



Legislation Details (With Text)

File #: R-282-23 **Version:** 1 **Name:**
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File created: 5/4/2023 **In control:** City Council
On agenda: 5/16/2023 **Final action:** 5/16/2023
Title: Declaring the intent to vacate the full 15-foot-wide alley adjacent to Lots 1 thru 13, within the Plat of Radcliffs Bancroft Street Addition, all within the City of Toledo, Lucas County Ohio; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
5/16/2023	1	City Council	Suspension	Pass
5/16/2023	1	City Council	Emergency	Pass
5/16/2023	1	City Council	Passage	Pass

The Clerk Reports

Declaring the intent to vacate the full 15-foot-wide alley adjacent to Lots 1 thru 13, within the Plat of Radcliffs Bancroft Street Addition, all within the City of Toledo, Lucas County Ohio; and declaring an emergency.

SUMMARY & BACKGROUND:

Petitioner has filed a request to vacate the full 15-foot-wide alley adjacent to Lots 1 thru 13, within the Plat of Radcliffs Bancroft Street Addition, all within 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 the full 15-foot-wide alley adjacent to Lots 1 thru 13, within the Plat of Radcliffs Bancroft Street Addition, all within the City of Toledo, Lucas County Ohio; further described below:

Legal Description of Proposed Alley Vacation: Being a 15 foot wide alley in Radcliffs Bancroft Street Addition, as recorded in Lucas County Plat Volume 14, Page 31 in the City of Toledo, Lucas County, Ohio, bounded and described as follows:

Commencing at a stone with drill hole monument found at the centerline intersection of Bancroft Street and Elm Street.

Thence South 31 degrees, 44 minutes, 52 seconds East, along the centerline of Elm Street, a distance of 172.50 feet to a point on the Southwesterly prolongation of the Southeasterly line of Lot 1 in Radcliffs Bancroft Street Addition.

Thence North 58 degrees, 21 minutes, 57 seconds East, along the Southwesterly prolongation of Lot 1, a distance of 41.25 feet to the Southerly most corner of Lot 1, said point also being the intersection of the Northeasterly Right-of-way of Elm Street and the Northwesterly Right-of-way of a 15 foot wide alley, said point also being the True Point of Beginning.

Course 1: Thence continuing North 58 degrees, 21 minutes, 57 seconds East, along the Northwesterly Right-of-way of a 15 foot wide alley, a distance of 406.83 feet to the Easterly most corner of Lot 13, said point also being on the Southwesterly Right-of-way of Chestnut Street.

Course 2: Thence South 31 degrees, 21 minutes, 38 seconds East, along the Southwesterly Right-of-way of Chestnut Street, a distance of 15.00 feet to a 1/2 inch galvanized steel pipe set at the Northerly most corner of Lot 14, said point also being on the Northwesterly line of a parcel of land as conveyed to Lucas County Land Reutilization Corporation, as recorded in Lucas County Official Record 20211020-0055787, said point also being on the Southeasterly Right-of-way of a 15 foot wide alley.

Course 3: Thence South 58 degrees, 21 minutes, 57 seconds West, along the Southeasterly Right-of-way of a 15 foot wide alley, said line also being the Northwesterly line of Lots 14 and 15, said line also being the Northwesterly line of Lucas County Land Reutilization Corporation, a distance of 406.73 feet to a cross cut in walk at the Westerly most corner of Lot 15, said point also being on the Northeasterly Right-of-way of Elm Street.

Course 4: Thence North 31 degrees, 44 minutes, 52 seconds West, along the Northeasterly Right-of-way of Elm Street, a distance of 15.00 feet to the True Point of Beginning.

Containing 6,101.65 square feet or 0.1401 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 between January 24, 2023 and January 27, 2023.

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: May 16, 2023, as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Matt Cherry
President of Council

Approved:

May 16, 2023
Wade Kapszukiewicz

Mayor