



Legislation Details (With Text)

File #: R-235-18 **Version:** 1 **Name:**
Type: Resolution **Status:** Approved
File created: 6/8/2018 **In control:** City Council
On agenda: 6/19/2018 **Final action:** 6/19/2018
Title: Declaring the intent to vacate all rights of way, with exceptions, found within the boundaries of the proposed Manhattan Marsh Metropark, being a part of Northern Heights Plat 3, "North Toledo", Section 20, Town 9 South, Range 8 east, and the Forsythe Tract, City of Toledo, Lucas County, Ohio; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/19/2018	1	City Council		
6/19/2018	1	City Council		
6/19/2018	1	City Council		

The Clerk Reports

Declaring the intent to vacate all rights of way, with exceptions, found within the boundaries of the proposed Manhattan Marsh Metropark, being a part of Northern Heights Plat 3, "North Toledo", Section 20, Town 9 South, Range 8 east, and the Forsythe Tract, City of Toledo, Lucas County, Ohio; and declaring an emergency.

SUMMARY & BACKGROUND:

Petitioner has filed a request to vacate all rights of way, with exceptions, found within the boundaries of the proposed Manhattan Marsh Metropark, being a part of Northern Heights Plat 3, "North Toledo", Section 20, Town 9 South, Range 8 east, and the Forsythe Tract, in the City of Toledo, Lucas County, Ohio, as more fully described in Section 1 hereof.

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 portion of all rights of way, with exceptions, found within the boundaries of the proposed Manhattan Marsh Metropark, being a part of Northern Heights Plat 3, "North Toledo", Section 20, Town 9 South, Range 8 east, and the Forsythe Tract, In the City of Toledo, Lucas County, Ohio, as more fully described as follows:

Description for overall Parcel 1 (The parcel within which roads and alleys are to be vacated)

A parcel of land being part of the Plat of North Toledo, part of the Plat of Northern Heights Plat 3, part of Section 20, Town 9 South, Range 8 East, and part of the Forsythe Tract, City of Toledo, Lucas County, Ohio and being more particularly described as follows:

Commencing at the intersection of the Centerline of Suder Avenue with the intersection of Ontario Street;

thence South 43 02'05" West, on the Centerline of Ontario Street, a distance of 49.50 feet to a point on the Southwesterly Line of Suder Avenue and the True Point of Beginning of the parcel herein described;

thence continuing South 43 02'05" West, on the Centerline of Ontario Street (vacated) a distance of 300.00 feet to a point;

thence South 46 57'51" East, a distance of 235.55 feet to a point on the Northwesterly Line of Chase Street (60 feet wide);

thence South 43 01'35" West, on the Northwesterly Line of Chase Street (60 feet wide), a distance of 163.49 feet to a point on the Southwesterly Line of Adrian Street (60 feet wide);

thence South 46 59'31" East, on the Southwesterly Line of Adrian Street (60 feet wide), a distance of 30.00 feet to the Easterly Corner of Lot 130 in Northern Heights Plat 3;

thence South 43 01'53" West, on the Southeasterly Line of said Lot 130, a distance of 406.14 feet to the Southerly Corner of said Lot 130;

thence North 46 59'11" West, on the Northeasterly Line of Clifford Street (60 feet wide), a distance of 30.01 feet to a point;

thence South 43 00'35" West, on the Northwesterly Line of Chase Street (60 feet wide), a distance of 145.90 feet to a point;

thence North 46 58'16" West, on a line being 17.00 feet Northeasterly of the Northeasterly Line of Lot 134 in said Northern Heights Plat 3, a distance of 103.00 feet to a point;

thence South 43 01'29" West, on the Northeasterly Extension of the Northwesterly Line of said Lot 134, and the Northwesterly Line of said Lot 134, and the Southeasterly Line of Lot 141 in said Northern Heights Plat 3, a distance of 319.87 feet to a point on the Northeasterly Line of Pontiac Street (60 feet wide);

thence North 46 58'16" West, on the Northeasterly Line of Pontiac Street (60 feet wide), a distance of 163.08 feet to the intersection of the Northeasterly Line of Pontiac Street (60 feet wide) with the Southeasterly Line of Ontario Street (60 feet wide);

thence North 43 02'11" East, on the Southeasterly Line of Ontario Street (60 feet wide) a distance of 139.91 feet to a point;

