

Sponsor: Hensley/Elliott

ORDINANCE NO. 15-18 "Amended"

AN ORDINANCE PROVIDING FOR THE VACATION OF A PORTION OF THE ALLEY BETWEEN THE SOUTH LINE OF LOT 7 AND THE NORTH LINE OF LOT 8 OF THE CURRINGTON ADDITION OF THE CITY OF JACKSON.

WHEREAS, Michael and Michelle Turner and Steven and Regina Boggs are the owners of Lots 7 and 8 of Currington Addition of the City of Jackson on David Avenue and each of said land owners, being all owners of the property abutting the proposed alley to be vacated, have petitioned that a portion of the alley that is located between the south lot line of lot 7 and the north lot line of lot 8 in Currington Addition of the City of Jackson on David Avenue be vacated as attached hereto as Exhibit A being the ~~Petition to Vacate, map and Ratification and Waiver of Notice of adjacent landowners; and~~

WHEREAS, all notice requirements have been satisfied by the filing of the Waiver of all adjacent landowners as contained in Exhibit A; and

WHEREAS, the legislative authority of the City of Jackson has determined that vacating the portion of said road will not be detrimental to the general interest of the City or its residents; and

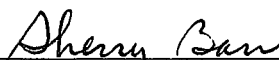
NOW THEREFORE BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF JACKSON, THAT THE PORTION OF THE ALLEY BETWEEN THE SOUTH LINE OF LOT 7 AND THE NORTH LINE OF LOT 8 OF THE CURRINGTON ADDITION OF THE CITY OF JACKSON, BE VACATED WITH OWNERSHIP OF SAID ALLEY REVERTING TO THE ADJACENT LANDOWNER, ONE-HALF TO EACH, AND THAT THE CITY RESERVES A PERMANENT EASEMENT FOR ANY AND ALL UTILITIES NOW LOCATED IN SAID ALLEY, AS PROVIDED FOR BY OHIO REVISED CODE SECTION 723.041.

It is hereby found and determined that all formal actions of this Council concerning and relating to adoption of this ordinance were adopted in an open meeting of this Council and the deliberations of this Council and any of its committees that resulted in such formal action were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

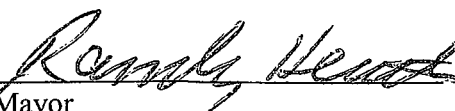
PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 11th day of June, 2018.


President of Council

ATTEST:


Clerk of the Legislative Authority

Approved this 11th day of June, 2018.


Mayor

**PETITION TO VACATE ALLEY
IN THE CURRINGTON ADDITION
TO THE CITY OF JACKSON
JACKSON COUNTY, OHIO**

TO THE COUNCIL OF THE CITY OF JACKSON, OHIO:

The undersigned respectfully represents to the Council of the City of Jackson, Ohio, that they are the sole owners of lot #8 in the Currington Addition to the City of Jackson, Ohio.

A plat of said addition is recorded in Plat Book #2 on Page 158, in the Office of the Recorder of Jackson County, Ohio.

The undersigned respectfully petitions the Council of the City of Jackson, Ohio, to vacate "the entire length of the alley abutting lots 7 and 8 in the Currington Addition to the City of Jackson, Ohio, being an alley 16 ½ feet in width extending in a general east to west direction off of David Avenue."

This petition is presented to this Council for the reason that the proposed portions of the alley to be vacated "were never developed, constructed, or used as an alley. The vacation of the alley will not be detrimental to the general interest of the municipality."

In the event the aforesaid vacation is granted, the undersigned acknowledges, agrees and grants to the City of Jackson a permanent easement relating to public utilities in the vacated alley as provided in the Section 723.041 of the Revised Code of Ohio.

The undersigned certified that they are the sole owners of the real estate abutting the portion of the alley to be vacated by virtue of the following deed recorded in the Office of the Recorder of Jackson County, Ohio.

