

ORDINANCE NO. 22 -02

AN ORDINANCE VACATING ALLEY

WHEREAS, a Petition to vacate the section of the alley right-of-way as described in the legal description attached hereto as Exhibit A was made to the Village of New Madison;

WHEREAS, this Council is satisfied that there is good cause for such vacation and that the vacation will not be detrimental to the general interest of the Village of New Madison or its citizens.

NOW, THEREFORE, VILLAGE OF NEW MADISON HEREBY ORDAINS, at least four (4) members of the Village Council concurring, that:

Section 1. This Council finds that the Petition to vacate a section of the alley right-of-way described in the attached Exhibit A, has been properly presented to this Council.

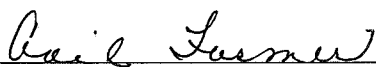
Section 2. This Council further finds that there is good cause for such vacation and that such vacation will not be detrimental to the general interests of the Village of New Madison or its citizens and ought to be made.

Section 3. It is hereby declared that the alley right-of-way described in Exhibit A, is vacated.

Section 4. Based upon the signed waiver and consent of the only other abutting property owner, the entire interest in the shall be transferred to Dora J. Waymire, subject to all existing legal easements of record.


Section 5. The Village Mayor is hereby instructed to undertake any necessary endorsements upon the Vacation Plat that are needed to show the action of this Council in vacating the above-referenced alley, and to cause a certified copy of this Ordinance and the Vacation Plat to be recorded in the office of the Recorder of Darke County, Ohio. The Village Clerk is further directed to notify the Auditor of Darke County of the vacation by sending her a copy of this Ordinance.

Section 6. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.



President of Council

ATTEST:



Fiscal Officer

APPROVED by the Mayor this
_____ day of May 16, 2022.

Monica K. Sebecy
Mayor

Description of
For
Jeff Waymire

0.059 Acre Tract
Vacation of Alley

Situated in the Northeast Quarter of Section Thirteen (13), Township Ten (10) North, Range One (1) East, Harrison Township, Village of New Madison, Darke County, Ohio, being the alley between Lots 44 and 45 in Putman's Addition to said village as described in Deed Book O-1, Page 57, in the office of the Darke County Recorder, and being more particularly described as follows:

Beginning at a 5/8" iron pin set at the northwest corner of Lot 44 in said addition;
thence South 34°29'40" East 155.74 feet along Lot 44 to a mag nail set on the north side of Harrison Street;
thence South 55°30'20" West 16.50 feet along Harrison Street to a point at the corner of Lot 45;
thence North 34°29'40" West 155.74 feet to a point at the northeast corner of Lot 45;
thence North 55°30'20" East 16.50 feet to the point of beginning, containing 0.059 acres, being subject to legal highway and other easements of record.

Bearings and distances are based upon the NAD83 (2018) State Plane Coordinate System, Ohio South Zone, ODOT VRS CORS Network. The above description was written and surveyed by James F. Stayton, Registered Surveyor #6739 from a survey plat made March 8, 2022. The above survey is recorded in Plat Book _____, Page _____, in the office of the Darke County Recorder.

Surveyed and Prepared by:

March 8, 2022

James F. Stayton
Registered Surveyor #6739
Eldorado, Ohio