thence North 46 58'35" West, on the Northeasterly Line of Lots 12 and 13 in Block 128 North Toledo, and its Southeasterly extension, a distance of 48.95 feet to a point on the Northeasterly Line of said Lot 13;

thence North 84 32'33" West, a distance of 273.71 feet to a point on the Southeasterly Line of Michigan Street (vacated);

thence North 82 54'37" West, a distance of 37.06 feet to a point on the Centerline of Michigan Street (vacated);

thence South 43 02'05" West, on the Centerline of Michigan Street (vacated), a distance of 636.35 feet to a point on the Northeasterly Line of Bassett Street (60 feet wide);

thence North 46 58'14" West, on the Northeasterly Line of Bassett Street (60 feet wide), a distance of 761.88 feet to the intersection of the Northeasterly Line of Bassett Street (60 feet wide) with the Northwesterly Line of Edison Street (60 feet wide);

thence North 46 57'56" West, on the Northeasterly Line of Bassett Street (60 feet wide), a distance of 87.99 feet to the Westerly Corner of Lot 27 In Block 180 North Toledo;

thence North 43 01'48" East, on the Northwesterly Line of Lot 27 Block 180 North Toledo, a distance of 120.02 feet to the Northerly Corner of Lot 27 In Block 180 North Toledo;

thence North 46 58'14" West, on the Northeasterly Line of Lots 28 through 32 inclusive in Block 180 North Toledo, a distance of 218.00 feet to a point on the Southeasterly Line of Joseph Street (60 feet wide);

thence South 43 01'48" West, on the Southeasterly Line of Joseph Street (60 feet wide), a distance of 180.02 feet to the intersection of the Southwesterly Line of Bassett Street (60 feet wide) with the Southeasterly Line of Joseph Street (60 feet wide);

thence South 46 58'12" East, on the Southwesterly Line of Bassett Street (60 feet wide), a distance of

99.00 feet to a point;

thence South 46 01'48" West, on the Southeasterly Line of the Northwesterly 11.00 feet of Lot 5 in Block 181 North Toledo, a distance of 133.05 feet to a point on the Northeasterly Line of Lot 8 In Block 181 North Toledo;

thence South 46 58'14" East on the Northeasterly Line of Lots 8 and 18 in Block 181, a distance of 207.00 feet to the Easterly Corner of said Lot 18;

thence South 43 01'48" West, on the Northwesterly Line of Edison Street (60 feet wide), a distance of 120.06 feet to the South Corner of Lot 20 In Block 181 North Toledo;

thence North 46 58'12" West, on the Southwesterly Line of said Lot 20, a distance of 146.50 feet to the Easterly Corner of said Lot 20;

thence North 43 01'48" East, on the Northwesterly Line of said Lot 20, a distance of 40.02 feet to the Northerly Corner of said Lot 20;

thence North 46 58'12" West, on the Southwesterly Line of Lot 9 In Block 181, and its Southeasterly Extension, a distance of 159.50 feet to the Westerly Corner of said Lot 9;

thence North 43 01'48" East, on the Southeasterly Line of Joseph Street, a distance of 80.05 feet to the Northerly Corner of Lot 8 In Block 181 North Toledo;

thence North 46 58'13" West, a distance of 60.00 feet to the East Corner of Lot 18 in Block 195 North Toledo;

thence North 46 58'14" West, on the Northeasterly Line of Lots 8 and 18 in Block 195 North Toledo, a distance of 261.10 feet to the East Line of the Former Detroit Toledo Shoreline Railroad;

thence in a Northerly Direction, on the East Line of the Former Detroit Toledo Shoreline Railroad, on a curve to the left, said curve having a radius of 820.82 feet, a central angle of 14 10'37", a length of 202.97 feet, a chord bearing of North 09 21'50" West, and a chord distance of 202.58 feet to a point of tangency;

thence North 16 40'00" West, on the East Line of the Former Detroit Toledo Shoreline Railroad, a distance of 6.01 feet to a point of curvature;

thence in a Northerly direction, on the East Line of the Former Detroit Toledo Shoreline Railroad, on a curve to the right, said curve having a radius of 895.36 feet, a central angle of 15 20'24", a length of 239.59 feet, a chord bearing of North 08 46'44" West, and a chord distance of 239.00 feet to a point of tangency;

thence North 01 06'32" West, on the East Line of Former Detroit Toledo Shoreline Railroad, a distance of 609.02 feet to a point on the South Line Manhattan Boulevard;

