



Legislation Text

File #: O-118-21, Version: 1

Washington Local Schools Detachment Approval
Law Department
Paul F. Syring (x1020)
(Revised)

Approving the detachment of a parcel of real property within the municipal corporate limits of the City of Toledo, Ohio now known as Lot number One Hundred Eighteen (118) in Grosse Pointe Manor Plat 5, a Subdivision in the City of Toledo, Lucas County, Ohio, together with the Westerly 20 feet of the vacated East Harbor Drive adjoining together with the Easterly 8 feet of said vacated East Harbor Drive and Lot “B”, a 2 foot buffer strip. Along with all of the southerly 30.00 feet of East Harbor Avenue lying northerly of Lot 118 and vacated East Harbor Drive with Lot “B” buffer strip; amending Toledo Municipal Code Section 105.02 titled First Ward for the purpose of conforming the corporate territory of the City of Toledo with the detachment; and declaring an emergency.

SUMMARY & BACKGROUND:

Pursuant to Ohio Revised Code Section 709.38, the Board of Lucas County Commissioners received a Petition for Detachment from the subject property owner, Board of Education of Washington Local School District. The subject property is located in the City of Toledo and is contiguous to the Petitioner’s Shoreland Elementary School campus situated in adjacent Washington Township, Lucas County, Ohio. The Petitioner seeks detachment of the property from the City of Toledo and attachment to Washington Township. In accordance with Ohio Revised Code Section 709.38, approval of the detachment by the Board of Lucas County Commissioners is subject to approval of Toledo City Council. On November 4, 2020, pursuant to Resolution 436-20, Toledo City Council referred the Petition for Detachment to the Toledo City Plan Commission for review and recommendation. The Toledo City Plan Commission having reviewed the matter in its January 14, 2021 meeting recommends approval to Toledo City Council. The Zoning & Planning Committee of Toledo City Council also reviewed the application at their meeting of February 17, 2021 and forwarded the application to the full City Council.

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

SECTION 1. That Toledo City Council does hereby approve the detachment of lands identified in the Petition comprising a portion of the territory within the municipal corporate limits of the City of Toledo, Lucas County, Ohio; further described to-wit:

Lot number One Hundred Eighteen (118) in Grosse Pointe Manor Plat 5, a Subdivision in the City of Toledo, Lucas County, Ohio, together with the Westerly twenty (20) feet of vacated East Harbor Drive adjoining together with the Easterly 8 feet of said vacated East Harbor Drive and Lot “B”, a 2 foot buffer strip. Along with all of the southerly 30.00 feet of East Harbor Avenue lying northerly of Lot 118 and vacated East Harbor Drive with Lot “B” buffer strip

Parcel No. 2330057 and Parcel No. 2330058.

SECTION 2. That the Mayor is authorized to execute and deliver needed instruments and take further action as necessary to effectuate the detachment.

SECTION 3. That Section 105.02 of the Toledo Municipal Code, which currently reads as follows “Section 105.02 First Ward”:

The First Ward shall consist of that part of the City bounded as follows:

Beginning at a point which is the intersection of the centerline of Manhattan Boulevard with the centerline of New York Avenue; thence in an easterly direction along a straight line extending from the last mentioned point to the intersection with the centerline of the right of way of the Toledo Terminal Railroad, thence in an easterly and southeasterly direction along the centerline of such right of way to its intersection with the centerline of the Maumee River; thence in a northeasterly direction along such line to its intersection with the City boundary established February 10, 1936, by Ordinance 38-36, the same being a line bearing south eighty-eight degrees, six minutes, thirty seconds west, and extending in a westerly direction along such line to the west shore of Maumee Bay; thence northerly along Maumee Bay to the boundary line between the State of Ohio and the State of Michigan, such line being also the north line of Fractional Section Three, Town Nine South, Range Eight East; thence westerly along the last mentioned line to its intersection with the centerline of the Ottawa River; thence southwesterly on the last mentioned line, which is also the present boundary between the City of Toledo and Washington Township, to its intersection with the southwesterly line extended of the plat of Shoreland Third Extension; thence in a northwesterly direction along the southwesterly line extended and the southwesterly line of the plat of Shoreland Third Extension to its intersection with the centerline of Angel Avenue; thence in a southwesterly direction along the centerline of Angel Avenue to its intersection with the southwesterly line of the plat of Shoreland Fourth Extension; thence in a northwesterly direction along the southwesterly line of Shoreland Fourth Extension to a point which is thirty feet southeasterly, when measured at right angles, from the centerline of Foch Avenue extended; thence in a southwesterly direction a distance of 497.62 feet along a line parallel to and thirty feet south of the centerline of Foch Avenue extended and which is also the present boundary between the City of Toledo and Washington Township; thence in a northwesterly direction, parallel with the south line of that part of East Harbor Avenue, which extends immediately southwesterly from Suder Avenue, for a distance of 529.48 feet to a point on the westerly line of the Autokush and Ketukkee Tract in Town Nine South, Range Eight East, which point is 817.49 feet southerly of the southerly line of East Harbor Avenue; thence northerly along the westerly line of the Autokush and Ketukkee Tract to the centerline of East Harbor Avenue; thence westerly along the centerline of East Harbor Avenue to its intersection with the centerline of Suder Avenue; thence northeasterly along the centerline of Suder Avenue to its intersection with the north line of Fractional Section Eight, Town Nine South, Range Eight East, such line being also the boundary between the State of Ohio and the State of Michigan; thence westerly along the last mentioned line to its intersection with the centerline of the right of way of Conrail (formerly Penn Central Railroad); thence in a southwesterly direction along the right of way line to its intersection with the west line of Fractional Section Six, Town Nine South, Range Eight East; thence in a southerly direction along the last mentioned line to its intersection with the south line of Fractional Section Six, such line being also the north line of Section Seven, Town Nine South, Range Eight East; thence in an easterly direction along the last mentioned line to its intersection with the northeasterly corner of the westerly twenty-three and five tenths acres of the east one-half of the northwest one-quarter of Section Seven; thence southerly along the east line of the last mentioned twenty three and five tenths acre parcel

to its intersection with the east-west centerline of Section Seven, Town Nine South, Range Seven East; thence in a westerly direction along the last mentioned line to a point that is fifteen feet southwest of the northeast line of lot Number 158 in Alexis Place, a plat of record, as measured at right angles thereto; thence northwesterly, from the last mentioned point, along a line that is fifteen feet southwest of and parallel to the northeast line of Lot Number 158 in Alexis Place, and continuing in a straight line along an extension of the last mentioned line to its intersection with the west line of Section Seven, Town Nine South, Range Eight East, such line being also the centerline of the original sixty-foot right of way of Stickney Avenue; thence in a southerly direction along the last mentioned line to its intersection with the centerline of the Conrail right of way (formerly Michigan Central Railroad right of way); thence in an easterly and southeasterly direction along the last mentioned line to its intersection with the westerly line of the Ann Arbor Railroad right of way; thence in a southerly direction along the last mentioned line to its intersection with the centerline of Manhattan Boulevard, thence in an easterly direction along the last mentioned line to a point of beginning.

(Ord. 357-81. Passed 6-17-81.)

be and is hereby repealed.

SECTION 4. That a new Section 105.02 of the Toledo Municipal Code which reads as follows:

“Section 105.02 First Ward”:

The First Ward shall consist of that part of the City bounded as follows:

