

January 29, 2026

STREET COMMITTEE

February 2, 2026

Following Finance Committee

Committee and Council Meetings can be viewed by accessing YouTube

AGENDA

1. Consider **Ordinance No. 26-03** AN ORDINANCE VACATING A SIXTEEN (16) FOOT WIDE ALLEY AS SHOWN ON THE PLAT OF FAIRVIEW ACRES ADDITION, AS RECORDED IN PLAT BOOK 4, PAGE 96 OF THE LICKING COUNTY PLAT RECORDS; SAID ALLEY IS LOCATED BETWEEN MORGAN AVENUE AND BONER STREET, EAST OF STATE ROUTE 13.
2. Other items at the discretion of the Chair

BY: _____

AN ORDINANCE VACATING A SIXTEEN (16) FOOT WIDE ALLEY AS SHOWN ON THE PLAT OF FAIRVIEW ACRES ADDITION, AS RECORDED IN PLAT BOOK 4, PAGE 96 OF THE LICKING COUNTY PLAT RECORDS; SAID ALLEY IS LOCATED BETWEEN MORGAN AVENUE AND BONER STREET, EAST OF STATE ROUTE 13.

WHEREAS, Newark City Council received a petition from owners of real estate in the City of Newark praying for the herein described alley vacation; and,

WHEREAS, the Street Committee of the City of Newark met on February 2, 2026, and considered the procedure as outlined in Section 723.06 of *The Ohio Revised Code* whereby notice of the intention to vacate is not required, and approved the preparation and submittal of this legislation for Council consideration, in accordance with Section 723.06 of *The Ohio Revised Code*; and,

WHEREAS, this Council finds there is good cause for such vacation and that such vacation will not be detrimental to the general interest.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, AND STATE OF OHIO; THAT:

Section 1: The following described alley is hereby vacated, reserving, however, unto the City of Newark, Ohio, its successors and assigns, easements for construction, maintenance, and operation of various utilities, publicly owned and otherwise, to wit:

Being in the State of Ohio, County of Licking, City of Newark, and being a sixteen (16') foot wide alley running north from Morgan Avenue and lying south of Boner Street, as shown on the plat of the Fairview Acres Addition as recorded in Plat Book 4 at Page 96 of the Licking County Plat Records, and being more particularly described as follows:

Beginning at a point at the southeast corner of Lot 11 of said Fairview Acres Addition, said point being on the north line of Morgan Avenue and the west line of the subject alley;

Thence north along the east line of said Lot 11 to the northeast corner of said Lot 11, said point being on the west line of the subject alley;

Thence continuing north along the west line of Lot 2341 of Jacob Boner's Addition, as recorded in Plat Book 2 at Page 244 of the Licking County Plat Records, to the northeast corner of said Lot 2341, said point being on the west line of the subject alley and the south line of Boner Street;

Thence east along the south line of Boner Street to the northwest corner of Lot 10 of the Fairview Acres Addition, said point being on the east line of the subject alley;

Thence south along the west line of said Lot 10 to the southwest corner of the lot;

Thence continuing south along the west boundary of a 16' alley vacated by Ordinance 81-89, to the northwest corner of Lot 12 of said Fairview Acres Addition;

Thence continuing south along the west line of said Lot 12 to the southwest corner of the lot, said point being on the east line of the subject alley and the north line of Morgan Avenue;

Thence, west along the north line of Morgan Avenue to the Place of Beginning.

This description was written based on information provided in existing plat and tax records, without the benefit of a field survey.

Section 2: The Division of Engineering of the City of Newark is hereby instructed to prepare a vacation plat of said vacated alley and the Clerk of Council is instructed to endorse upon such plat the action of this Council, and to cause such plat to be recorded in the Office of the Recorder of Licking County, Ohio.

Section 3: This Ordinance shall become effective at the earliest time permitted by law after passage by Council and signature of the Mayor.

