

**TOLEDO - LUCAS COUNTY PLAN COMMISSIONS**

One Government Center, Suite 1620, Toledo, OH 43604 P: 419 245-1200 F: 419 936-3730

DATE: December 5, 2024

REF: V-505-24

TO: President Carrie Hartman and Members of Council, City of Toledo

FROM: Toledo City Plan Commission, Thomas C. Gibbons, Secretary

SUBJECT: Vacation of a portion of Bresnahans Green, Clemente Trace and Rogan Way adjacent to Lots 6-8 and C-D in the Second Recording of the Collingwood Green Subdivision

The Toledo City Plan Commission considered the above-referenced request at its meeting on December 5, 2024 at 2:00 P.M.

**GENERAL INFORMATION**

Subject

- Request - Vacation of a portion of Bresnahans Green, Clemente Trace and Rogan Way adjacent to Lots 6-8 and C-D in the Second Recording of Collingwood Green
- Applicant/Owner - Lucas Metropolitan Housing Authority  
424 Jackson Street  
Toledo, OH 43604
- Engineer - Lewandowski Engineers, A Verdantas Company  
219 S. Erie Street  
Toledo, OH 43604

Site Description

- Zoning - RM36-PUD and CM-PUD / Multi-Dwelling Residential Planned Unit Development and Mixed Commercial-Residential Planned Unit Development
- Area - ± 1.6771 acres
- Dimensions - Various
- Existing Use - Public Right-of-Way
- Proposed Use - Public Right-of-Way

**GENERAL INFORMATION (cont'd)**

Area Description

- North - Single family homes / RS6
- South - Nebraska Avenue and multi-family housing/ RM36
- East - Interstate 75 / RM36-PUD, RM36 and IL
- West - Division Street, medical office, school and park / RM36 and POS

Parcel History

- Z-51-85 - Zone Change from C-3 to R-2 and R-5 to R-2 (PC rec. approval 4/25/85; CC approved 5/14/85 via Ord. 353-85).
- M-14-95 - Community Development Plan for the ONYX Community Development District (PC approved 5/3/95; CC approved 5/29/96 via Ord. 375-96).
- S-16-02 - Preliminary Drawing Review for Washington Village Plat Ten (PC approved 11/7/02).
- S-31-04 - Washington Village Plat X Preliminary Drawing Review (Withdrawn).
- Z-1001-05 - Zone Change from RS6 to CO (Withdrawn).
- SPR-11-11 - Major Site Plan Review of a 65 Unit Senior Housing Center (PC approved 9/6/11).
- Z-9003-12 - Zone Change from RS6 to RM36 (PC rec. approval 10/11/12; CC approved 11/20/12 via Ord. 549-12).
- PUD-8007-12 - Request for a Planned Unit Development for a 207 dwelling unit housing complex located at 392 Nebraska Avenue (PC rec. approval 10/11/12; CC approved 11/20/12 via Ord. 550-12).
- V-28-13 - Request for the Vacation of portion of Avondale from Division Street to North South extension of Moorish Avenue (PC rec. approval 2/14/13; CC approved 11/11/13 via Ord. 533-13).

**GENERAL INFORMATION (cont'd)**

Parcel History (cont'd)

- V-441-13 - Request for the Vacation of all right of ways bounded by Nebraska Avenue, Division Street, Belmont Avenue, and Interstate 75 (PC rec. approval 10/10/13; CC approved 12/10/13 via Ord. 552-13).
  
- S-24-13 - Request for the review of the Final Plat of Collingwood Green located at the intersection of Collingwood Boulevard and Nebraska Avenue (PC approved 10/23/13).
  
- V-29-13 - Request for the Vacation of Weiler Avenue from Nebraska Avenue to Belmont Avenue (PC rec. approval 2/14/13; CC approved 12/10/13 via Ord. 552-13).
  
- PUD-11004-16 - Amendment to a Planned Unit Development, originally granted via Ord 550-12 for new multi-family housing at 392 Nebraska Avenue (PC rec. approval 1/12/17; CC approved 2/21/17 via Ord. 87-17).
  
- V-166-17 - Vacation of portion of Belmont Ave, a portion of Bresnahans Green and a portion of Rogan Way (PC rec. approval 6/8/17; CC approved 2/27/18 via Ord. 77-18).
  
- S-6-20 - Final Plat of Bresnahans Green and part of Belmont Avenue in Collingwood Green (PC approved 01/14/21).
  
- V-444-20 - Vacation of a portion of Clemente Trace in Collingwood Green (PC rec. approval 12/3/20; Vacation process not completed.)
  
- PUD-10007-20 - Amendment to Planned Unit Development, originally approved by Ord.87-17, for multi-family development (PC rec. approval 12/3/20; CC approved 1/19/21 via Ord. 30-21).



