



Legislation Details (With Text)

File #: R-589-22 **Version:** 1 **Name:**

Type: Resolution **Status:** Approved

File created: 10/28/2022 **In control:** City Council

On agenda: 11/9/2022 **Final action:** 11/9/2022

Title: Declaring the intent to vacate right of way located west of the relocated Angola Road and Airport Highway, all within the City of Toledo, Lucas County Ohio; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Audio: Agenda Review 11/1/2022, 2. Audio: City Council 11/9/2022

Date	Ver.	Action By	Action	Result
11/9/2022	1	City Council		
11/9/2022	1	City Council		
11/9/2022	1	City Council		

The Clerk Reports

Declaring the intent to vacate right of way located west of the relocated Angola Road and Airport Highway, all within the City of Toledo, Lucas County Ohio; and declaring an emergency.

SUMMARY & BACKGROUND:

Petitioner has filed a request to vacate the area of land, right of way, located at the intersection of Angola Road and Airport Highway, in Toledo, Lucas County Ohio.

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

SECTION 1. That the City Council does hereby declare its intent to vacate right-of-way further described below:

A parcel of land being part of the Northeast 1/4 of fractional Section 18, Town 3 of the United States Reserve of 12 Mile Square at the Foot of the Rapids of the Miami of Lake Erie in the City of Toledo, Lucas County, Ohio and is bounded and described as follows (all iron rods set mentioned in this description are 5/8 inch diameter topped with a surveyor’s cap ORAVECZ PS 5439);

Commencing at a found 1 inch diameter iron rod in a monument box marking the centerline of survey and right-of-way for Byrne Road and Airport Highway (a.k.a. State Route 2);

- 1) thence South 73°-05’-46” West, along the centerline of survey of Airport Highway, a distance of 914.35 feet to a 1 inch diameter iron rod in a monument box marking its intersection with the North line of said fractional Section 18;
- 2) thence continuing South 73°-05’-46" West, along the centerline of survey of Airport Highway, a distance of 503.62 feet to the Southwest corner of a parcel of land now or formerly owned by the City of Toledo as recorded in Official Record 20040809-0064857, Lucas County, Ohio records;
- 3) thence North 00°-05’-41" West, along the westerly line of said parcel recorded in Official Record

20040809-0064857, a distance of 51.97 feet to a set iron rod marking the point of BEGINNING of the hereinafter described parcel of land;

4) thence continuing North 00°-05'-41" West, along the westerly line of said parcel recorded in Official Record 20040809-0064857, said westerly line also being the easterly line of a parcel of land now or formerly owned by Kuba Enterprises, Ltd. as recorded in Official Record 20031119-0090654, Lucas County, Ohio records, a distance of 71.73 feet to a set iron rod;

5) thence South 85°-57'-01" East, a distance of 33.55 feet to a set iron rod;

6) thence South 22°-16'-04" East, a distance of 52.18 feet to a set iron rod;

7) thence South 68°-21'-48" West, a distance of 57.15 feet to the point of BEGINNING.

Containing 0.062 of an acre of land, more or less, all of which lies within parcel 20-02053, and is subject to legal highways and is subject to all legal easements, restrictions, leases of record and of the records in the respective utility offices and other conveyances, if any.

Prior Deed: Official Record 20040809-0064857, Lucas County, Ohio records

The bearings hereon are based on an assumed bearing of South 73°-05'-46" West for the centerline of survey of Airport Highway (a.k.a. State Route 2) as shown on the State of Ohio, Department of Transportation, LUC 2-11.68, City of Toledo, Lucas County Ohio, Right-of-Way Plans.

SECTION 2. That this matter be referred to the Toledo City Plan Commission for its review, recommendation and appropriate hearing date.

SECTION 3. That this Resolution hereby is declared to be an emergency measure and shall be in force and effect from and after its adoption. 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 Resolution must be immediately effective so that the vacation can be expeditiously completed to enable property owners to obtain the resulting benefits at the earliest time.

Vote on emergency clause: yeas 12, nays 0.

Adopted: November 9, 2022 as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Matt Cherry
President of Council

Approved:

November 14, 2022
Wade Kapszukiewicz
Mayor