

June 13, 2024

STREET COMMITTEE

June 17, 2024

Following Finance Committee

Committee and Council Meetings can be viewed by accessing YouTube

AGENDA

1. Consider **Ordinance No. 24-22** AN ORDINANCE VACATING A PORTION OF IRON AVENUE, RUNNING WEST FROM VANVOORHIS STREET; SAID STREET RIGHT-OF-WAY IS LOCATED NORTH OF 383 IRON AVENUE.
2. Other items at the discretion of the chair

BY: _____

AN ORDINANCE VACATING A PORTION OF IRON AVENUE, RUNNING WEST FROM VANVOORHIS STREET; SAID STREET RIGHT-OF-WAY IS LOCATED NORTH OF 383 IRON AVENUE.

WHEREAS, Newark City Council received a petition from owners of real estate in the City of Newark praying for the herein described street right-of-way vacation; and,

WHEREAS, the Street Committee of the City of Newark met on June 17, 2024, and considered the procedure as outlined in Section 723.06 of *The Ohio Revised Code* whereby notice of the intention to vacate is not required, and approved the preparation and submittal of this legislation for Council consideration, in accordance with Section 723.06 of *The Ohio Revised Code*; and,

WHEREAS, this Council finds there is good cause for such vacation and that such vacation will not be detrimental to the general interest.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEWARK, COUNTY OF LICKING, AND STATE OF OHIO; THAT:

Section 1: The following described portion of Iron Avenue is hereby vacated, reserving, however, unto the City of Newark, Ohio, its successors and assigns, easements for construction, maintenance, and operation of various utilities, publicly owned and otherwise, to wit:

Being in the State of Ohio, County of Licking, City of Newark, and being a portion of Iron Avenue, lying west of VanVoorhis Street, as shown on the Plat of the Wehrle Addition as recorded in Plat Book 3 at Page 223 of the Licking County Plat Records, and being more particularly described as follows:

Beginning at the northeast corner of Lot 4701 of said Wehrle Addition, said point being on the south line of Iron Avenue and the west line of VanVoorhis Street;

Thence west along the north line of Lot 4701 to the northwest corner of Lot 4701, said point also marking the end of Iron Avenue previously vacated by Ordinance 1669 dated September 11, 1905;

Thence north along the vacated Iron Avenue right-of-way to the north right-of-way line of Iron Avenue;

Thence east along the north right-of-way line of Iron Avenue to a point, said point being the northern projection of the west line of VanVoorhis Street;

Thence south, crossing Iron Avenue, to the Place of Beginning.

This description was written based on information provided in existing plat and tax records, without the benefit of a field survey.

Section 2: The Division of Engineering of the City of Newark is hereby instructed to prepare a vacation plat of said vacated street and the Clerk of Council is instructed to endorse upon such plat the action of this Council, and to cause such plat to be recorded in the Office of the Recorder of Licking County, Ohio.

Section 3: This Ordinance shall become effective at the earliest time permitted by law after passage by Council and signature of the Mayor.

Adopted this _____ day of _____, 2024.

President of Council

Attest: _____

Date Filed with Mayor: _____

Date Approved by Mayor: _____

Mayor

Form Approved by: _____
Law Director

Prepared by the Division of Engineering.

City of Newark
Division of Engineering

MEMORANDUM

TO : Street Committee
FROM: Brian Morehead, City Engineer
DATE : 11 June 2024
RE : Committee Agenda for meeting

Thank you for allowing discussion of this requested street vacation at the next Street Committee meeting:

The location is:

1. The dead-end stub of Iron Avenue, extending west from VanVoorhis Street. This portion of street is unimproved, and was previously a wooded area that collected trash and other undesirable activity. The adjacent properties are owned by Michael L. Davis, Mid-Ohio Development Corp., and 550 Wehrle LLC.

The three property owners adjacent to the street right-of-way described have signed the petition requesting the vacation of the street right-of-way.