thence North 85 59'29" East, on the South Line of Manhattan Boulevard, a distance of 98.02 feet to a point on the Southerly Line of the Former Toledo Terminal Railroad;

thence South 50 45'15" East, on the Southerly Line of the Former Toledo Terminal Railroad, a distance of 16.86 feet to a point of curvature;

thence in a Easterly Direction, on the Southerly Line of the Former Toledo Terminal Railroad, on a curve to the left, said curve having a radius of 1458.68 feet, a length of 1311.30 feet, a central angle of 51 31'00", a chord bearing of South 76 30'45" East, and a chord distance of 1267.82 feet to a point of tangency;

thence North 77 43'45" East on the Southerly Line of the Former Toledo Terminal Railroad, a distance of 62.67 feet to a point;

thence South 00 48'31" East on the Southerly Line of the Former Toledo Terminal Railroad, a distance of 40.81 feet to a point;

thence North 77 43'45" East, on the Southerly Line of the Former Toledo Terminal Railroad, a distance of 951.60 feet to a point on the Southwesterly Line of Suder Avenue (99 feet wide);

thence South 46 56'24" East, on the Southwesterly Line of Suder Avenue (99 feet wide), a distance of 700.41 feet to the True Point of Beginning.

Also included with the overall Parcel one the following parcel located outside the perimeter of the above Parcel One:

Lots 2 and 3 in Block 181 North Toledo.

The area of the overall Parcel One and said external lots added is 74.916 acres, more or less.

EXCEPTING THEREFROM the following portions of Joseph Street, Pontiac Street, and Edison Street in North Toledo which are NOT being vacated and being more particularly described as follows:

Beginning at the intersection of the Southwesterly Line of Bassett Street (60 feet wide) with the Northwesterly Line of Joseph Street (60 feet wide), also being the Easterly Corner of Lot 1 in Block 195 North Toledo;

thence North 43 01'48" East, on the Northwesterly Line of Joseph Street (60 feet wide), a distance of 745.09 feet to the intersection of the Northwesterly Line of Joseph Street with the Northeasterly Line of Pontiac Street (60 feet wide), said point also being the Southerly Corner of Lot 12 in Block 193 North Toledo;

thence South 46 58'16" East, on the Northeasterly Line of Pontiac Street (60 feet wide), a distance of 426.00 feet to the intersection of the Northeasterly Line of Pontiac Street (60 feet wide) with the Southeasterly Line of Edison Street (60 feet wide) said point being the Westerly Corner of Lot 18 in Block 163 North Toledo;

thence South 43 01'48" West, on the Southeasterly Line of Edison Street (60 feet wide), a distance of 312.04 feet to the Westerly Corner of Lot 10 in Block 164 North Toledo;

thence North 46 58'33" West, a distance of 60.00 feet to the Southerly Corner of Lot 19 In Block 180 North Toledo;

thence North 43 01'48" East, on the Northwesterly Line of Edison Street (60 feet wide), a distance of 252.04 feet to the intersection of the Northwesterly Line of Edison Street (60 feet wide) with the Southwesterly Line of Pontiac Street (60 feet wide), also being the Easterly Corner of Lot 1 in Block 180 North Toledo;

thence North 46 58'16" West, on the Southwesterly Line of Pontiac Street (60 feet wide), a distance of 306.00 feet to the intersection of the Southwesterly Line of Pontiac Street (60 feet wide) with the Southeasterly Line of Joseph Street (60 feet wide), said point being the Northerly Corner of Lot 7 in Block 180 North Toledo;

thence South 43 01'48" West, on the Southeasterly Line of Joseph Street (60 feet wide), a distance of 685.09 feet to the intersection of the Line of Joseph Street (60 feet wide) with the Southwesterly Line of Bassett Street (60 feet wide), said point being the North Corner of Lot 7 In Block 181 North Toledo;

thence North 46 58'12" West, a distance of 60.00 feet to the True Point of Beginning of the above described excepted parcel, said excepted parcel containing 1.877 acres of land, more or less.