**GENERAL INFORMATION (cont'd)**

Parcel History (cont'd)

- |              |   |   |
|--------------|---|---|
| PUD-8005-22  | - | Amendment to Planned Unit Development, originally granted by Ord. 550-12, 87-17 and 30-21 for 75-unit senior housing with commercial units (PC rec. approval 10/13/22; CC approved 11/22/22 via Ord. 611-22). |
| PUD-11007-23 | - | Amendment to Planned Unit Development granted by Ord. 550-12, 87-17, 30-21 and 611-22 for the Collingwood Green multi-family development (PC rec. approval 1/11/23; CC approved 2/28/24 via Ord. 83-24).      |

Applicable Regulations

- Toledo Municipal Code, Part Eleven: Planning and Zoning
- Forward Toledo Comprehensive Land Use Plan

**STAFF ANALYSIS**

The applicant is requesting the Vacation of a portion of Bresnahans Green, Clemente Trace and Rogan Way adjacent to Lots 6-8 and C-D in the Second Recording of the Collingwood Green Subdivision. Collingwood Green is a multi-family development that consists of ±20.0 acres located northeast of the intersection of Nebraska Avenue and Division Street. The Collingwood Green development was originally approved by the Plan Commission as a Planned Unit Development in 2012 with subsequent amendments in 2017, 2021, 2022, and 2023. The development has been completed in phases and to date twenty (20) buildings have been constructed on the site that consist of sixty-five (65) apartments and one hundred and twenty-three (123) townhomes. Surrounding land uses include single-family homes to the north; I-75 to the east; a multi-family development to the south across Nebraska Avenue; and a medical office, Jones Leadership Academy and Gunckel Park to the west across Division Street.

The applicant, Lucas County Metropolitan Housing Authority (LMHA), is proposing the Vacation of a portion of Bresnahans Green, Clemente Trace and Rogan Way in order to facilitate construction of roadway improvements. The ± 1.6771 acres of right-of-way to be vacated is currently unimproved. In 2013 the City of Toledo passed legislation to fund the roadway improvements for Collingwood Green, which helped LMHA leverage funding for the project. In 2016 the City indicated that it would not be able to fund all the roadway improvements. LMHA will instead fund the roadway improvements. Based on funding source requirements, LMHA must own the property upon which funds will be spent. Since the subject right-of-way has been dedicated for public use, it must be vacated for LMHA to own the property in order to use their

**STAFF ANALYSIS (cont'd)**

funding for roadway construction. LMHA's intent for the Vacation request is to have the subject right-of-way vacated, construct the roadway improvements, and then re-dedicate the right-of-way for public use. The same process was completed for roadway construction in previous phases of the development.

Forward Toledo Comprehensive Land Use Plan

The Forward Toledo Comprehensive Land Use Plan designates the subject right-of-way and the associated development as Neighborhood Residential. The Neighborhood Residential designation is intended to provide areas that meet low- and medium-density housing demands and are predominately pedestrian oriented. Three-, four-, and multi-family homes are compatible when located near and along busier corridors where lot size and building height are most appropriate. The Collingwood Green multi-family development and associated roadways are compatible with this land use designation. The development is situated north of Nebraska Avenue and west of I-75, both major roadways. The development provides for a transition from these roadways to the single family homes to the north and west. In addition, the development is consistent with the multi-family development to the south. The Collingwood Green development also provides for pedestrian scale improvements such as sidewalks, street lights and landscaping along interior roadways.

Staff recommends approval of the proposed Vacation as it will allow for the applicant to fund necessary roadway improvements and the right-of-way will be re-dedicated for public use following roadway improvement construction. In addition, the Vacation will facilitate continued development of Collingwood Green, a use that is consistent with the Forward Toledo Comprehensive Land Use Plan. Additionally, the Vacation will not impede or restrict access to any adjoining property owners abutting the site as the subject rights-of-way are currently undeveloped and other means of access is available.

**PLAN COMMISSION RECOMMENDATION**

The Toledo City Plan Commission recommends approval of V-505-24, the request for the Vacation of a portion of Bresnahans Green, Clemente Trace and Rogan Way, adjacent to Lots 6-8 and C-D in the Second Recording of Collingwood Green, to Toledo City Council for the following three (3) reasons:

1. The proposed Vacation will facilitate construction of roadway improvements and the right-of-way will be re-dedicated for public use following roadway construction;
2. The proposed Vacation will facilitate continued development of a use that is consistent with the Forward Toledo Comprehensive Land Use Plan; and
3. The proposed Vacation will not impede or restrict access to any adjoining property owners abutting the Collingwood Green development.



**PLAN COMMISSION RECOMMENDATION (cont'd)**

The Toledo City Plan Commission further recommends approval of V-505-24, the request for the Vacation of a portion of Bresnahans Green, Clemente Trace and Rogan Way, adjacent to Lots 6-8 and C-D in the Second Recording of Collingwood Green, to Toledo City Council subject to the following eight (8) conditions:

The conditions of approval are as follows and listed by agency of origin. Applicants are encouraged to contact each of the agencies to address compliance with their conditions.

