

Sponsor: *R. Peters/Biggs*

ORDINANCE NO. 31-21

AN ORDINANCE PROVIDING FOR THE VACATION OF THE ALLEY LOCATED WITHIN AND RUNNING ACROSS LOT NUMBER 54 IN FULTON ADDITION TO THE CITY OF JACKSON AND DECLARING AN EMERGENCY.

WHEREAS, Four Two Zero, LLC, an Ohio limited liability company, is the owner lot number 54 in Fulton Addition in the City of Jackson, Ohio, and the company through its members, Donald R. Blackburn and Cynthia Blackburn, has petitioned that the alley located on lot 54, be vacated as pursuant to the attached letter of petition, legal description and plat map; and

WHEREAS, all notice requirements have been satisfied as petitioner is the owner of all adjacent property, pursuant to ORC section 723.06; and

WHEREAS, the legislative authority of the City of Jackson has determined that the alley is unimproved and had been believed to have been vacated earlier and that vacating the portion of said alley now will not be detrimental to the general interest of the City or its residents; and

WHEREAS, this matter constitutes an emergency as the owners have indicated that there is a commercial use for the property that is dependent on vacating the alley and that commercial development of the property is beneficial to the City and that this action is necessary to protect and further the health, safety and welfare of the City; and

NOW THEREFORE BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF JACKSON, THAT THE ALLEY LOCATED WITHIN LOT 54 OF FULTON ADDITION IN THE CITY OF JACKSON AS SHOWN ON THE ATTACHED PLAT AND DESCRIBED WITHIN THE ATTACHED LEGAL DESCRIPTION BE VACATED WITH OWNERSHIP OF SAID ALLEY REVERTING TO THE ADJACENT LANDOWNER 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 AND DECLARING AN EMERGENCY.

This Ordinance is hereby declared to be an emergency Ordinance for the reasons set forth herein. Therefore, this Ordinance shall go into effect upon passage and as provided in Ohio Revised Code Section 731.30.

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.

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 12
day of April, 2021.

Ran Jule
President of Council

ATTEST:

Cinda Kuhn
Clerk of the Legislative Authority

Approved this 12 day of April, 2021.

B. M. M. M. M. M.
Mayor