

SPONSOR: Rick Johnson

## ORDINANCE NO. 04-07

AN ORDINANCE VACATING THE ALLEY RUNNING IN A GENERAL EAST AND WEST DIRECTION, EXTENDING FROM VETERANS DRIVE IN AN EASTERLY DIRECTION, AND LYING BETWEEN LOT 81 AND LOT 82 IN THE JAMESTOWN ADDITION OF THE CITY OF JACKSON, OHIO.

WHEREAS, the portion of the alley described in Exhibit "A", attached hereto and made a part hereof, is not used for any public purpose; and

WHEREAS, Jackson City Council hereby desires to vacate the alley described in Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JACKSON, STATE OF OHIO, as follows:

**Section One.** The alley as set forth in Exhibit " A ", Attached hereto and made a part hereof vacated.

**Section Two.** This vacation is made upon the condition that the owners of the property abutting the vacated alley shall convey to the City of Jackson, Ohio any and all easements which may be appropriate in accordance with Ohio Revised Code Section 731.30.

**Section Three.** The Clerk is hereby authorized to notify the Auditor of Jackson County of this vacation by sending him a copy of this ordinance. The Clerk is further instructed to see that a certified copy of this ordinance is recorded with the Recorder of Jackson County.

**Section Four.** This Ordinance is hereby declared to be an emergency Ordinance, necessary for the immediate preservation of the public peace, health or safety of the City of Jackson, in that it is necessary to vacate this alley as soon as possible to allow for the demolition of the buildings on the premises. Therefore, this Ordinance shall go into effect upon passage and approval by the Mayor, as provided in Ohio Revised Code Section 731.30.

**Section Five.** In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause and shall take effect at the earliest time permitted by law.

Section Six.

It is hereby found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that the deliberations of this Council that resulted in such formal actions were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code. This Ordinance shall go into effect at the earliest time permitted by law.

Date: 1-10-07

Burt P. Reed (Pro Tem)  
PRESIDENT OF COUNCIL

Mark Brown  
CLERK OF COUNCIL

Approved:

Date: 1-10-07

[Signature]  
MAYOR