Law Department

1. That a full width easement in favor of the City of Toledo is retained across, under and through said vacated area as described in Section 1 herein for the purpose of the City of Toledo's maintaining, operating, renewing, reconstructing, and removing utility facilities. All City of Toledo facilities located within said vacated area are hereby dedicated to the City of Toledo for exclusive City of Toledo utility use only and shall not be combined with easements or rights for other utilities. The easement retained by the City of Toledo shall be primary to any other utilities located therein, and any easement retained by any other utility shall be subordinate to and subject to the easement rights of the City of Toledo. Said easement shall be permanent in nature for each utility and shall run with the land. Said easement also includes reasonable rights of egress and ingress over and through the vacated area. No fence, wall, building foundation, roof overhang, or other barrier which would impede access to the easement shall be constructed or maintained. Driveways, parking lots, walkways and other similar improvements are permitted subject to the prior written consent of the City of Toledo. The City of Toledo shall be released and held harmless for any liability, responsibility costs, or damages resulting from the City of Toledo's removal of any barriers which impede the City of Toledo ingress or egress from the easement or which obstruct access to the utilities located within the vacated area. The City of Toledo shall have no obligation or duty to restore or compensate the barrier owner for any barrier removed in whole or in part by the City of Toledo. Any modification and/or release of any easement granted or retained by any utility as a result of this Ordinance shall be obtained separately from each utility, as to their interest(s) only, by separate recordable instrument.

Division of Engineering Services

2. All **proposed** sidewalk, drive approaches, curb, and pedestrian curb ramps within the public right-of-way shall be constructed in accordance with the City of Toledo Construction Standards, Specifications, Toledo Municipal Code, and Americans with Disabilities Act guidelines.



**PLAN COMMISSION RECOMMENDATION (cont'd)**

3. All commercial drive approaches, (along with the sidewalk through the drive) shall be constructed with 8" thick concrete per City of Toledo Construction Standards and Specifications. No curb shall be permitted in the right-of-way along either side of a drive approach. **No horizontal curb cutting will be permitted to create a curb drop/opening.** Existing drive approaches, including the curb drop, that will no longer be utilized shall be removed and restored with curb to match the adjacent curb.
4. Required permits for all approved work in the public right-of-way shall be obtained, before work begins, from Ted Rousos, 419-245-1347. The application can be obtained online at Toledo.oh.gov search: Right of Way opening permit.
5. The typical section for the pavement on the public right-of-way needs to be constructed in accordance with the City of Toledo Construction Standards.
6. A full-width easement will be required to maintain the existing public utilities. The easement shall be dedicated to the City of Toledo, for City utility use only, to allow for future maintenance and shall not be combined with easements for other utilities. The following language shall appear in the authorizing vacation ordinance that shall be recorded and a notation placed in the remarks section of the County's real estate records:

That a full width (60 foot) easement is hereby retained over, across, under and through said vacated area as described in Section I herein, for the existing water main, sanitary sewer, and storm sewer located in said vacated right of way. All City of Toledo facilities located within said easement are hereby dedicated to the City of Toledo, for City utility use only, to allow for future maintenance, repairs, replacements, etc., and shall not be combined with easements for other utilities. The easement hereby retained by the City of Toledo herein shall be primary in nature to any other utilities located therein, and any easement retained by any other utility as a result of this Ordinance shall be subject first to the easement rights of the City of Toledo. Said easement herein shall be permanent in nature for each utility currently located thereon and shall run with the land. Said easement also includes reasonable rights of ingress and egress over and through the utility easement area for the purpose of operating, maintaining, replacing, repairing, and/or constructing any utilities located within the easement. The property owner shall not construct fences, walls or other barriers that would impede access onto the easement. No temporary or permanent structure, including building foundations, roof overhangs, or other barriers denying access, may be constructed on or within the easement. Driveways, parking lots, walkways, and other similar improvements are acceptable. The property owner hereby releases the City of Toledo, only, from any liability, responsibility, or costs resulting from the City's removal of any barriers that deny ingress or egress from the easement or that obstruct access to the public utilities

**PLAN COMMISSION RECOMMENDATION (cont'd)**

located on said property; and the City of Toledo shall have no obligation or duty to restore or compensate the property owner for the removed facilities. Further, any modification and/or release of any easement granted or retained by any utility as a result of this Ordinance shall be obtained by the owner separately from each utility, as to their interest(s) only, by separate, recordable instrument.

Division of Transportation

7. Within the limits allowed by law, the applicant shall indemnify the City of Toledo, its officials, agents or employees, from any and all claims, demands, causes of action, suits or liability in connection with the performance of any and all acts authorized or permitted under this vacation. Said indemnification language shall be contained within and evidenced by the endorsement on a certified copy of the final vacating legislation by the owner which indemnification shall be kept in the permanent file of the Clerk of Council.

Fire Prevention Bureau

No objection to vacation.

Division of Streets, Bridges and Harbors

No objection to vacation.

Toledo Edison

No objection to vacation with the understanding that the right-of-way will be re-dedicated after the roads are constructed.

Columbia Gas

No comments received at time of print.

Republic Services

No comments received at time of print.

Lucas County Solid Waste Management District

No comments received at time of print.

Toledo Area Regional Transit Authority (TARTA)

No comments received at time of print.



TO: President Hartman and Members of Council  
December 5, 2024  
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REF: V-505-24

**PLAN COMMISSION RECOMMENDATION (cont'd)**

Plan Commission

8. Right-of-way for the portion of Bresnahans Green, Clemente Trace and Rogan Way adjacent to Lots 6-8 and C-D in the Collingwood Green development as approved in the Planned Unit Development shall be re-dedicated for public use following construction of roadway improvements per Final Plat procedures of the City of Toledo Subdivision Rules and Regulations.