In this situation, because the all of the property owners adjacent to the street have signed the petition requesting the vacation, there is no requirement to pass a Resolution of Intent, nor to publish the proposed action in the newspaper (ORC 723.06). The Street Committee will serve as the public hearing to consider an Ordinance to Vacate the street, which would then be passed on to Council for approval.

If the Street Committee approves moving forward with the process to vacate this street, the following process will occur:

1. Forward Ordinance to Council to consider the Ordinance to Vacate.
2. If passed by Council, the Ordinance will become effective in 30 days, and Engineering will create a vacation plat that the Clerk will record with the LC Recorder.

Our practice is to write the vacating legislation such that although the street right-of-way is vacated, the City still retains an easement over the area for any current or future underground utilities. Basically, the City is just saying that we are not going to maintain the street areas any longer, and the adjoining property owners assume the ownership of the land and responsibility to maintain the ground.

If you have further detailed questions before the committee meeting, please give me a call at 740-670-7725.
















cc: Law Director, City Engineer, File D-4



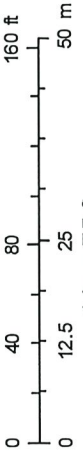
Proposed Street Vacation - Iron Avenue



March 14, 2024

- | | | | | | | | | | |
|---|---------------|---|---------------|---|---------------|---|---------------|---|---------------|
|  | Red: Band_1 |  | Red: Band_1 |  | Red: Band_1 |  | Red: Band_1 |  | Red: Band_1 |
|  | Green: Band_2 |  | Green: Band_2 |  | Green: Band_2 |  | Green: Band_2 |  | Green: Band_2 |
|  | Blue: Band_3 |  | Blue: Band_3 |  | Blue: Band_3 |  | Blue: Band_3 |  | Blue: Band_3 |

1:900



PETITION TO VACATE A STREET OR ALLEY

**TO THE COUNCIL OF
THE CITY OF NEWARK
STATE OF OHIO**

The undersigned, being the owners of all of the lots and lands abutting the street or alley proposed to be vacated by this petition, said street or alley being more fully described hereinafter, respectfully petition your honorable body that the said street or alley may be vacated for the reason that it is no longer of use to the public, and that its vacation will not be detrimental to the general interest. The said street or alley is described as follows:

PROPOSED STREET VACATION – Iron Avenue, west of VanVoorhis Street

Being in the State of Ohio, County of Licking, City of Newark, and being a portion of Iron Avenue, lying west of VanVoorhis Street, as shown on the Plat of the Wehrle Addition as recorded in Plat Book 3 at Page 223 of the Licking County Plat Records, and being more particularly described as follows:

Beginning at the northeast corner of Lot 4701 of said Wehrle Addition, said point being on the south line of Iron Avenue and the west line of VanVoorhis Street;

Thence west along the north line of Lot 4701 to the northwest corner of Lot 4701, said point also marking the end of Iron Avenue previously vacated by Ordinance 1669 dated September 11, 1905;