(List deed reference – D.B. 292, P. 146)

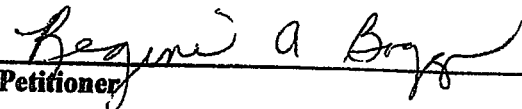
A plat of the portion of Currington Addition relating to the proposed vacation is attached.

Date: 4-18-18



Petitioner

Date: 4-18-18



Petitioner

**PETITION TO VACATE ALLEY
IN THE CURRINGTON ADDITION
TO THE CITY OF JACKSON
JACKSON COUNTY, OHIO**

TO THE COUNCIL OF THE CITY OF JACKSON, OHIO:

The undersigned respectfully represents to the Council of the City of Jackson, Ohio, that they are the sole owners of lot #7 in the Currington Addition to the City of Jackson, Ohio.

A plat of said addition is recorded in Plat Book #2 on Page 158, in the Office of the Recorder of Jackson County, Ohio.

~~The undersigned respectfully petitions the Council of the City of Jackson, Ohio, to vacate~~
“the entire length of the alley abutting lots 7 and 8 in the Currington Addition to the City of Jackson, Ohio, being an alley 16 ½ feet in width extending in a general east to west direction off of David Avenue.”

This petition is presented to this Council for the reason that the proposed portions of the alley to be vacated “were never developed, constructed, or used as an alley. The vacation of the alley will not be detrimental to the general interest of the municipality.”

In the event the aforesaid vacation is granted, the undersigned acknowledges, agrees and grants to the City of Jackson a permanent easement relating to public utilities in the vacated alley as provided in the Section 723.041 of the Revised Code of Ohio.

The undersigned certified that they are the sole owners of the real estate abutting the portion of the alley to be vacated by virtue of the following deed recorded in the Office of the Recorder of Jackson County, Ohio.

(List deed reference – D.B. 306, P. 532)

A plat of the portion of Currington Addition relating to the proposed vacation is attached.

Date: 4-27-18

Michelle L. Turner
Petitioner

Date: 4.27-18

Michael P. Turner
Petitioner

RATIFICATION AND WAIVER OF LEGAL NOTICE

**RE: PETITION TO VACATE ALLEY IN THE CURRINGTON ADDITION TO
THE CITY OF JACKSON, JACKSON COUNTY, OHIO**

Pursuant to Section 723.06 of the Ohio Revised Code, the undersigned abutting property owners of an alley abutting on the south line of lots 7 in the Currington Addition to the City of Jackson, Ohio, hereby approves the vacation of the alley as prayed for in the petition filed by Michele Turner and Michael Turner, a copy of which is attached hereto as "Exhibit A"; and, said undersigned abutting property owners further waive notice by publication as permitted pursuant to Section 723.06 of the Ohio Revised Code.

The undersigned abutting property owners are the sole property owners along the alley proposed to be vacated.

Date: 4-27-18

Michele L Turner
Petitioner

Date: 4-27-18

Michael P Turner
Petitioner

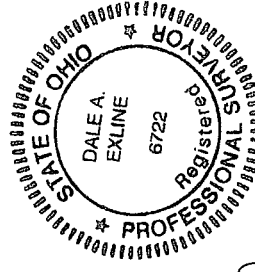
Bearings are based on the South Line of Grandview Addition Recorded in Plat Book 4 at Page 104-105 and are used to Denote Angles Only



