

March 3, 2022

STREET COMMITTEE

March 7, 2022

Committee and Council Meetings can be viewed by accessing YouTube

*** Due to COVID the meeting location is subject to change based on the current situation*

Following Service Committee

AGENDA

1. **Consider Ordinance No. 22-11** AN ORDINANCE VACATING A PORTION OF A TWELVE (12) FOOT WIDE ALLEY AS SHOWN ON THE PLAT OF WEST MAIN STREET ADDITION, AS RECORDED IN PLAT BOOK 3, PAGE 100 OF THE LICKING COUNTY PLAT RECORDS; SAID ALLEY IS LOCATED NORTH OF WEST MAIN STREET, RUNNING EAST FROM NORTH 23rd STREET.
2. Other items at the discretion of the chair

ORDINANCE NO: 22-11

BY: _____

AN ORDINANCE VACATING A PORTION OF A TWELVE (12) FOOT WIDE ALLEY AS SHOWN ON THE PLAT OF WEST MAIN STREET ADDITION, AS RECORDED IN PLAT BOOK 3, PAGE 100 OF THE LICKING COUNTY PLAT RECORDS; SAID ALLEY IS LOCATED NORTH OF WEST MAIN STREET, RUNNING EAST FROM NORTH 23rd STREET.

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 March 7, 2022, 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:

Situated in the State of Ohio, County of Licking, City of Newark and being a twelve (12) foot wide alley as shown on the Plat of West Main Street Addition, as recorded in Plat Book 3 at Page 100 of the Licking County Plat Records, and being more particularly described as follows:

Beginning at the southwest corner of Lot 6 of said West Main Street Addition, said point also being the intersection of the north line of said 12 foot wide alley and the east right-of-way line of North 23rd Street;

Thence east along the south line of said Lot 6 to the southeast corner of said Lot 6, said point also being at the intersection of said alley with an intersecting north-south alley;

Thence south, crossing the subject alley, to the northeast corner of Lot 5 of said West Main Street Addition;

Thence west along the north lines of Lots 5,4 and 3 of said addition to the northwest corner of Lot 3, said point also being on the east right-of-way line of North 23rd Street;

Thence north along the east right-of-way line of North 23rd Street 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 _____, 2022.

President of Council

Attest: _____

Date Filed with Mayor: _____

Date Approved by Mayor: _____

Mayor

Form Approved by: _____
Law Director

Prepared by the Division of Engineering.

City of Newark
Division of Engineering

MEMORANDUM

TO : Street Committee
FROM: Brian Morehead, City Engineer
DATE : 28 February 2022
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. 12' wide alley north of West Main Street, running east from North 23rd Street. The adjacent properties have all been acquired by the Christian Apostolic Church, and have been used as a parking lot.

The single property owner adjacent to the alley right-of-way described has 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.

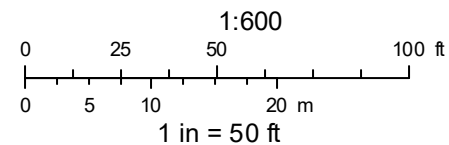
If you have further detailed questions before the committee meeting, please give me a call at 740-670-7725.

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

Proposed Alley Vacation - 800 West Main St.



September 29, 2021



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 – Alley running east off North 23rd Street, north of West Main Street

Situated in the State of Ohio, County of Licking, City of Newark and being a twelve (12) foot wide alley as shown on the Plat of West Main Street Addition, as recorded in Plat Book 3 at Page 100 of the Licking County Plat Records, and being more particularly described as follows:

Beginning at the southwest corner of Lot 6 of said West Main Street Addition, said point also being the intersection of the north line of said 12 foot wide alley and the east right-of-way line of North 23rd Street;

Thence east along the south line of said Lot 6 to the southeast corner of said Lot 6, said point also being at the intersection of said alley with an intersecting north-south alley;

Thence south, crossing the subject alley, to the northeast corner of Lot 5 of said West Main Street Addition;



Thence west along the north lines of Lots 5,4 and 3 of said addition to the northwest corner of Lot 3, said point also being on the east right-of-way line of North 23rd Street;

Thence north along the east right-of-way line of North 23rd Street 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.

Respectfully submitted,

(Print--Do not print or sign as Mr. or Mrs., you must sign with your given name.)

<u>NAME OF PARCEL OWNERS</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>
Christian Apostolic Church of Newark, Inc.	806 W Main St, Newark	
"	"	"
"	0 W Main St, Newark	
OVER...		