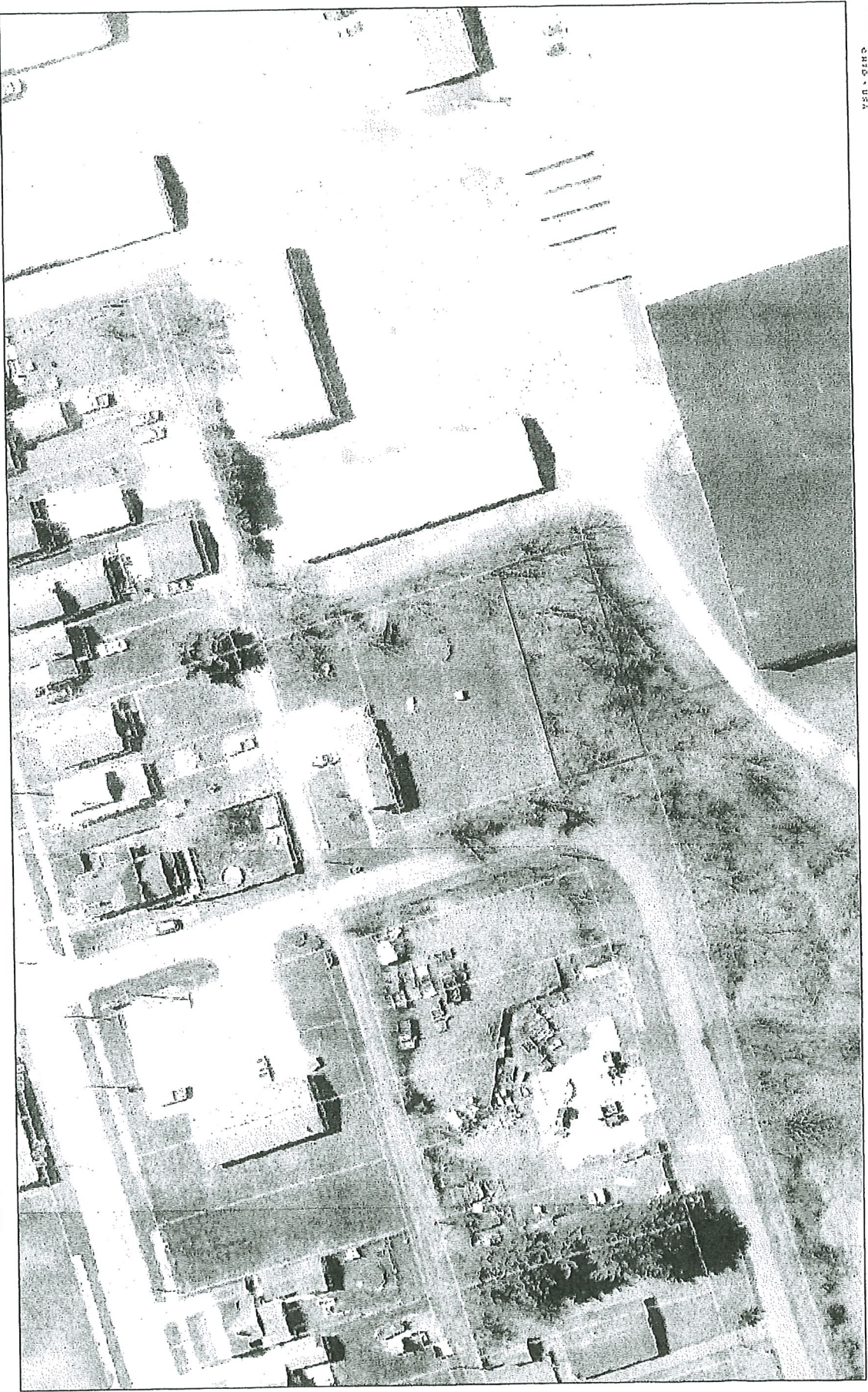
Thence north along the vacated Iron Avenue right-of-way to the north right-of-way line of Iron Avenue;

Thence east along the north right-of-way line of Iron Avenue to a point, said point being the northern projection of the west line of VanVoorhis Street;

Thence south, crossing Iron Avenue, to the Place of Beginning.

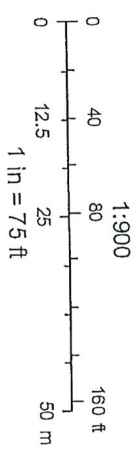
This description was written based on information provided in existing plat and tax records, without the benefit of a field survey.

