

Sponsor: Biggs/J. Peters

ORDINANCE NO. 56-20

AN ORDINANCE PROVIDING FOR THE VACATION OF THE ALLEYS ABUTTING AND BETWEEN LOTS 1, 2, 3 AND 4 OF THE R.C. HOFFMAN'S ADDITION AND OUT LOT 20 OF THE CITY OF JACKSON AND THE ALLEY ABUTTING AND BETWEEN LOTS 1, 2 AND 3 OF THE R.C. HOFFMAN'S ADDITION OF THE CITY OF JACKSON AND DECLARING AN EMERGENCY.

WHEREAS, Jackson County Land Reutilization Corp. and Allison Blair Cundy, Paul Blair, Joseph Blair, Bruce Blair and Michael Blair, the owners of the lots 1, 2, 3 and 4 of the R.C. Hoffman's Addition and Out Lot 20 to the City of Jackson, Ohio, have petitioned that the alley located between said lots, as shown on the plat attached hereto, be vacated as pursuant to the attached Petition, Ratification and Waiver of Notice of adjacent landowners, and plat map; and

WHEREAS, all notice requirements have been satisfied by the waivers of service to Jackson County Land Reutilization Corp. and Allison Blair Cundy, Paul Blair, Joseph Blair, Bruce Blair and Michael Blair, the adjacent landowners, as contained in Exhibit A, pursuant to ORC sections 723.06; and

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

WHEREAS, this matter constitutes an emergency as the developer has informed the City that for the project to proceed, all State building permits must be submitted in time for a planned construction start date by the end of February 2021 and that the construction of the business 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, TO VACATE THE ENTIRE LENGTH OF THE ALLEY ABUTTING AND BETWEEN LOTS 1, 2, 3 AND 4 OF THE R.C. HOFFMAN'S ADDITION AND OUT LOT 20 OF THE CITY OF JACKSON AND THAT THE ALLEY BETWEEN LOTS 1, 2 AND 3 OF THE R.C. HOFFMAN'S ADDITION OF THE CITY OF JACKSON, AS SHOWN IN ATTACHED PLAT MAP, BE VACATED WITH OWNERSHIP OF SAID ALLEYS REVERTING TO THE ADJACENT LANDOWNERS 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 14th day of December, 2020.

Samuel D. Falt
President of Council

ATTEST:

Cindi Kuhn
Clerk of the Legislative Authority

Approved this 14th day of December, 2020.

RANDY MANN
Mayor