Respectfully Submitted,



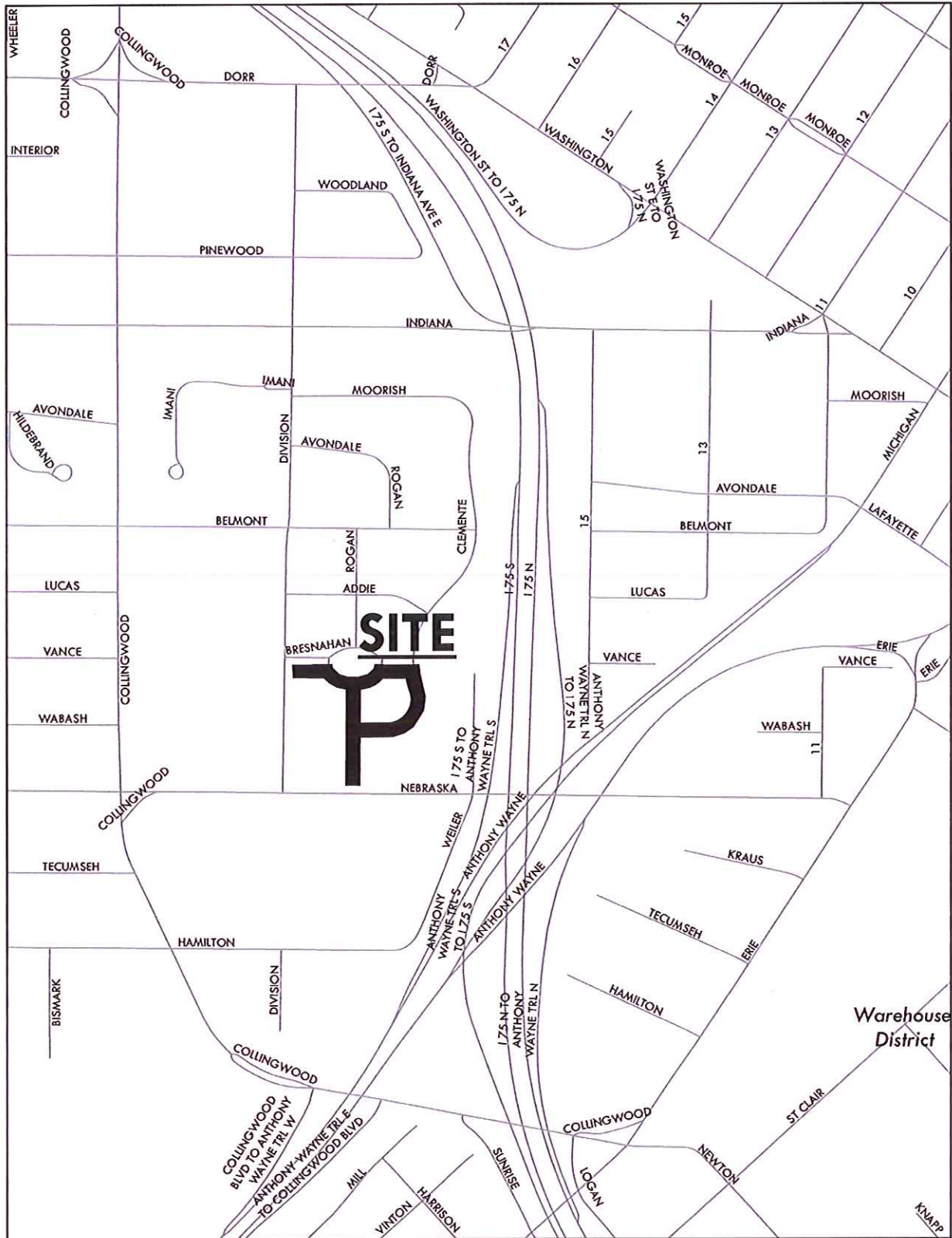
Thomas C. Gibbons  
Secretary

Three (3) sketches follow

CC: Lucas Metropolitan Housing Authority, 424 Jackson Street, Toledo, OH 43604  
Lewandowski Engineers, A Verdantas Company, 219 S. Erie Street, Toledo, OH 43604  
Lisa Cottrell, Deputy Director  
Lisa Karcher, Planner