Proposed Street Vacation - Iron Avenue



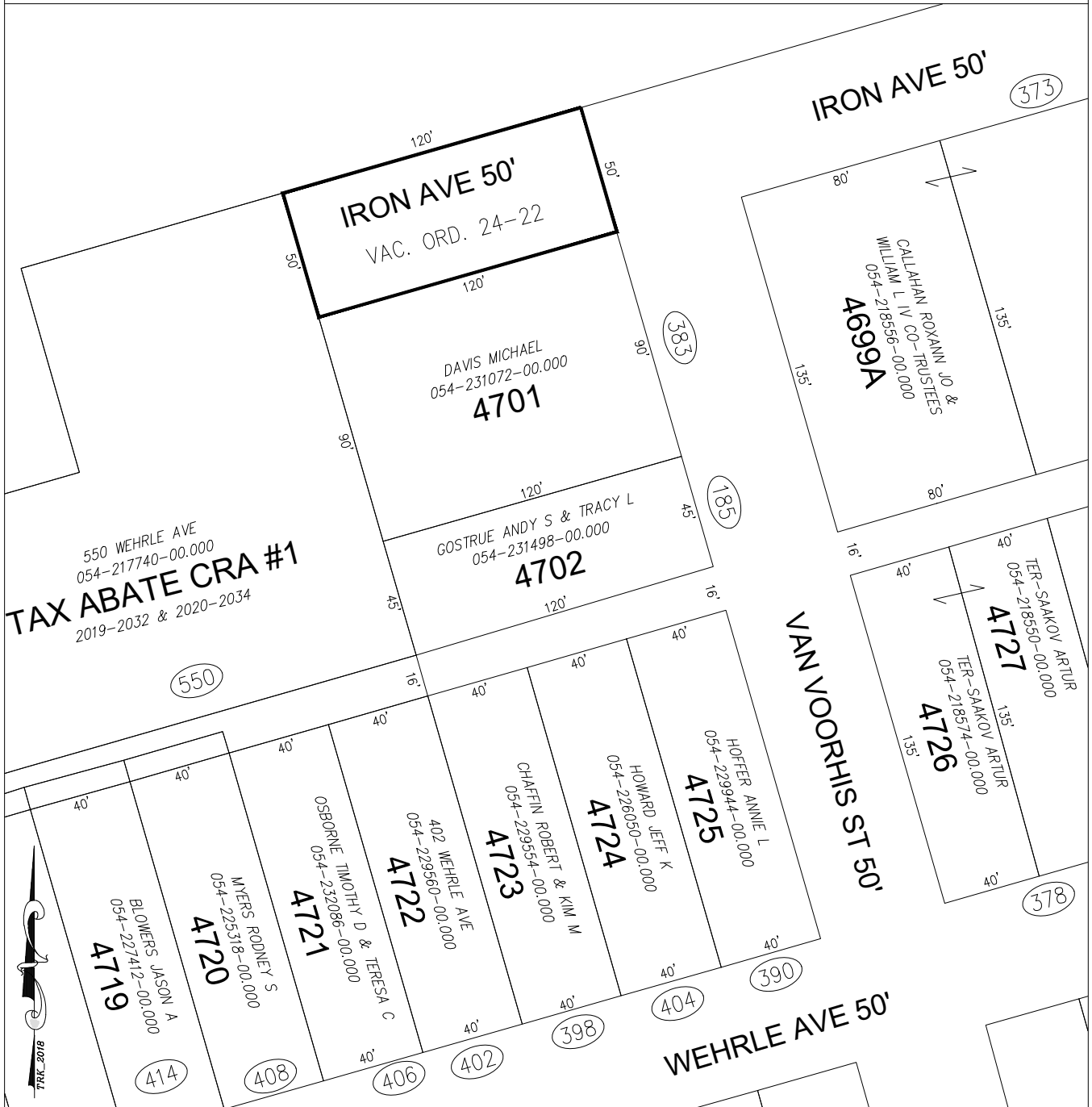
March 14, 2024

- OHLLCK020027_6.sid OHLLCK020019_5.sid OHLLCK008027_2.sid OHLLCK007019_1.sid
- Red: Band_1 Red: Band_1 Red: Band_1 Red: Band_1
- Green: Band_2 Green: Band_2 Green: Band_2 Green: Band_2
- Blue: Band_3 Blue: Band_3 Blue: Band_3 Blue: Band_3



VACATION of ALLEY IN THE WERHLE ADDITION

PLAT BOOK 3: PAGE 223 OF LICKING COUNTY PLAT RECORDS
SCALE 1"=60'



This drawing is based on information provided in existing plat and tax records, without the benefit of a field survey

150 - LOT NO. 55 - HOUSE NO.