



## Legislation Text

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**File #:** R-080-18, **Version:** 1

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### The Clerk Reports

#### **Declaring the intent to vacate a portion of right of way, adjacent to Manley Road, south of Garden Road, within the City of Toledo, Lucas County, Ohio; and declaring an emergency.**

##### **SUMMARY & BACKGROUND:**

Petitioner has filed a request to vacate a portion of the right of way which is adjacent to Manley Road, south of Garden Road, 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 right of way which is adjacent to Manley Road, south of Garden Road, within the City of Toledo, Lucas County, Ohio to wit:

A parcel of land being part of the Northeast quarter (1/4) of Section Twenty-seven (27), Town Two (2) United States Reserve of the Twelve Mile Square at the Foot of the Rapids of the Miami of Lake Erie, in the City of Toledo, Lucas County, Ohio, said parcel of land being bounded and described as follows:

Commencing at the intersection of the northwesterly line of the Amended Plat of High Point Plaza, with the northeasterly line of the Amended Plat of High Point Plaza, as recorded in Volume 97, Page 47, Lucas County Plat Records, said point of intersection being marked with a found concrete monument;

thence South forty-four (44) degrees, fifty-four (54) minutes, seven (07) seconds West along said northwesterly line of the Amended Plat of High Point Plaza, a distance of eighteen and eighty-four hundredths (18.84) feet to the intersection of a line drawn seventy-five and zero hundredths (75.00') feet southerly of and parallel with the centerline of Garden Road, as it now exist, said point being marked with a set capped iron rebar, said point also being the True Point of Beginning;

thence South forty-four (44) degrees, fifty-four (54) minutes, seven (07) seconds West along said northwesterly line of the Amended Plat of High Point Plaza, a distance of four hundred seventeen and sixty-seven hundredths (417.67') feet to the intersection of a line drawn forty and zero hundredths (40.00') feet easterly of and parallel with the centerline of relocated Manley Road, as it now exists, said point being marked with a set capped iron rebar, said point also being on an arc of curve;

thence along said line drawn forty and zero hundredths (40.00') easterly of and parallel with the centerline of relocated Manley Road, as it now exists, along a non-tangent arc of curve to the left, an arc length of one hundred sixty and ninety-five hundredths (160.95') feet to the point of tangency, said arc of curve having a radius of four hundred eighty and seventy-four hundredths (480.74') feet, a central angle of nineteen (19) degrees, ten (10) minutes, fifty-eight (58) seconds, a chord bearing of North twenty-three (23) degrees, thirty-

six (36) minutes, thirteen (13) seconds East, and a chord length of one hundred sixty and twenty hundredths (160.20') feet, said point of tangency being marked with a set capped iron rebar;

thence North fourteen (14) degrees, zero (00) minutes, forty-four (44) seconds East along said line drawn forty and zero hundredths (40.00') feet easterly of and parallel with the centerline of relocated Manley Road, as it now exists, a distance of one hundred ninety-nine and forty-five hundredths (199.45') feet to the intersection of said line drawn seventy-five and zero hundredths (75.00') feet southerly of and parallel with the centerline of Garden Road, as it now exist, said point of intersection being marked with a set capped iron rebar,

thence South seventy-six (76) degrees, seventeen (17) minutes, fifty-five (55) seconds East along said line drawn seventy-five and zero hundredths (75.00') feet southerly of and parallel with the centerline of Garden Road, as it now exist, a distance of one hundred eighty-seven and seventy-four hundredths (187.74') feet to the True Point of Beginning;

Said parcel of land having an area of 30,155 square feet or, 0.692 acres of land, more or less

The above described parcel of land is subject to any and all leases, easements and restrictions of record.

The bearings used hereon are based on an assumed meridian and are for the express purpose of calculating angular measurement.

Said set capped iron rebar being a 5/8" diameter and 30" long iron rebar with plastic cap stamped "Feller Finch PS7827".

Said set concrete monuments being 6" in diameter and 30" in length with a 2" aluminum cap, the aluminum cap being stamped Feller, Finch & Assoc., Inc.

The above description is based on a survey performed under my supervision during November 2014.

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