

Sponsor: *Ondrea Colby*

**ORDINANCE NO. 49-22**

**AN ORDINANCE PROVIDING FOR THE VACATION OF THE ALLEY LOCATED BETWEEN LOTS NUMBER 29 AND 30 AND FOR THE VACATION OF CIRCLE DR. BETWEEN LOTS NUMBER 28, 30 AND 31 IN FULTON ADDITION TO THE CITY OF JACKSON AND DECLARING AN EMERGENCY.**

WHEREAS, James Camp and Ramona Camp are the owners of lots number 28, 29, 30 and 31 in Fulton Addition in the City of Jackson, Ohio, and James and Ramona Camp have petitioned that Circle Dr. as located between lots 28, 30 and 31 and the alley located between lots 29 and 30 be vacated as pursuant to the attached letter of petition, legal description and plat map; and

WHEREAS, all notice requirements have been satisfied as petitioners are the owners 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 that the portion of Circle Dr. between petitioners' lots is located at a dead end and that vacating the portion of Circle Dr. and 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 an immediate use for the property that is dependent on vacating the alley and street that will be 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 BETWEEN LOTS NUMBER 29 AND 30 OF FULTON ADDITION AND THAT CIRCLE DR. BETWEEN LOTS NUMBER 28, 30 AND 31 IN FULTON ADDITION TO 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 LANDOWNERS AND THAT THE CITY RESERVES A PERMANENT EASEMENT FOR ANY AND ALL UTILITIES, **INCLUDING THOSE RECORDED OR UNRECORDED EASEMENTS TO AEP AND COLUMBIA GAS, NOW LOCATED IN SAID STREET AND 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 10<sup>th</sup> day of October, 2022.

  
\_\_\_\_\_  
President of Council

ATTEST:

  
\_\_\_\_\_  
Clerk of the Legislative Authority

Approved this 10<sup>th</sup> day of October, 2022.

  
\_\_\_\_\_  
Mayor

**PETITION TO VACATE STREET  
AND ALLEY IN FULTON 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 numbers 28, 29, 30 and 31 in Fulton Addition to the City of Jackson, Ohio, as shown in Fulton Addition to the City of Jackson, plat book 1, page 31 and described as being:

Situating in the City of Jackson, County of Jackson and State of Ohio, Lot Nos. 28, 29, 30  
and 31 in Fulton Addition to the City of Jackson, Jackson County, Ohio.  
Parcel Nos.: H140200008900 H140200009000

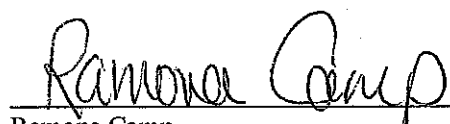
The undersigned respectfully petition this Council of the City of Jackson to vacate Circle Dr. as located between lots 28, 30 and 31 and the alley located between lots 29 and 30 as displayed in the plat map shown as attached.

This petition is presented to this council for the reason that the proposed portion of the street and of the alley be vacated are no longer used as a public St or public alley nor has the alley ever been developed or improved. The vacation of the street and alley will not be detrimental to the general interest of the municipality.

In the event the aforesaid vacation of the portion of Circle Dr and of the alley between the lots as identified above, the undersigned acknowledge, agree and grant to the City of Jackson a permanent easement relating to Public Utilities in the vacated portions of said street and alley, including those now used by AEP and Columbia Gas, as provided by Section 723.014 of the Ohio Revised Code.