# GENERAL LOCATION

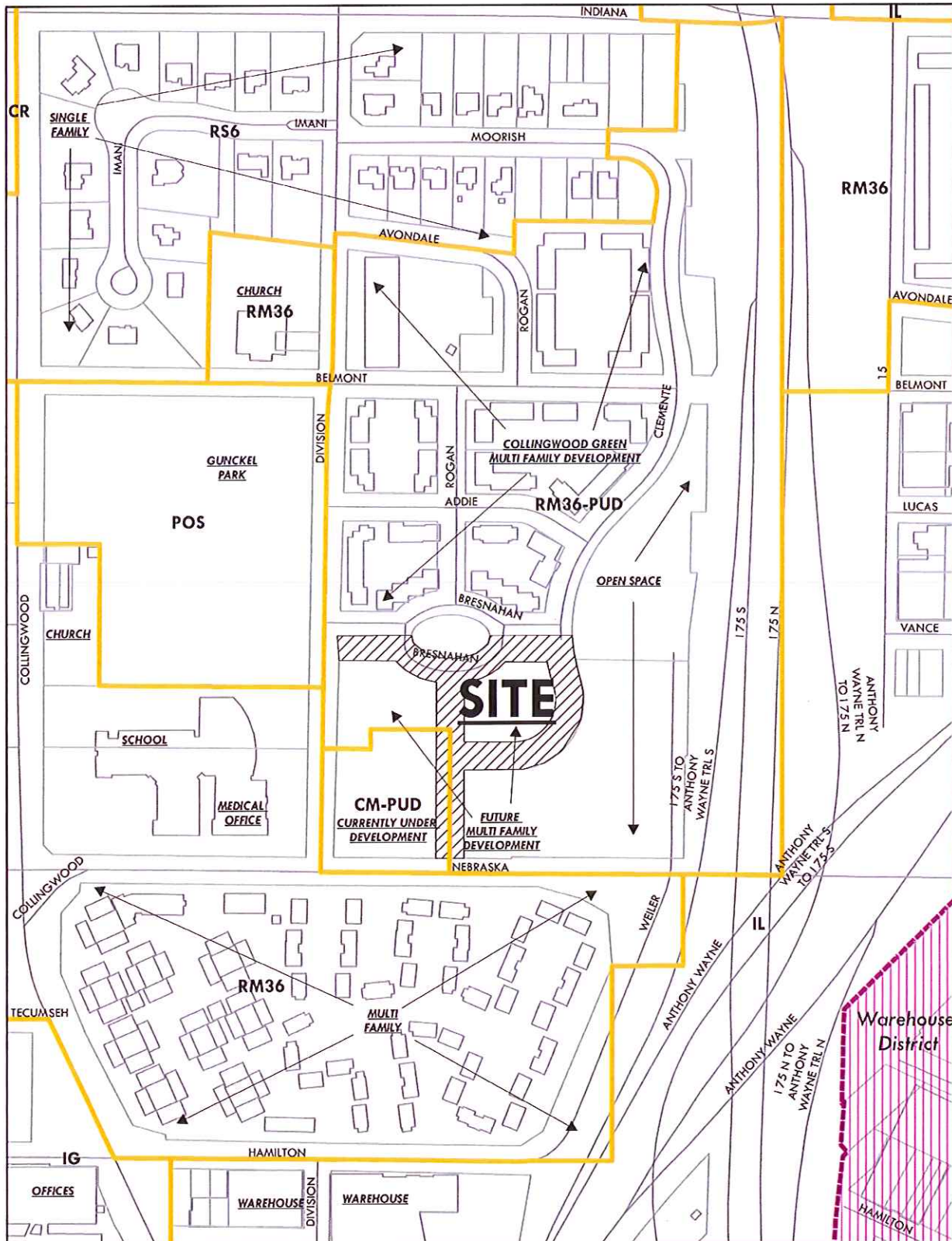
V-505-24





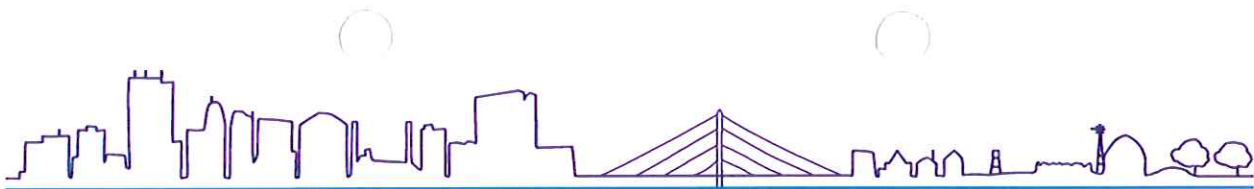
# ZONING & LAND USE

V-505-24









## TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

One Government Center, Suite 1620, Toledo, OH 43604 P: 419 245-1200 F: 419 936-3730

DATE: November 22, 2024

REF: V-505-24

PLANNER: Karcher

Thomas Mackin  
Lucas County Metropolitan Housing  
424 Jackson Street  
Toledo, OH 43604

Troy Barman  
Lewandowski Engineers, A Verdantas Company  
219 S. Eris Street  
Toledo, OH 43604

### **PUBLIC HEARING DATE**

**Thursday, December 5, 2024**

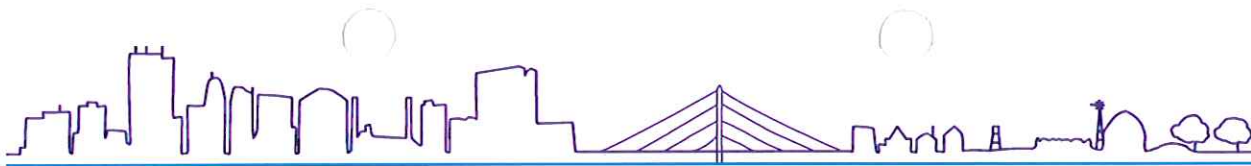
Please be advised that your request for Vacation of a portion of Bresnahans Green, Clemente Trace and Rogan Way adjacent to Lots 6-8 and C-D in the Second Recording of Collingwood Green has been scheduled for a public hearing before the Toledo City Plan Commission. This hearing will be held in the **City Council Chambers, One Government Center**, Jackson and Erie Streets, Toledo, Ohio on **Thursday, December 5, 2024 at 2:00 p.m.**

The purpose of the public hearing is to enable the Plan Commission to consider your request in an open and public forum. This allows you and the surrounding property owners an opportunity to offer any and all opinions and comments regarding the request.

