ORDINANCE NO. 3605

VACATING A STREET

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILMINGTON, STATE OF OHIO:

Section 1. Council finds that a Petition to Vacate Street was presented to the Planning Commission by Erik Parker, Glenda Parker, Richard Bracht and Sue Babb. Said Planning Commission has recommended that the following described street be vacated:

Farquhar Avenue Extended, described as follows:

Starting at a point at the southeast corner of the Assembly of God Church property (pipe found on accompanying Exhibit A) and extending on a line N 5° 00' E 416.00 feet to a point at the northeast corner of the Assembly of God Church property (pipe found), then extending on a line S 87° 00' E. 14.0' to a point, then extending along a line S 5° 21' 28" W 416.10 feet, then extending along a line N 89° 00' W. 11.4 feet back to the point of origin.
The described property contains 0.121 acres, more or less.

Section 2. Council held a public hearing on said street vacating on September 7, 1995.

Section 3. Council finds that there is good cause for vacating said street, that it will not be detrimental to the general interest, and that the said vacation of the street should occur.

Section 4. Said street is hereby vacated.

Section 5. The City Engineer is hereby instructed to notify the County Tax Map Office of said street vacation by sending that Office a copy of this ordinance.

Section 6. The Clerk of Council is directed to notify the Auditor of Clinton County of the vacation, by sending her a copy of this ordinance.

Section 7. That this ordinance shall be in full force and effect from and after the earliest period allowed by law.

Passed this 5th day of October, 1995.

[Signature]
President of Council

ATTEST:

[Signature]
Clerk of Council

Approved by me this 5th day of October, 1995.

[Signature]
Mayor

O-1330
March 26, 1996

Margaret Watters
Tax Map Department
46 S. South Street
Wilmington, Ohio 45177

RE: Vacation of Farquar Avenue Extension

Dear Peggy:

You recently asked this office to advise you how the property which formerly lay in the now vacated Farquar Avenue extension should be allocated on the Auditor's tax records.

After having reviewed the relevant statutory provisions and case decisions, I have determined that the former Farquar Avenue extension should be allocated to the adjoining property owners up to the center line of the former street. None of the former street should be allocated to the Wilmington City Schools Board of Education which owns the property where the former street deadends.

If you have any further questions concerning this matter, do not hesitate to contact me.

Very truly yours,

Thayne D. Gray

TDG/111
TOPOGRAPHIC SURVEY PLAT OF
FARQUHAR AVENUE EXTENDED
CITY OF WILMINGTON
CLINTON COUNTY, OHIO

CLINCO SURVEYORS
PO BOX 241
WILMINGTON, OH 45177

DATE: 10-3-94
DRAWN: C-7268
ORDINANCE (Tarquhar Avenue) 3605