



## Legislation Details (With Text)

**File #:** O-081-22      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Reported to Council  
**File created:** 2/18/2022      **In control:** Zoning & Planning Committee12324  
**On agenda:** 3/1/2022      **Final action:** 3/1/2022  
**Title:** Declaring the vacation of all public rights of way, within Parcel numbers 18-10707, 18-10708, 18-11157, 18-11008, 18-11009, 18-09792, 18-09793, 18-10791, and 18-10797, and the roads known as Gridley Road and Garbage Plant Road up to the point where they intersect with Creekside Ave., as approximately shown in red on the attached survey, all located within the 1st and 2nd shares of Bishop Farms, in the City of Toledo, Lucas County, Ohio; in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Drawing, 2. Audio: Agenda Review 2/2/2022, 3. City Council 3/1/2022

Date	Ver.	Action By	Action	Result
3/1/2022	1	City Council		
3/1/2022	1	City Council		
3/1/2022	1	City Council		

Zoning & Planning Committee

**Declaring the vacation of all public rights of way, within Parcel numbers 18-10707, 18-10708, 18-11157, 18-11008, 18-11009, 18-09792, 18-09793, 18-10791, and 18-10797, and the roads known as Gridley Road and Garbage Plant Road up to the point where they intersect with Creekside Ave., as approximately shown in red on the attached survey, all located within the 1<sup>st</sup> and 2<sup>nd</sup> shares of Bishop Farms, in the City of Toledo, Lucas County, Ohio; in the City of Toledo, Lucas County, Ohio; and declaring an emergency.**

**SUMMARY & BACKGROUND:**

The Council of the City of Toledo, by Resolution No. 508-20 adopted on December 15, 2020, declaring its intent to vacate all public rights of way, within Parcel numbers 18-10707, 18-10708, 18-11157, 18-11008, 18-11009, 18-09792, 18-09793, 18-10791, and 18-10797, and the roads known as Gridley Road and Garbage Plant Road up to the point where they intersect with Creekside Ave., as approximately shown in red on the attached survey, all located within the 1<sup>st</sup> and 2<sup>nd</sup> shares of Bishop Farms, in the City of Toledo, Lucas County, Ohio; a portion of the public alley (16 feet wide), within the block bounded by Washington Street, Erie Street, Lafayette Street and South Ontario Street, in the City of Toledo, Lucas County, Ohio; as more fully described in Section 1 hereof.

On November 4, 2020, the Toledo City Plan Commission recommended approval of the request for the vacation of all public rights of way, within Parcel numbers 18-10707, 18-10708, 18-11157, 18-11008, 18-11009, 18-09792, 18-09793, 18-10791, and 18-10797, and the roads known as Gridley Road and Garbage Plant Road up to the point where they intersect with Creekside Ave., as approximately shown in red on the attached

survey, all located within the 1<sup>st</sup> and 2<sup>nd</sup> shares of Bishop Farms, in the City of Toledo, Lucas County, Ohio; a portion of the public alley (16 feet wide), within the block bounded by Washington Street, Erie Street, Lafayette Street and South Ontario Street, in the City of Toledo, Lucas County, Ohio.

The City Council Zoning and Planning Committee on December 8, 2021, sent as approved the request for the vacation of all public rights of way, within Parcel numbers 18-10707, 18-10708, 18-11157, 18-11008, 18-11009, 18-09792, 18-09793, 18-10791, and 18-10797, and the roads known as Gridley Road and Garbage Plant Road up to the point where they intersect with Creekside Ave., as approximately shown in red on the attached survey, all located within the 1<sup>st</sup> and 2<sup>nd</sup> shares of Bishop Farms, in the City of Toledo, Lucas County, Ohio; a portion of the public alley (16 feet wide), within the block bounded by Washington Street, Erie Street, Lafayette Street and South Ontario Street, in the City of Toledo, Lucas County, Ohio.

The Board of Revision met on January 27, 2021 and approved the request for the vacation of all public rights of way, within Parcel numbers 18-10707, 18-10708, 18-11157, 18-11008, 18-11009, 18-09792, 18-09793, 18-10791, and 18-10797, and the roads known as Gridley Road and Garbage Plant Road up to the point where they intersect with Creekside Ave., as approximately shown in red on the attached survey, all located within the 1<sup>st</sup> and 2<sup>nd</sup> shares of Bishop Farms, in the City of Toledo, Lucas County, Ohio; a portion of the public alley (16 feet wide), within the block bounded by Washington Street, Erie Street, Lafayette Street and South Ontario Street, in the City of Toledo, Lucas County, Ohio.

