, renewing, reconstructing and removing public utility facilities, whether owned privately or by any governmental authority.

Section 4.

That the Clerk of Council be and she is hereby directed to notify the Auditor of Ottawa County of the vacation of the Alley as described herein, by submitting a certified copy of this Ordinance along with certified copies of the Petition and other documents comprising the

transcript of the vacation, and she shall also have a certified copy of said transcript recorded in the Ottawa County Recorder's Office as required by R.C. §711.39.

Section 5.

This Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of Council, and of its committees, which result in formal action, were taken in full compliance with the applicable legal requirements.

Approved: July 18, 2016

Jacqueline A. Bird
Jacqueline A. Bird, Mayor

Attest:

Rhonda Botti Sowers
Rhonda Botti Sowers, Fiscal Officer

Dated: July 18, 2016

1st Reading June 8, 2016 2nd Reading June 22, 2016 3rd Reading July 18, 2016

Passed: yes no Vote: yea 4 nay 0 Immediate effect: yes no