

**AN ORDINANCE VACATING A CERTAIN ALLEY IN THE VILLAGE OF BRADNER,  
WOOD COUNTY, OHIO**

**WHEREAS**, at a regularly scheduled and public meeting of the Council of the Village of Bradner, after careful deliberation and public comment, it was determined by the members of Council that that there is good cause for vacating the alley which runs north of Crocker Street, between Timmons Road and Euclid Avenue, and terminates at the Southern border of the real property located at 165 Timmons Road, Bradner, Ohio and bearing Parcel No. L47-412-120101073000 (the "Alley"); and

**WHEREAS**, Council has determined that such vacation will not be detrimental to the general interest of the public; and

**WHEREAS**, pursuant to RC §723.06, all the owners of all the real property which adjoins or abuts said Alley, waived, in writing, the requirement of RC §723.07 that the intent of Council to vacate said Alley be published or posted for a period of six (6) weeks prior to such action, said waiver is attached hereto and incorporated herein as "**EXHIBIT A**"; and

**WHEREAS**, in writing on Exhibit A, all the owners of all the real property which adjoins or abuts said Alley, consented to the Village vacating such alley and abandoning its use for purposes of vehicular traffic, but forever retaining any and all such easements or rights of way for utility purposes; and

**WHEREAS**, the Village desires to reserve a perpetual easement for the purposes of installing, maintaining, using, and removing any and all such public utilities as the Village, in its sole discretion, deems appropriate, necessary, or desirable, whether said use be above-ground, below ground, or in any other fashion permitted by law.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BRADNER, COUNTY OF WOOD, AND STATE OF OHIO:**

**SECTION 1.** The alley which runs north of Crocker Street, between Timmons Road and Euclid Avenue, and terminates at the Southern border of the real property located at 165 Timmons Road, Bradner, Ohio and bearing Parcel No. L47-412-120101073000 (the "Alley") is hereby vacated.

**SECTION 2.** The Village of Bradner hereby reserves unto itself above, across, and under the entire area of the now-existing alley, a perpetual easement for the purposes of installing, maintaining, using, operating, and/or removing any and all such public utilities as the Village, in its sole discretion, deems appropriate, necessary, or desirable, whether said use be above-ground, below ground, or in any other fashion permitted by law

**SECTION 3.** That this Ordinance shall take immediate effect and be in force from the earliest date permitted by law.

**SECTION 4.** Copies of this Ordinance were posted in not less than five of the most public places in the Village, as determined by Council, for the period required by law.

**SECTION 5.** All formal actions of Council relating to the adoption of this ordinance, and all deliberations of Council and any of its committees leading to such action were in meetings open to the public as required by law.

Passed 6/15/17

Attest:

  
Village Fiscal Officer

Approved as to form:

  
Village Solicitor

  
Mayor