All of the preliminary steps have been taken as required by law, the Charter of the City of Toledo, and the Toledo Plan Commission has made reports regarding the proposed vacations; and all things required by law to be done, have been done. During the vacation process it was determined the City of Toledo has waived all fees for this vacation.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That the Council of the City of Toledo does hereby vacate all public rights of way, within Parcel numbers 18-10707, 18-10708, 18-11157, 18-11008, 18-11009, 18-09792, 18-09793, 18-10791, and 18-10797, and the roads known as Gridley Road and Garbage Plant Road up to the point where they intersect with Creekside Ave., as approximately shown in red on the attached survey, all located within the 1<sup>st</sup> and 2<sup>nd</sup> shares of Bishop Farms, in the City of Toledo, Lucas County, Ohio; a portion of the public alley (16 feet wide), within the block bounded by Washington Street, Erie Street, Lafayette Street and South Ontario Street, in the City of Toledo, Lucas County, Ohio.

Legal Description: Being part of The First and Second Share of Bishop Farm in the Southwest Quarter of Section 13, Town 9 South, Range 7 East in the City of Toledo, Lucas County, Ohio, bounded and described as follows:

Commencing at a found 1 inch iron pipe monument at the centerline intersection of Creekside Avenue and

Sylvania Avenue.

Thence North 02 degrees, 11 minutes, 22 seconds West, along the centerline of Creekside Avenue, a distance of 680.79 feet to a point, said point being the True Point of Beginning.

Course 1: Thence continuing North 02 degrees, 11 minutes, 22 seconds West, a distance of 15.00 feet to a point.

Course 2: Thence South 87 degrees, 48 minutes, 38 seconds West, a distance of 20.00 feet to a point.

Course 3: Thence North 02 degrees, 11 minutes, 22 seconds West, a distance of 413.47 feet to a point.

Course 4: Thence South 88 degrees, 39 minutes, 44 seconds West, a distance of 100.17 feet to a point.

Course 5: Thence North 39 degrees, 56 minutes, 37 seconds East, a distance of 733.49 feet to a point.

Course 6: Thence North 88 degrees, 54 minutes, 14 seconds East, a distance of 240.00 feet to a point.

Course 7: Thence South 01 degree, 40 minutes, 52 seconds East, a distance of 219.17 feet to a point.

Course 8: Thence South 72 degrees, 35 minutes, 06 seconds East, a distance of 76.49 feet to a point.

Course 9: Thence North 88 degrees, 39 minutes, 44 seconds East, a distance of 231.01 feet to a point.

Course 10: Thence South 78 degrees, 28 minutes, 09 seconds East, a distance of 57.89 feet to a point.

Course 11: Thence South 01 degree, 32 minutes, 12 seconds East, a distance of 964.56 feet to an iron pin in concrete monument found at a point of curvature on the Northerly Right-of-way of Pennsylvania Lines Railroad.

Course 12: Thence traversing a non-tangent arc to the left, having a radius of 1,420.00 feet, a tangent length of 269.62 feet, a central angle of 21 degrees, 30 minutes, 06 seconds, a chord bearing of North 80 degrees, 11 minutes, 53 seconds West, a chord distance of 529.77 feet and an arc length of 532.89 feet to a point.

Course 13: Thence North 02 degrees, 11 minutes, 22 seconds West, a distance of 147.35 feet to a point.

Course 14: Thence South 87 degrees, 46 minutes, 36 seconds West, a distance of 440.00 feet to a point to the True Point of Beginning.

Containing 887,222.84 square feet or 20.3678 acres of land. Bearings used herein are based upon an assumed meridian and are intended to indicate angular measurement only. All 1/2 inch galvanized steel pipe set are capped with the company name and PLS No. 7476. This legal description is based upon a field survey prepared by Lewandowski Engineers on December 13, 2021.

SECTION 2. That the vacation(s) herein shall be subject to compliance of the following condition(s):

The following five (5) conditions are listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Division of Engineering Services

1. A pre-submittal meeting is not required; however, one may be requested. Contact information is as follows:

Division of Engineering Services: ph. 419-245-1315, fax 419-936-2850

Right-of-Way and Inspection: 419-245-1341

Roadway: 419-245-1344

Water: 419-936-2163

Stormwater Drainage: 419-245-3221; 419-245-1338

Sanitary Sewers: 419-936-2276

2. No objection of vacating all public rights of way, as long as all property owners have complete access to their parcels.
3. A twenty-foot (20') easement centered on the water main shall be provided to maintain the public water main.
4. Need to provide easement, to the landfill, for their private forcemain that runs down the road.

Division of Transportation

5. This vacation will remove public access to parcels, creating a land locked parcel. Replatting or public access shall be maintained to all parcels.

SECTION 3. That the Real Estate Section of the Department of Development is hereby directed to cause a copy of this Ordinance to be recorded in the records of the office of Lucas County Recorder.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure and shall be in force and effect from and after its passage. The reason for the emergency lies in the fact that same is necessary for the immediate preservation of the public peace, health, safety and property, and for the further reason that this Ordinance must be immediately effective so that the vacations can be expeditiously completed to enable the property owner(s) to obtain the resulting benefits at the earliest time.

Vote on emergency clause: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Passed: \_\_\_\_\_, as an emergency measure: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council

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

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

\_\_\_\_\_.

Attest: \_\_\_\_\_

Clerk of Council