



Legislation Text

File #: R-058-25, Version: 1

Vacation: Whitmer Drive
Clerk of Council

Declaring the intent to vacate all that portion of Whitmer Drive lying between West Alexis Road and Lyceum Place, located in the City of Toledo, Lucas County, Ohio; and declaring an emergency.

SUMMARY & BACKGROUND:

Petitioner has filed a request to vacate all that portion of Whitmer Drive lying between West Alexis Road and Lyceum Place, located in the City of Toledo, Lucas County, Ohio.

NOW THEREFORE, Be it resolved that:

SECTION 1: That the City Council does hereby declare its intent to vacate all that portion of Whitmer Drive lying between West Alexis Road and Lyceum Place, located in the City of Toledo, Lucas County, Ohio, further described below:

A parcel of land being part of the Northeast Quarter (1/4) of Section eight (8), Town nine (9) South, Range seven (7) East, in the City of Toledo, Lucas County, Ohio, said parcel of land being bounded and described as follows:

Commencing at the intersection of the West line of said Northeast Quarter (1/4) of Section eight (8) with the North line of said Northeast Quarter (1/4) of Section eight (8), said North line the Northeast Quarter (1/4) of Section eight (8), also being the centerline of West Alexis Road, as it now exists, said point of intersection being marked with a found monument box with an iron rod;

Thence in a easterly direction along said North line of the Northeast Quarter (1/4) of Section eight (8), having a bearing of North eighty-nine (89) degrees, twenty-two (22) minutes, twelve (12) seconds East, based on the Ohio State Plane Coordinate System, North Zone, NAD 83 (2011), a distance of one hundred eighty and thirty-nine hundredths (180.39') feet to a point, said point being marked with a set Mag nail;

Thence South zero (00) degrees, thirty-seven (37) minutes, forty-eight (48) seconds East along a line, a distance of forty-five and zero hundredths (45.00') feet to the intersection of a line drawn forty-five and zero hundredths (45.00') feet southerly of and parallel with said North line of the Northeast Quarter (1/4) of Section eight (8), said point of intersection being marked with a set capped iron rebar, said point of intersection also being the True Point of Beginning;

1. Thence South one (01) degree, seven (07) minutes, fourteen (14) seconds East along a line drawn thirty and zero hundredths (30.00') easterly of and parallel with the centerline of Whitmer Drive, as it now exists, a distance of one thousand seven hundred fifty-nine and twenty-nine hundredths (1759.29') feet to the intersection of a line drawn thirty and zero hundredths (30.00') feet northerly of and parallel with the centerline of Lyceum Place, as it now exists, said point of intersection being marked with a found iron pin;
2. Thence South eighty-nine (89) degrees, forty-two (42) minutes, eight (08) seconds West along said line drawn thirty and zero hundredths (30.00') feet northerly of and parallel with the centerline of Lyceum Place, as it now exists, a distance of sixty and one hundredth (60.01') feet to the intersection of line drawn thirty and zero hundredths (30.00') westerly of and parallel with said centerline of Whitmer Drive, as it now exists, said point of intersection being marked with a set capped iron rebar;
3. Thence North one (01) degree, seven (07) minutes, fourteen (14) seconds West along said line drawn thirty and zero hundredths (30.00') westerly of and parallel with the centerline of Whitmer Drive, as it now exists, a distance of one thousand seven hundred three and ninety-four hundredths (1703.94') feet to the intersection of a line drawn one hundred and zero hundredths (100.00') feet southerly of and parallel with said North line of the Northeast Quarter (1/4) of Section eight (8), said point of intersection being marked with a set capped iron rebar;
4. Thence South eighty-nine (89) degrees, twenty-two (22) minutes, twelve (12) seconds West along said line drawn one hundred and zero hundredths (100.00') feet southerly of and parallel with the North line of the Northeast Quarter (1/4) of Section eight (8), a distance of twenty and zero hundredths (20.00') feet, to the intersection of a line drawn fifty and zero hundredths (50.00') feet westerly of and parallel with said centerline of Whitmer Drive, as it now exists, said point of intersection being marked with a set capped iron rebar;
5. Thence North one (01) degree, seven (07) minutes, fourteen (14) seconds West along said line drawn fifty and zero hundredths (50.00') feet westerly of and parallel with the centerline of Whitmer Drive, as it now exists, a distance of fifty-five and zero hundredths (55.00') feet to the intersection of said line drawn line drawn forty-five and zero hundredths (45.00') feet southerly of and parallel with the North line of the Northeast Quarter (1/4) of Section eight (8), said point of intersection being marked with a set capped iron rebar;
6. Thence North eighty-nine (89) degrees, twenty-two (22) minutes, twelve (12) seconds East along said line drawn forty-five and zero hundredths (45.00') feet southerly of and parallel with the North line of the Northeast Quarter (1/4) of Section eight (8), a distance of eighty and zero hundredths (80.00') feet to the True Point of Beginning.

Said parcel of land having a total area of 106,647 square feet or 2.448 acres of land more or less. Said parcel contained within Lucas County Tax Parcel Number 23-03277.

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

Prior deed references are Deed Volume 708, Page 539, Deed Volume 1264, Page 543, and Deed Volume 1277, Page 103, Volume 1595, Page 381, Volume 1744, Page 594, Volume 1977, Page 601, Official Record 20220112-0002078, and Official Record 202311120-0037907, all in Lucas County Deed Records, currently deeded to Washington Local School District.

The bearings used heron are based on the Ohio State Plane Coordinate System, North Zone, NAD 83 (2011), U.S. survey feet.

Said set capped iron rebars being a 5/8" diameter by 30" long iron rebar with a plastic cap stamped "PS 7973".

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 10, nays 0.

Adopted: February 25, 2025, as an emergency measure: yeas 10, nays 0.

Attest:

Paula R. Howell
Deputy Clerk of Council

Carrie Hartman
President of Council

Approved:

February 25, 2025
Wade Kapszukiewicz
Mayor