ALSO EXCEPTING therefrom the above described overall Parcel 1 portions of Michigan Street, Adrian Street, Champlain Street, Clifford Street, and Edison Street in North Toledo which are NOT being vacated and being more particularly described as follows:

Beginning at the Intersection of the Southwesterly Line of Suder Avenue (99 feet wide) with the Northwesterly Line of Michigan Street (60 feet wide), said point also being the Easterly Corner of Lot 1 in Block 144 North Toledo;

thence South 46 56'24" East, on the Southwesterly Line of Suder Avenue (99 feet wide), a distance of 60.00 feet to the Northerly Corner of Lot 7 in Block 126 North Toledo;

thence South 43 02'05" West, on the Southeasterly Line of Michigan Street (60 feet wide), a distance of 463.87 feet to the intersection of the Southeasterly Line of Michigan Street (60 feet wide) with the Southwesterly Line Adrian Street (60 feet wide), said point also being the Northerly Corner of Lot 7 in Block 127 North Toledo;

thence North 46 59'31" West, on the Southwesterly Line of Adrian Street (60 feet wide), a distance of 365.28 feet to the intersection of the Southwesterly Line of Adrian Street (60 feet wide) with the Southeasterly Line of Champlain Street (60 feet wide), said point also being the Northerly Corner of Lot 7 in Block 145 North Toledo;

thence South 43 03'02" West, on the Southeasterly Line of Champlain Street (60 feet wide), a distance of 466.05 feet to the intersection of the Southeasterly Line of Champlain Street (60 feet wide) with the Southwesterly Line of Clifford Street (60 feet wide), said point also being the Northerly Corner of Lot 7 In Block 146 North Toledo;

thence North 46 59'11" West, on the Southwesterly Line of Clifford Street (60 feet wide), a distance of 426.55 feet to the intersection of the Southwesterly Line of Clifford Street (60 feet wide) with the Northwesterly

Line of Edison Street (60 feet wide), said point also being the Easterly Corner of Lot 1 in Block 179 North Toledo;

thence North 43 01'48" East on the Northwesterly Line of Edison Street (60 feet wide), a distance of 370.70 feet to the Southerly Line of the Former Toledo Terminal Railroad;

thence North 77 43'45" East, on the Southerly Line of the Formal Toledo Terminal Railroad, a distance of 105.40 feet to a point on the Southeasterly Line of Edison Street (60 feet wide);

thence South 43 01'48" West, on the Southeasterly Line of Edison Street (60 feet wide), a distance of 397.34 feet to the intersection of the Southeasterly Line of Edison Street (60 feet wide) with the Northeasterly Line of Clifford Street (60 feet wide);

thence South 46 59'11" East, on the Northeasterly Line of Clifford Street (60 feet wide), a distance of 306.57 feet to the intersection of the Northeasterly Line of Clifford Street (60 feet wide) with the Northwesterly Line of Champlain Street (60 feet wide);

thence North 43 03'02" East, on the Northwesterly Line of Champlain Street (60 feet wide), a distance of 466.04 feet to the intersection of the Northwesterly Line of Champlain Street (60 feet wide) with the Northeasterly Line of Adrian Street (60 feet wide), said point being the Southerly Corner of Lot 12 in Block 161 North Toledo;

thence South 46 59'31" East, on the Northeasterly Line of Adrian Street (60 feet wide), a distance of 365.27 feet to the intersection of the Northeasterly Line of Adrian Street (60 feet wide) with the Northwesterly Line of Michigan Street (60 feet wide), said point being the Southerly Corner of Lot 12 in Block 144;

thence North 43 02'05" East, on the Northwesterly Line of Michigan Street (60 feet wide), a distance of 403.92 feet to the Point of Beginning, said second exception containing 2.776 acres of land, more or less.

Said over Parcel 1, less and excepting the two above exceptions contains 70.263 acres of land, more or less.

Description for overall Parcel 2 (The parcel within which roads and alleys are to be vacated) Which Lies Northeasterly of Suder Avenue.

A parcel of land being part of Blocks 124, 125, and 143 in North Toledo and being more particularly described as follows:

Beginning at the intersection of the Northeasterly Line of Suder Avenue (99 feet wide) with the Northwesterly Line of Ontario Street (60 feet wide), said point also being the Southerly Corner of Lot 12 in Block 125 North Toledo;

thence North 46 56'24" West, On the Northeasterly Line of Suder Avenue (99 feet wide), a distance of 574.00 feet to a point on the North Line of North Toledo;

thence North 88 59'08" East, on the North Line of North Toledo, a distance of 798.51 feet to a point on the Northwesterly Line of Ontario Street (60 feet wide);

thence South 43 01'39" West, on the Northwesterly Line of Ontario Street (60 feet wide), a distance of 555.44 feet to the Point of Beginning. Overall parcel 2 containing 3.659 acres of land, more or less.

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 _____, nays _____.

Adopted: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor