

ORDINANCE NO. 055-25

Introduced by _____ Councilor

Seconded by _____ Councilor

Form Approved  _____ Director of Law

PUBLICATION: I hereby certify that this Ordinance was published in a summary manner according to law in the Lima News on _____

Dana Addis, Clerk

VOTE	1ST		2ND		3RD	
	Y	N	Y	N	Y	N
GORDON						
WILKERSON						
THOMPSON						
JORDAN						
JONES						
GLENN						
NEEPER						
DIXON						
TOTAL						

AN ORDINANCE VACATING AN ALLEY IN THE 1100 BLOCK OF WEST NORTH STREET.

PREAMBLE: The purpose and authority of and for this ordinance are set forth as follows:

WHEREAS, a petition was filed with the Planning Commission to vacate an alley between parcel numbers 36-3606-10-004.000 and 36-3606-10-005.000 in the 1100 block of West North Street, more particularly described in attached Exhibit A; and,

WHEREAS, on the 24th day of February, 2025, at 7:00 p.m. a Public Hearing was held by the City Council upon said petition, after due notice of the pendency of such matter was given as required by law; and,

WHEREAS, this Council finds there is good cause for such alleyway vacation as prayed for and that the same will not be detrimental to the general public interest and should accordingly be made; and,

WHEREAS, Council finds that passage of this ordinance is necessary because of the immediate need for the action authorized herein to meet administrative operational deadlines, and in order to preserve the public peace, property, health, safety, and welfare of the community and its citizens, and to provide for the efficient and effective operation of the municipal government, and by reason thereof, this Ordinance constitutes a matter of administrative emergency and shall take effect immediately upon its passage, as set forth in Section 33 of the City Charter; Now, Therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LIMA, OHIO, WITH AT LEAST A MAJORITY OF THE MEMBERS ELECTED THERETO CONCURRING:

Section 1. The alley between parcel numbers 36-3606-10-004.000 and 36-3606-10-005.000 in the 1100 block of West North Street, more particularly described in attached Exhibit A, which is subject to final approval or modification by the Law Director, is hereby vacated, with certain easement rights reserved in the manner as set forth in Ohio Revised Code 723.041 and for any other easement of record or in use at the time of passage of this ordinance.

Section 2. The City Engineer is authorized to make said changes on the official maps of the City of Lima, Ohio, on file in the office of the City Engineer, and to cause any appropriate documents to be recorded in the office of the County Recorder.

Section 3. The Clerk is directed to send a certified copy of this ordinance to the City Engineer and County Engineer.

Section 4. The Law Director is authorized to record the appropriate Alley Vacation Plat in conformity herewith, and all appropriate City officials are hereby authorized to execute same.

Section 5. Council finds and determines that the above preamble contains specific findings by Council as part of and in support of passage of this Ordinance, and that all formal actions of this Council and any of its committees concerning and relating to the adoption of this ordinance were taken in an open meeting and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings held in compliance with the law.

Section 6. Council passes this Ordinance under authority of City Charter Sections 1 and 81, and Chapters 212 and 288 of the Codified Ordinances of Lima, as being a matter of local self-government and in the exercise of its constitutional Home Rule authority, and as otherwise in the best interests of the City.

Section 7. The Clerk of the Council is authorized and directed to cause publication of this ordinance to be made in a summary manner as provided by the City Charter.

Section 8. In accordance with City Charter Section 33, and for the reasons set forth in the Preamble above, this ordinance shall take effect and be in force forthwith upon passage by an affirmative vote of at least two-thirds of the members elected to council at the first reading hereof. If it does not so pass at first reading, it shall take effect and be in force forthwith upon passage by an affirmative vote of at least two-thirds of the members elected to council at the second reading hereof. If it does not so pass at second reading then it shall take effect and be in force forthwith upon passage by an affirmative vote of at least a majority of the members elected to council at the third reading hereof. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2025

Jamie L. Dixon, President

Approved: _____, 2025

Sharetta T. Smith, Mayor

ATTEST: _____
Dana Addis, Clerk of Council

Legal Description

Being the portion of a Public Alley between Lots #1688 & #1703 of Jameson's Second Addition (P.B. 2, Pages 180-181), located in the NW $\frac{1}{4}$ of Section 36, T3S, R6E, City of Lima, Allen County, Ohio, more particularly described as follows:

BEGINNING at an set #5 Rebar at the Northwest corner of Lot #1703; thence the following courses:

- 1) S 01°-26'-51" W on the West line of Lot #1703, 276.18' to a #5 Rebar set at the Southwest corner of Lot #1703;
- 2) N 88°-28'-04" W, 12.67' to a #5 Rebar set on the East line of Lot #1688, passing a set #5 rebar at 6.34';
- 3) N 01°-26'-51" E on the East line of Lot #1688, 280.16' to a #5 Rebar set at the Northeast corner of Lot #1688;
- 4) S 71°-02'-36" E on the South Line line of North Street, 13.29' to the POINT OF BEGINNING, passing a set #5 Rebar at 6.64'.

The above-described parcel of land contains 0.081 acres, more or less, subject to all legal highways and easements of record.

The system of bearings for this survey are based on the Ohio State Plane North Coordinate System. This legal description and accompanying plat represent an actual boundary survey completed under the direct supervision of Joshua R. Stephens, P.S. #8899 on August 9, 2024. All markers called for above are in place.