You or your representative should make every attempt to attend this hearing in order to respond to any questions or concerns which may arise. In the event you are unable to attend the public hearing, it is suggested that you notify the Plan Commission staff at 419-245-1201 prior to the meeting.

Please Note: **Failure to attend or be represented could result in the Plan Commission deferring action on your request.**

**TOLEDO CITY PLAN COMMISSION**



## TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

One Government Center, Suite 1620, Toledo, OH 43604 P: 419 245-1200 F: 419 936-3730

DATE: November 22, 2024

REF: V-505-24

PLANNER: Karcher

### NOTICE OF PUBLIC HEARING

on

Date: Thursday, December 5, 2024

Request: Vacation of a portion of Bresnahans Green, Clemente Trace and Rogan Way adjacent to Lots 6-8 and C-D in the Second Recording of Collingwood Green

Location: Northeast of the intersection of Nebraska Avenue and Division Street

A complete legal description of the land in question is on file at the office of the Toledo City Plan Commission, located at One Government Center, Suite 1620, Toledo, Ohio 43604.

Notice of this hearing is mailed to the owners of property within and contiguous to and directly across the street from subject parcel or parcels at the addresses of such owners appearing on the County Auditor's current tax list. Please share this notice with neighbors that may lie beyond the range of this mailing. They may attend the public hearing and/or otherwise make their feelings known about this case.

The Toledo City Plan Commission will hold a hearing to consider this request at **2:00 p.m.** on **Thursday, December 5, 2024** at the *Council Chambers, First Floor, One Government Center*, Jackson and Erie Streets, Toledo, Ohio, and would appreciate any information you or your neighbors can give to aid their decision. **It is not necessary for you to attend the meeting but you are welcome to do so if you wish.** You may write or phone before the meeting to give us information or to inquire about this request. The Planner handling this case is Lisa Karcher. She may be contacted at 419-245-1201 or [lisa.karcher@toledo.oh.gov](mailto:lisa.karcher@toledo.oh.gov).

**TOLEDO CITY PLAN COMMISSION**



Clerk of Council  
One Government Center  
Toledo, Ohio 43604

Julie Gibbons  
Clerk of Council

Telephone  
419-245-1060

Date: November 22, 2024  
Ref: V-505-24

**NOTICE OF PUBLIC HEARING**

Wednesday, January 8, 2025

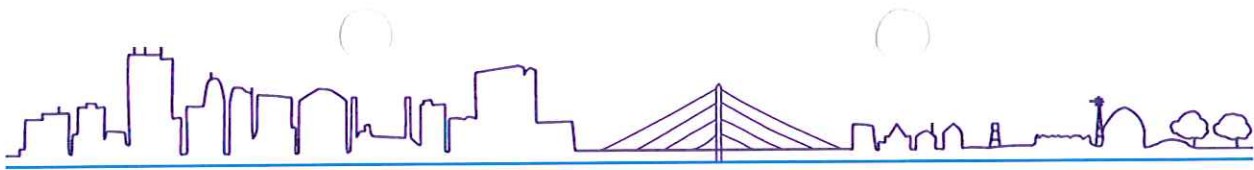
The Zoning and Planning Committee of Council, at a meeting to be held in the Council Chambers, First Floor, One Government Center, Jackson & Erie Streets, Toledo, Ohio, on January 8, 2025 at 4:00 p.m., will consider the following request:

**Vacation of a portion of Bresnahans Green, Clemente Trace and Rogan Way adjacent to Lots 6-8 and C-D in the Second Recording of Collingwood Green**

Julie Gibbons  
Clerk of Council

**\*\*Failure of applicant to appear may result in a deferral or denial of your request.**

NOTICE PUBLISHED IN TOLEDO CITY JOURNAL



## TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

One Government Center, Suite 1620, Toledo, OH 43604 P: 419 245-1200 F: 419 936-3730

DATE: December 5, 2024

REF: V-505-24

PLANNER: Karcher

### NOTICE OF PUBLIC HEARING

on

Date: December 10, 2024

Request: Vacation of a portion of Bresnahans Green, Clemente Trace and Rogan Way adjacent to Lots 6-8 and C-D in the Second Recording of Collingwood Green

Location: Northeast of the intersection of Nebraska Avenue and Division Street

A previous notice was sent to you concerning this request. The date of the public hearing before the City of Toledo Zoning and Planning Committee has subsequently changed. Therefore you are receiving a new notice for this public hearing. A complete legal description of the land in question is on file at the office of the Toledo City Plan Commission, located at One Government Center, Suite 1620, Toledo, Ohio 43604.