Beginning at a point which is the intersection of the centerline of Manhattan Boulevard with the centerline of New York Avenue; thence in an easterly direction along a straight line extending from the last mentioned point to the intersection with the centerline of the right of way of the Toledo Terminal Railroad, thence in an easterly and southeasterly direction along the centerline of such right of way to its intersection with the centerline of the Maumee River; thence in a northeasterly direction along such line to its intersection with the City boundary established February 10, 1936, by Ordinance 38-36, the same being a line bearing south eighty-eight degrees, six minutes, thirty seconds west, and extending in a westerly direction along such line to the west shore of Maumee Bay; thence northerly along Maumee Bay to the boundary line between the State of Ohio and the State of Michigan, such line being also the north line of Fractional Section Three, Town Nine South, Range Eight East; thence westerly along the last mentioned line to its intersection with the centerline of the Ottawa River; thence southwesterly on the last mentioned line, which is also the present boundary between the City of Toledo and Washington Township, to its intersection with the southwesterly line extended of the plat of Shoreland Third Extension; thence in a northwesterly direction along the southwesterly line extended and the southwesterly line of the plat of Shoreland Third Extension to its intersection with the centerline of Angel Avenue; thence in a southwesterly direction along the centerline of Angel Avenue to its intersection with the southwesterly line of the plat of Shoreland Fourth Extension; thence in a northwesterly direction along the southwesterly line of Shoreland Fourth Extension to a point which is thirty feet southeasterly, when measured at right angles, from the centerline of Foch Avenue extended; said point being the most northerly corner of Lot Number 30 within the Plat of “Havenwood” recorded in Lucas County Plat Volume 104 on pages 8 and 9. thence southwesterly 497.62 feet to a deflection point within Lot number 24 in said Havenwood Plat; thence northwesterly 529.84 feet more or less to the northwesterly corner of Lot Number 17 within said Havenwood Plat and being on the westerly line of the Auskush and Ketukkee Tract ; thence southerly on said line to the southeasterly corner of Lot Number 118 within the plat of “Grosse Pointe Manor Plat 5” recorded in Lucas County Plat Records

Volume 60 on page 39; thence northwesterly on the southerly lot line of said Lot 118 for a distance of 269.95 more or less to the southwesterly corner of said Lot Number 118; thence northerly on the westerly lot line of said Lot Number 118 for a distance of 380.00 feet more or less to the center line of East Harbor Avenue; thence westerly along the centerline of East Harbor Avenue to its intersection with the centerline of Suder Avenue; thence northeasterly along the centerline of Suder Avenue to its intersection with the north line of Fractional Section Eight, Town Nine South, Range Eight East, such line being also the boundary between the State of Ohio and the State of Michigan; thence westerly along the last mentioned line to its intersection with the centerline of the right of way of Conrail (formerly Penn Central Railroad); thence in a southwesterly direction along the right of way line to its intersection with the west line of Fractional Section Six, Town Nine South, Range Eight East; thence in a southerly direction along the last mentioned line to its intersection with the south line of Fractional Section Six, such line being also the north line of Section Seven, Town Nine South, Range Eight East; thence in an easterly direction along the last mentioned line to its intersection with the northeasterly corner of the westerly twenty-three and five tenths acres of the east one-half of the northwest one-quarter of Section Seven; thence southerly along the east line of the last mentioned twenty three and five tenths acre parcel to its intersection with the east-west centerline of Section Seven, Town Nine South, Range Seven East; thence in a westerly direction along the last mentioned line to a point that is fifteen feet southwest of the northeast line of lot Number 158 in Alexis Place, a plat of record, as measured at right angles thereto; thence northwesterly, from the last mentioned point, along a line that is fifteen feet southwest of and parallel to the northeast line of Lot Number 158 in Alexis Place, and continuing in a straight line along an extension of the last mentioned line to its intersection with the west line of Section Seven, Town Nine South, Range Eight East, such line being also the centerline of the original sixty-foot right of way of Stickney Avenue; thence in a southerly direction along the last mentioned line to its intersection with the centerline of the Conrail right of way (formerly Michigan Central Railroad right of way); thence in an easterly and southeasterly direction along the last mentioned line to its intersection with the westerly line of the Ann Arbor Railroad right of way; thence in a southerly direction along the last mentioned line to its intersection with the centerline of Manhattan Boulevard, thence in an easterly direction along the last mentioned line to a point of beginning.
(Ord. 357-81. Passed 6-17-81.)

is hereby enacted.

SECTION 5. That the Clerk of Council is hereby instructed forthwith to serve a copy of this Ordinance upon the Board of Lucas County Commissioners and the Petitioner, the Board of Education of Washington Local School District and the Lucas County Board of Elections.

SECTION 6. That this Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken, and that all deliberations of this Council and any committees that resulted in those formal actions were held, in meetings open to the public and in compliance with the law.

SECTION 7. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and property of the City and for further reason that this Ordinance is required to be immediately effective in order to timely facilitate and finalize the detachment of the subject property, wherefore, this Ordinance shall be in full force and effect immediately upon its passage or at the earliest time allowed by law.

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