

ORDINANCE NO. 3752

## VACATING PORTION OF OWENS AVENUE AND LINTON AVENUE (ALLEY)

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

Section 1. Council finds that Petitions to Vacate a portion of Owens Avenue and Linton Avenue (alley) were presented to the Planning Commission by Champion Bridge Company. Said Planning Commission has recommended that a portion of said Owens Avenue and Linton Avenue (alley) be vacated:

Situated in the City of Wilmington, Clinton County, Ohio, and being a part of Military Survey No. 1057, and comprised partly of a portion of the roadway commonly known as "Owens Avenue" and partly of an alleyway adjacent to said "Owens Avenue", and further bounded and described as follows:

Beginning in the southerly margin of Sugartree Street at the northeast corner of the 0.4768 acre tract of land conveyed to The Champion Bridge Company, hereinafter called "Grantee", (O.R. Vol. 120, Pg. 110: Tract 1); thence with said southerly margin of Sugartree Street N 89° 53' 00" E 44.18 feet to a point in the easterly margin of the roadway commonly known as "Owens Avenue"; thence with said easterly margin S 26° 05' 00" W 440.14 feet to a 1/2" iron pin (found) at the northeast corner of the Grantee's 1.076 acres tract (O.R. Vol. 59, Pg. 455: Parcel 2); thence partly with a line thereof and partly with a line of the 0.39 acre tract conveyed to the Farquhar Company (D.B. Vol. 174, Pg. 193) S 89° 46' 56" W 214.71 feet to a point; thence severing "Owens Avenue" by new division N 00° 13' 04" W 36.10 feet to a 1/2" iron pin (found) at the southeast corner of the 24.2 square poles tract conveyed to J.G. and M.L. Conley (O.R. Vol. 176, Pg. 117); thence partly with lines of the Grantee's 0.850 acre tract (O.R. Vol. 59, Pg. 455: Parcel 1) and partly with lines of the Grantee's 0.0969 acre tract (O.R. Vol. 120, Pg. 110: Parcel 2) on the following courses: (1) N 89° 46' 17" E 194.70 feet to a 1/2" iron pin (found); thence (2) N 27° 13' 52" E 46.40 feet to a 1/2" iron pin (found); thence (3) N 25° 00' 06" E 146.08 feet to a 5/8" iron pin (found); thence (4) S 89° 44' 14" W 73.58 feet to a point; thence severing an existing alleyway N 00° 07' 34" W 12.28 feet to a 1/2" iron pin (found) at the southeast corner of the 0.710 acre tract conveyed to the Alpha Real Estate Company (O.R. Vol. 69, Pg. 842); thence with lines of the Grantee's previously mentioned 0.4768 acre tract on the following courses: (1) N 89° 53' 00" E 79.25 feet to a 5/8" iron pin (found); thence (2) N 25° 00' 06" 191.34 feet to the place of beginning, containing 0.5373 Acre of land.

This description is a result of a new survey made by SOUTHWEST OHIO LAND SURVEYS under the direction of Brian F. Gallagher, Ohio Professional Surveyor No. 6945, in October, 1996, plat of which is filed in Volume 27, Plat 199 of the Clinton County Engineer's Record of Land Division.

Bearings are based upon the plat of survey filed in Volume 23, Plat 285 of the Clinton County Engineer's Record of Land Division.

Section 2. Council held a public hearing on said Owens Avenue and Linton Avenue (alley) vacating on February 20, 1997.

Section 3. Council finds that there is good cause for vacating this portion of said Owens Avenue and Linton Avenue (alley), that it will not be detrimental to the general interest, and that the said vacation should occur.


Section 4. Said portion of Owens Avenue and Linton Avenue (alley) is hereby vacated.

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

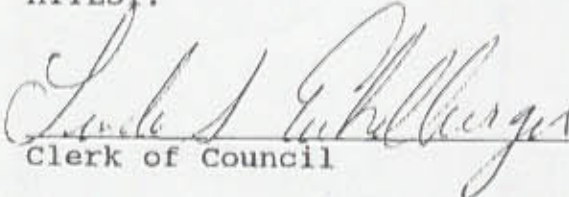
Section 6. The Clerk of Council is directed to notify the Auditor of Clinton County of the vacation, by sending her a copy of this ordinance.

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

Passed this 20th day of March, 1997.

  
\_\_\_\_\_  
President of Council

ATTEST:


  
\_\_\_\_\_  
Clerk of Council

Approved by me this 20th day of March, 1997.

  
\_\_\_\_\_  
Mayor  
0-1580

THIS IS A TRUE AND CERTIFIED COPY OF ORDINANCE NO. 3752

PASSED BY WILMINGTON CITY COUNCIL ON MARCH 20th, 1997.

  
\_\_\_\_\_  
LINDA S. EICHELBERGER, CLERK OF COUNCIL

ORDINANCE

3752