Adopted this _____ day of _____, 2026.

President of Council

Attest: _____

Date Filed with Mayor: _____

Date Approved by Mayor: _____

Mayor

Form Approved by: _____
Law Director

Prepared by the Division of Engineering.

PETITION TO VACATE A STREET OR ALLEY

TO THE COUNCIL OF THE CITY OF NEWARK, STATE OF OHIO

The undersigned, being the owners of all of the lots and lands abutting the street or alley proposed to be vacated by this petition, said street or alley being more fully described hereinafter, respectfully petition your honorable body that the said street or alley may be vacated for the reason that it is no longer of use to the public, and that its vacation will not be detrimental to the general interest. The said street or alley is described as follows:

PROPOSED ALLEY VACATION – Morgan Avenue, north to Boner Street

Being in the State of Ohio, County of Licking, City of Newark, and being a sixteen (16') foot wide alley running north from Morgan Avenue and lying south of Boner Street, as shown on the plat of the Fairview Acres Addition as recorded in Plat Book 4 at Page 96 of the Licking County Plat Records, and being more particularly described as follows:

Beginning at a point at the southeast corner of Lot 11 of said Fairview Acres Addition, said point being on the north line of Morgan Avenue and the west line of the subject alley;

Thence north along the east line of said Lot 11 to the northeast corner of said Lot 11, said point being on the west line of the subject alley;

Thence continuing north along the west line of Lot 2341 of Jacob Boner's Addition, as recorded in Plat Book 2 at Page 244 of the Licking County Plat Records, to the northeast corner of said Lot 2341, said point being on the west line of the subject alley and the south line of Boner Street;

Thence east along the south line of Boner Street to the northwest corner of Lot 10 of the Fairview Acres Addition, said point being on the east line of the subject alley;

Thence south along the west line of said Lot 10 to the southwest corner of the lot;

Thence continuing south along the west boundary of a 16' alley vacated by Ordinance 81-89, to the northwest corner of Lot 12 of said Fairview Acres Addition;

Thence continuing south along the west line of said Lot 12 to the southwest corner of the lot, said point being on the east line of the subject alley and the north line of Morgan Avenue;

City of Newark
Division of Engineering

MEMORANDUM

TO : Street Committee
FROM: Brian Morehead, City Engineer
DATE : 20 January 2026
RE : Committee Agenda for meeting

Thank you for allowing discussion of this requested alley vacation at the next Street Committee meeting:

The location is:

1. 16' wide alley running north from Morgan Avenue to Boner Street, located east of State Route 13. The adjacent properties are owned by Michael Swartz (Cornerstone Team Renovations LLC), Michael Roux and James Barnes. The public has been driving outside of the alley right-of-way for quite some time, and the owners wish to alleviate this nuisance by closing off the alley.

The three property owners adjacent to the alley right-of-way described have signed the petition requesting the vacation of the alley right-of-way.

In this situation, because the all of the property owners adjacent to the alley have signed the petition requesting the vacation, there is no requirement to pass a Resolution of Intent, nor to publish the proposed action in the newspaper (ORC 723.06). The Street Committee will serve as the public hearing to consider an Ordinance to Vacate the street, which would then be passed on to Council for approval.

If the Street Committee approves moving forward with the process to vacate this alley, the following process will occur:

1. Forward Ordinance to Council to consider the Ordinance to Vacate.
2. If passed by Council, the Ordinance will become effective in 30 days, and Engineering will create a vacation plat that the Clerk will record with the LC Recorder.

Our practice is to write the vacating legislation such that although the street right-of-way is vacated, the City still retains an easement over the area for any current or future underground utilities. Basically, the City is just saying that we are not going to maintain the street areas any longer, and the adjoining property owners assume the ownership of the land and responsibility to maintain the ground.

If you have further detailed questions before the committee meeting, please give me a call at 740-670-7725.

cc: Law Director, City Engineer, File D-4