

ORDINANCE NO. 6 - 2016

**AN ORDINANCE VACATING A PORTION OF BANK STREET
AND THE ALLEY OFF OF BANK STREET**

WHEREAS, the Village Fiscal Officer has received a petition from the State of Ohio, an owner of a lots in the Village in the immediate vicinity of a portion of Bank Street and an Alley off Bank Street, to vacate a portion of Bank Street and the Alley off Bank Street; and

WHEREAS, Council is satisfied that there is good cause for such vacation and that it will not be detrimental to the general interest of the Village;

WHEREAS The Village has published notice as required by the Ohio Revised Code and the publications have occurred prior to the Village Council taking any action on the petition to vacate a Portion of Bank Street and the Alley off Bank Street; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF OAK HARBOR, OTTAWA COUNTY, OHIO:

Section 1.

That this Council does hereby determine that there is good cause to vacate the portion of Bank Street, as more fully described in the attached Exhibit A, incorporated herein as if fully rewritten, and the Alley off of Bank Street more fully described in the attached Exhibit B, incorporated herein as if fully rewritten herein, and further that said vacation will not be detrimental to the general interest.

Section 2.

That the portion of Bank Street, as more fully described in the attached Exhibit A, incorporated herein as if fully rewritten herein, and the Alley more fully described in the attached Exhibit B, incorporated herein as if fully rewritten herein, within the Village of Oak Harbor, Ottawa County, Ohio, be and the same hereby are, vacated.

Section 3.

That this ordinance and the legal description and map prepared by the State of Ohio, and submitted with the petition herein, shall be recorded by the Village in the office of the County Recorder under ORC §711.39, and the fee for recording shall be paid by the Village, as prescribed by ORC §317.32.

Section 4.

That the Village of Oak Harbor is deemed to have a permanent easement in the vacated streets and alley for the purpose of maintaining, operating, renewing, reconstructing, and removing any and all utilities located in the vacated streets and alley.

Section 5.

This Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of Council, and of its committees, which result in formal action, were taken in full compliance with the applicable legal requirements.

Section 6.

That this Ordinance shall take effect and be in full force and effect after the earliest date allowed by law.

Approved: May 16, 2016



Joseph W. Helle, Mayor

Attest:

Henry R. Jarrett
Henry R. Jarrett, Fiscal Officer

Dated: May 16, 2016

First Reading: April 18, 2016

Second Reading: May 2, 2016

Third Reading: May 16, 2016

Adopted: May 16, 2016, 2016