Notice of this hearing is mailed to the owners of property within and contiguous to and directly across the street from subject parcel or parcels at the addresses of such owners appearing on the County Auditor's current tax list. Please share this notice with neighbors that may lie beyond the range of this mailing. They may attend the public hearing and/or otherwise make their feelings known about this case.

The Toledo City Zoning and Planning Committee will hold a hearing per the attached notice to consider this request. **It is not necessary for you to attend the meeting but you are welcome to do so if you wish.** You may write or phone before the meeting to give us information or to inquire about this request. The Planner handling this case is Lisa Karcher. She may be contacted at 419-245-1201 or [lisa.karcher@toledo.oh.gov](mailto:lisa.karcher@toledo.oh.gov).

TOLEDO CITY PLAN COMMISSION



Clerk of Council  
One Government Center  
Toledo, Ohio 43604

Julie Gibbons  
Clerk of Council

Telephone  
419-245-1060

Date: November 22, 2024  
Ref: V-505-24

**NOTICE OF PUBLIC HEARING**

Tuesday, December 10, 2024

The Zoning and Planning Committee of Council, at a meeting to be held in the Council Chambers, First Floor, One Government Center, Jackson & Erie Streets, Toledo, Ohio, on December 10, 2024 at 4:00 p.m., will consider the following request:

**Vacation of a portion of Bresnahans Green, Clemente Trace and Rogan Way adjacent to Lots 6-8 and C-D in the Second Recording of Collingwood Green**

Julie Gibbons  
Clerk of Council

**\*\*Failure of applicant to appear may result in a deferral or denial of your request.**

NOTICE PUBLISHED IN TOLEDO CITY JOURNAL

DANIELS MENYONN  
355 MOORISH AVE  
TOLEDO OH 43604

EVANS DIANE  
PO BOX 9602  
TOLEDO OH 43697

LUCAS METRO. HOUSING AUTHORITY  
424 JACKSON ST  
TOLEDO OH 43604

CRENSHAW FRANCES M TRUSTEE  
383 MOORISH  
TOLEDO OH 43604

ST MARYS MISSIONARY BAPTIST CHURCH  
416 BELMONT AVE  
TOLEDO OH 43604

CALVARY MISSIONARY BAPTIST CHURCH  
P O BOX 319  
TOLEDO OH 43697

MATHIS ALAN WADE  
389 MOORISH AVE  
TOLEDO OH 43604

WILLIAMSON JOSIAH J ET AL  
419 IMANI CIR  
TOLEDO OH 43604

WILLIAMS EVERETT L & NICOLE R  
1222 INDEPENDENCE RD  
TOLEDO OH 43607

HAMILTON PROPERTIES LLC  
359 HAMILTON ST  
TOLEDO OH 43604

ROBERTS TANGHI  
906 DIVISION ST  
TOLEDO OH 43604

HOFFER INC  
359 HAMILTON ST  
TOLEDO OH 43604

TURNER TANYA M  
354 MOORISH AVE  
TOLEDO OH 43604

MCKENNA JEAN & TERRANCE  
366 MOORISH AVE  
TOLEDO OH 43604

WESTWIND PROPERTY SOLUTIONS  
5360 ENSIGN RD W  
WEST FARMINGTON OH 44491

CITY OF TOLEDO  
1 GOVERNMENT CENTER, STE 2250  
TOLEDO OH 43604

TOLEDO PUBLIC SCHOOLS  
1609 SUMMIT ST  
TOLEDO OH 43604

JONES JOHN C & CHARITY E  
408 IMANI CIR  
TOLEDO OH 43604

HICKS CLARENCE & GWENDOLYN  
125 WENZ RD  
TOLEDO OH 43615

CARR LARRY D & LUCY M  
377 MOORISH  
TOLEDO OH 43604

ELLIOTT PATRICIA A  
371 MOORISH AVE  
TOLEDO OH 43604

MCNAIR STEVEN A  
378 MOORISH AVE  
TOLEDO OH 43604

WARE NAOMI R  
550 PARK WAY W  
OREGON OH 43616

DAVIS RONNIE SR & JEANNETTE  
407 INDIANA AVE  
TOLEDO OH 43604

REAMS RUTH V  
372 MOORISH  
TOLEDO OH 43604



V-505-24  
MAIL LIST MAP





NOTICE TO PETITIONER

Petitions for vacating streets and other public ways shall be accompanied by a filing fee of \$100.00. In addition thereto, prior to the final passage of vacating legislation, the petitioner, in accordance with Rule 6A of the City Council, shall pay the larger of the following two amounts per square foot vacated; (1) the amount of five cents per square foot vacated, or (2) that amount per square foot vacated which is equal to the average tax value per square foot of the land only which immediately abuts the vacated portion upon both sides; together with the cost of restoring or moving, paving, curbing, sidewalks, grading and the like. Until these charges are paid, council shall not enact legislation to vacate.

PETITION TO VACATE

DATE: 8/26/24

TO THE HONORABLE COUNCIL  
OF THE CITY OF TOLEDO


WE, THE UNDERSIGNED PROPERTY OWNERS, RESPECTFULLY REQUEST THE  
VACATION OF THE FOLLOWING DESCRIBED PROPERTY:

See attached legal description.