LEGEND

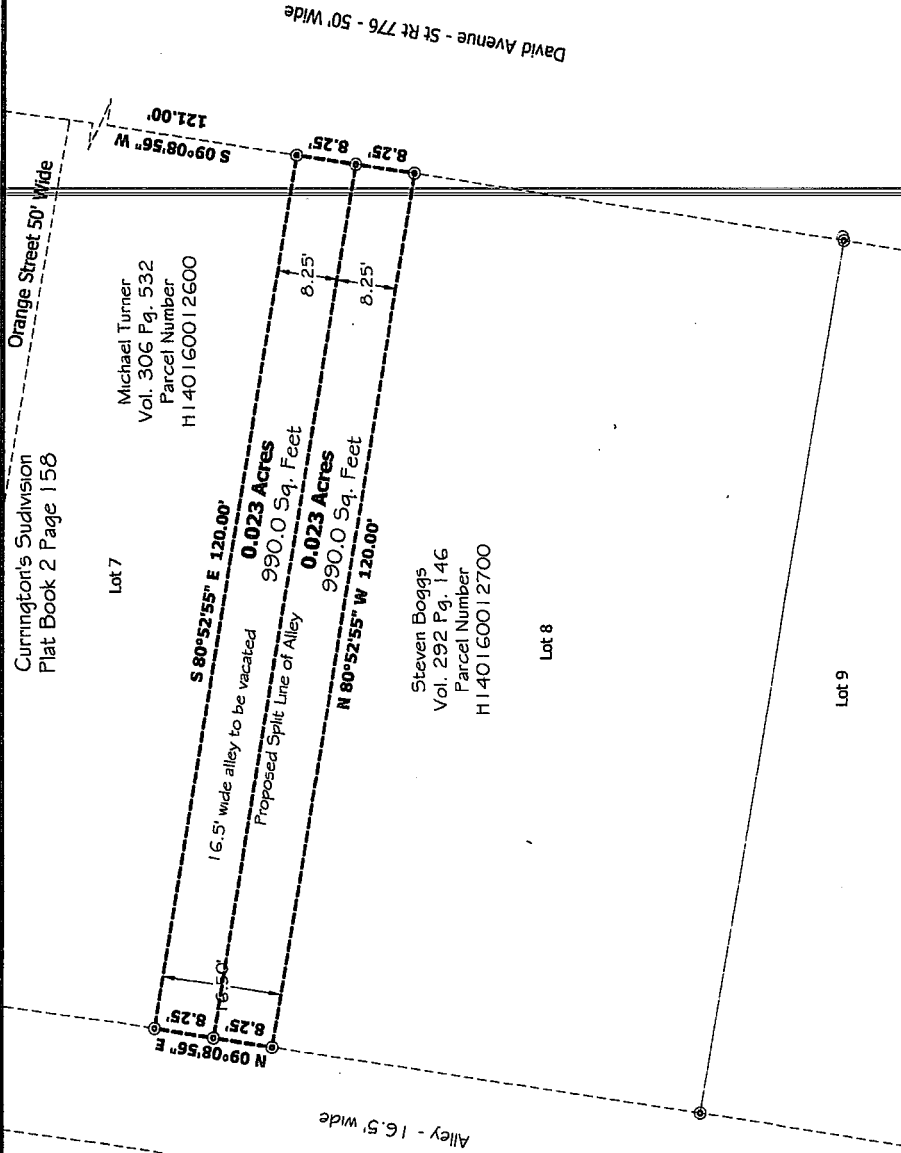
These standard symbols will be found in the drawing.

- ⊙ 5/8" x 30" Rebar Set w/ Cap
- Stamped Dale Exline PS 6722
- Large Nail Found
- Calculated Point-No Monument Set
- N-F Now or Formerly



Dale A. Exline
 Dale A. Exline P.S. 6722 Date

Appalachian Professional Associates, LLC
 Complete Surveying Services
 Dale A. Exline, Professional Surveyor
 254 Exline Road Jackson, OH 45640
 Phone: (740) 286-9966 Fax: (740) 286-9911



Plat Of Alley Vacation For: **Steven Boggs**

Location: Situated in Currington's Subdivision as found in Plat Book 2 at Page 158 of the records of the Jackson County Recorder's Office. Being the alley running east to west between Lots 7 and 8 in said subdivision. Part of Scioto Salt Reserve Lot number 79, T-7-N, R-18-W, (Salt) Lick Township, City of Jackson, Jackson County, Ohio.

Kenwood Lawn Addition
 to Jackson
 Plat Book 4 Page 11

File Name: 18060	Crd File: 1806001
Scale: 1" = 20'	8.5" x 14"
Survey Date(s): 05/10/18	
Parcel(s): N/A	
Recorded In: Plat Book 2 Pg. 158	
Notes:	