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ORDINANCE NO. 13-2020 Passed Nov. 19, 2020

JULIE BAUMGARDNER
Wood County Recorder
12/03/2020 03:35:22 202018825
DOCUMENT TOTAL 50.00
Volume: 3831 Page: 969 - 972 OR

**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 portion of the alley which lies south of East Crocker Street, and runs east of South East Street, and terminates at the Western border of the alley which runs north and south and lies between South Bell Street and South East Street, being bordered on the north side by parcel no. L47-412-120112005000 and being bordered on the south side by parcel no. L47-412-120112006000 (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 lies south of East Crocker Street, and runs east of South East Street, and terminates at the Western border of the alley which runs north and south and lies between South Bell Street and South East Street, being bordered on the north side by parcel no. L47-412-120112005000 and being bordered on the south side by parcel no. L47-412-120112006000 (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.

NOT NECESSARY FOR TRANSFER
AT THIS TIME 12-8 2020
MATTHEW OESTREICH
WOOD COUNTY AUDITOR

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 11/19/2020

Tammy Krais
Mayor
Tammy Krais

Attest:

Kersten Enriquez
Village Fiscal Officer
Kersten Enriquez

Approved as to form:

Corey Speweik
Village Solicitor
Corey Speweik

Inlots 114 and 115, Inlots 408 and 409 in the
Village of Bradner
Wood County Ohio

WAIVER OF SERVICE/PUBLICATION AND CONSENT

WHEREAS, pursuant to RC §723.05, the Council of the Village of Bradner, Wood County, Ohio has determined that there is good cause for vacating the alley which lies south of East Crocker Street, and runs east of South East Street, and terminates at the Western border of the alley which runs north and south and lies between South Bell Street and South East Street, being bordered on the north side by parcel no. L47-412-120112005000 and being bordered on the south side by parcel no. L47-412-120112006000 (the "Alley"); and

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

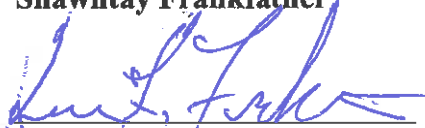
WHEREAS, pursuant to RC §723.06, we, the undersigned, all the owners of all the real property which adjoins or abuts said Alley, hereby waive the requirement of RC §723.07 that the intent of Council to vacate said Alley be published or posted for a period of six (6) weeks prior to such action; and

WHEREAS, we, the undersigned, all the owners of all the real property which adjoins or abuts said Alley, hereby consent 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.

Executed on the date hereinafter subscribed:

110 S. East St, Bradner, OH
Kevin L. Frankfather &
Shawntay Frankfather

Parcel # L47-412-120112006000



Kevin L. Frankfather



Shawntay Frankfather

10/14/20
Date

0 East Street, Bradner, OH
Tony A. Conley &
Rhonda M. Conley

Parcel # L47-412-120112005000



Tony A. Conley

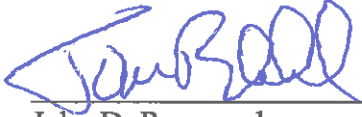


Rhonda M. Conley

10-14-20
Date

0 Crocker St., Bradner, OH
John D. Raymond &
Amy L. Raymond

Parcel # L47-412-120112003000



John D. Raymond



Amy L. Raymond

10/14/20

Date

109 Bell St., Bradner, OH
Desarae E. Scarberry

Parcel # L47-412-120112026000



Desarae E. Scarberry

10/14/20

Date