



Legislation Text

File #: R-445-19, **Version:** 1

All Council Members

Declaring the intent to vacate a strip adjacent to Lots 5-7 in the Plat of West Central Stores, in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

SUMMARY & BACKGROUND:

Petitioner has filed a request to vacate a strip adjacent to Lots 5-7 in the Plat of West Central Stores, in the City of 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 a strip adjacent to Lots 5-7 in the Plat of West Central Stores, in the City of Toledo, Lucas County, Ohio; further described below:

Legal Description of Proposed Central Avenue Vacation: in the City of Toledo, Lucas County, Ohio, bounded and described as follows:

Commencing at a 1 inch iron bar monument found at the intersection of Central Avenue and Briar Cliff Road.

Thence South 00 degrees, 09 minutes, 10 seconds East, along the centerline of Briar Cliff Road, a distance of 40.00 feet to a point.

Thence South 89 degrees, 50 minutes, 33 seconds West, a distance of 30.00 feet to a cross cut on the Northerly prolongation of the West Right-of-way of Briar Cliff Road, said point being the True Point of Beginning.

Thence South 00 degrees, 09 minutes, 10 seconds East, along the Northerly prolongation of the West Right-of-way of Briar Cliff Road, a distance of 15.00 feet to a point on the South Right-of-way of Central Avenue.

Thence North 45 degrees, 08 minutes, 55 seconds West, along the South Right-of-way of Central Avenue, a distance of 14.14 feet to a point on the existing South 45 foot Right-of-way of Central Avenue.

Thence South 89 degrees, 50 minutes, 33 seconds West, along the existing South 45 foot Right-of-way of Central Avenue, a distance of 167.04 feet to a point on the West line of Lot 5 of West Central Stores as recorded in Lucas County Plat Volume 57, Page 01.

Thence North 00 degrees, 09 minutes, 10 seconds West, along the West line of Lot 5, a distance of 5.00 feet to a point on the proposed South 40 foot Right-of-way of Central Avenue.

Thence North 89 degrees, 50 minutes, 33 seconds East, along the proposed South 40 foot Right-of-way of Central Avenue, a distance of 177.04 feet to the True Point of Beginning.

Containing 935.19 square feet or 0.0215 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 September 4, 2019.

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.

Passed: September 17, 2019, as an emergency measure: yeas 12, nays 0.

Attest:

**Gerald E. Dendinger
Clerk of Council**

**Matt Cherry
President of Council**

Approved:

**September 17, 2019
Wade Kapszukiewicz
Mayor**