

ORDINANCE 9 - 23

AN ORDINANCE VACATING THE PORTION OF JACKSON STREET
LOCATED WITHIN BLOCK 35, ORIGINAL PLAT OF PORT CLINTON,
AND DECLARING AN EMERGENCY

WHEREAS, Section 723.05 of the Ohio Revised Code authorizes the legislative authority of the City, when there is good cause for vacating a street and that such vacation will not be detrimental to the general interest, to vacate the street, and

WHEREAS, the portion of the street sought to be vacated lies just north of the City Waste Water Treatment Plant, and needs to be vacated to adjust the boundary line between the City of Port Clinton and the Jet Express; and

WHEREAS, pursuant to Section 723.06 of the Revised Code the written consent of all property owners abutting the area to be vacated has been filed with the legislative authority, and

WHEREAS, the consent of the property owners abutting the area to be vacated also waives the requirement of service of notice, and

WHEREAS, this Council finds and determines that there is good cause for vacating the portion of the street described in this Ordinance, and that such vacation will not be detrimental to the general interest of the City or its residents, and the vacation should be made.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Port Clinton, County of Ottawa and State of Ohio:

Section 1. The portion of Jackson Street located within Block 35, Original Plat of Port Clinton, as described on Exhibit A to this Ordinance, and as shown on the plat drawing on file with the Clerk of Council and with the Director of Safety and Service, be and the same is hereby vacated, subject to the continuing easement rights for construction, maintenance, operating, renewing, reconstructing and removing public utilities, whether owned privately or by any governmental authority, as required by R.C. 723.041.

Section 2. The Clerk of Council be and is hereby directed to notify the Auditor of Ottawa County of the vacation of the portion of Jackson Street, located within Block 35, Original Plat of Port Clinton as described herein, by submitting a certified copy of this Ordinance, along with certified copies of the written consent of the property owners abutting the vacated street, the plat map depicting the area being vacated, and such other documents comprising the transcript of the vacation, and she shall also have a certified copy of said transcript recorded in the Ottawa County Recorder's office as required by R.C. 711.39.

Section 3. This Council finds and determines that all formal actions of this Council and any of its Committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or Committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with the law.

Section 4. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason the portion of the area to be vacated is necessary for the City to adjust a boundary line between the City of Port Clinton and the Jet Express, wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: _____, 2023

President of Council

Attest: _____
Clerk of Council

Approved: _____, 2023

Mayor