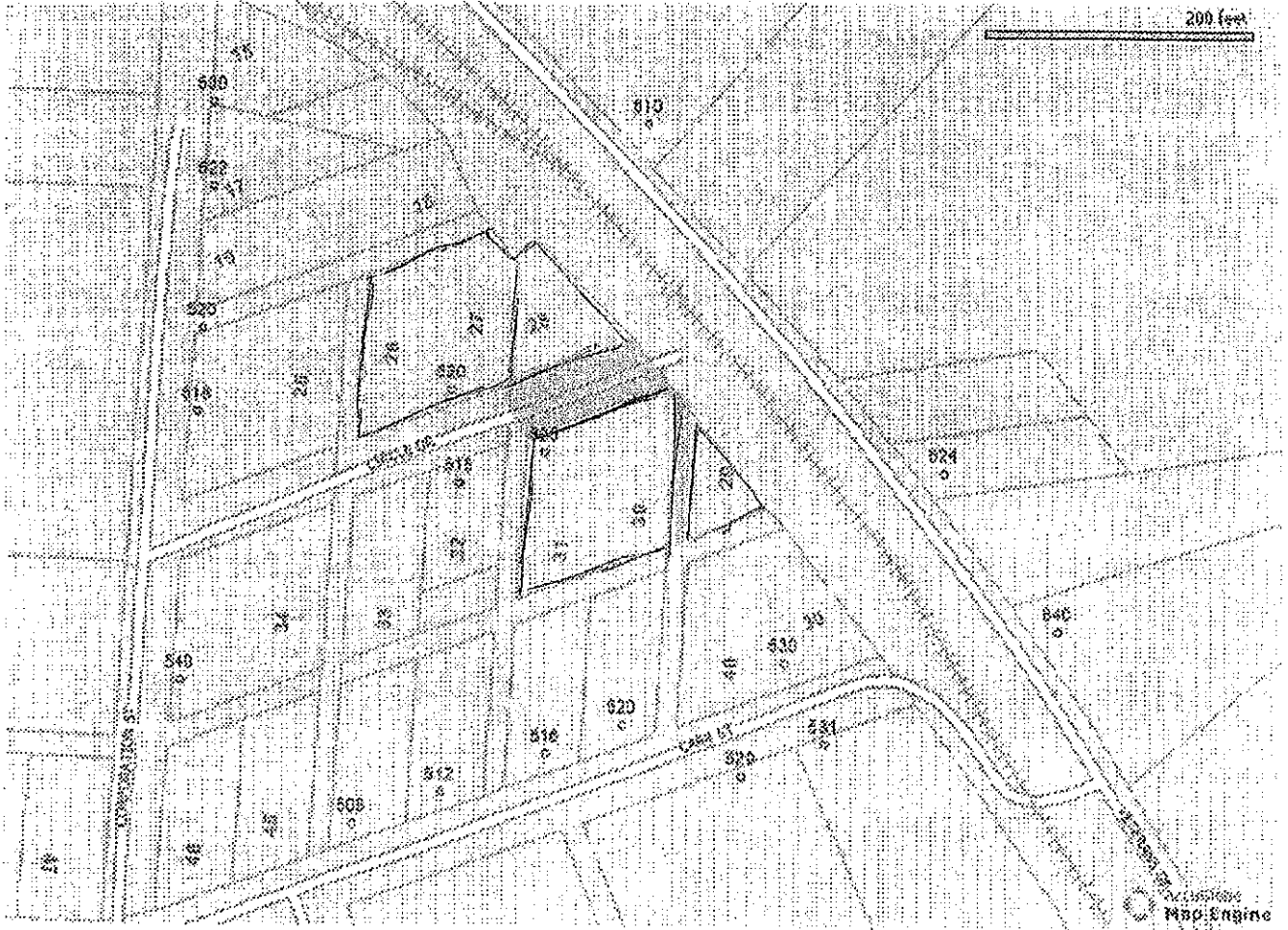
The undersigned certify that they are the sole owners of the real estate abutting the portion of the alley and street to be vacated by this petition pursuant to deeds recorded at the Office of the Jackson County Recorder in OR Vol. 153, page 1589 and OR Vol. 154, page 2262.

  
\_\_\_\_\_  
James Camp  
Petitioner/Owner

  
\_\_\_\_\_  
Ramona Camp  
Petitioner/Owner

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### Jackson County GIS



Notes

Vacate Circle Dr. between  
lot 28 + 30 + 31  
Vacate alley between lots 29 + 30