WE WAIVE SERVICE OF NOTICE IN CONNECTION THEREWITH AND AGREE TO  
RESERVE PUBLIC UTILITY RIGHTS-OF-WAY THERIN.

<u>NAME</u>	<u>ADDRESS</u>	<u>LOT NUMBER AND ADDITION</u>
Lucas Metropolitan Housing	424 Jackson St.	Adj. to Lots 6-8 & C-D in the
	Toledo, OH 43604	Second Record of
		Collingwood Green

**Contact Person:**

Signed:  CLO  
Telephone No: Thomas G. Malin CLO

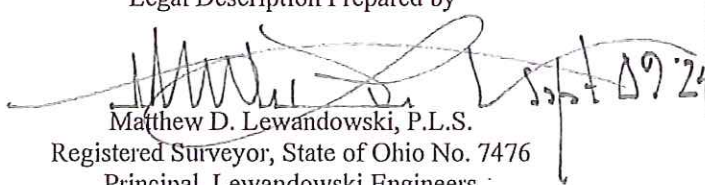
Date: 8/26/24



Prior Deed: O.R.20210204-0006235  
Parcel: 12-40586  
LE Survey #43301

**Legal Description of Lot 7:** Being Lot 7 in the Second Recording of: Collingwood Green, as recorded in Lucas County O.R.20210204-0006235, in the City of Toledo, Lucas County, Ohio, bounded and described as follows:

Legal Description Prepared by



Matthew D. Lewandowski, P.L.S.  
Registered Surveyor, State of Ohio No. 7476  
Principal, Lewandowski Engineers  
The Chief Bldg. @ 234 N. Erie St.  
Toledo, Ohio, 43604  
Office: 419.255.4111  
MDL@LewandowskiEng.com



Prior Deed: O.R.20210204-0006235  
Parcel: Right-of-Way  
LE Survey #43301

**Legal Description of Street Vacations:** Being part of Bresnahans Green, Clemente Trace and Rogan Way, in the Second Recording of: Collingwood Green, as recorded in Lucas County O.R.20210204-0006235, in the City of Toledo, Lucas County, Ohio, bounded and described as follows:

Commencing at one inch iron bar monument in box found at the centerline intersection of Division Street and Nebraska Avenue.

Thence South 89 degrees, 56 minutes, 09 seconds East, along the centerline of Nebraska Avenue, a distance of 248.84 feet to a point on the Southerly prolongation of the Westerly Right-of-Way of Rogan Way.

Thence North 00 degrees, 05 minutes, 24 seconds East, along the Southerly prolongation of the Westerly Right-of-Way of Rogan Way, a distance of 30.00 feet to a point on the Northerly Right-of-Way of Nebraska Avenue, said point being the True Point of Beginning.

Course 1: Thence continuing North 00 degrees, 05 minutes, 24 seconds East along the Westerly Right-of-Way of Rogan Way, a distance of 379.32 feet to a point on a non-tangent curve of the Southerly Right-of-Way of Bresnahans Green.

Course 2: Thence traversing a non-tangent arc to the right, along the Southerly Right-of-Way of Bresnahans Green, having a radius of 176.50 feet, a tangent length of 49.88 feet, a central angle of 31 degrees, 33 minutes, 43 seconds, a chord bearing of North 64 degrees, 20 minutes, 34 seconds West, a chord distance of 96.00 feet and an arc length of 97.23 feet to a point of deflection of the Southerly Right-of-way of Bresnahans Green.

Course 3: Thence North 89 degrees, 54 minutes, 36 seconds West, along the Southerly Right-of-Way of Bresnahans Green, a distance of 126.68 feet to a point on the Easterly Right-of-Way of Division Street.

Course 4: Thence North 00 degrees, 47 minutes, 44 seconds East, along the Easterly Right-of-Way of Division Street, a distance of 53.00 feet to a point on the centerline of Bresnahans Green.

Course 5: Thence South 89 degrees, 54 minutes, 36 seconds East, along the centerline of Bresnahans Green, a distance of 159.13 feet to a point on a non-tangent curve of the Southerly line of Lot "D" in the Second Recording of: Collingwood Green.

The following three courses are along the Southerly line of Lot "D" in the Second Recording of: Collingwood Green:

Course 6: Thence traversing a non-tangent arc to the left, having a radius of 31.50 feet, a tangent length of 17.03 feet, a central angle of 56 degrees, 48 minutes, 29 seconds, a chord bearing of South 28 degrees, 18 minutes, 51 seconds East, a chord distance of 29.97 feet and an arc length of 31.23 feet to a point of compound curvature.



Course 7: Thence traversing an arc to the left, having a radius of 126.50 feet, a tangent length of 82.75 feet, a central angle of 66 degrees, 23 minutes, 01 second, a chord bearing of South 89 degrees, 54 minutes, 36 seconds East, a chord distance of 138.50 feet and an arc distance of 146.56 feet to a point of compound curvature.

Course 8: Thence traversing an arc to the left, having a radius of 31.50 feet, a tangent length of 17.03 feet, a central angle of 56 degrees, 48 minutes, 29 seconds, a chord bearing of North 28 degrees, 29 minutes, 39 seconds East, a chord distance of 29.97 feet and an arc length of 31.23 feet to a point on the centerline of Bresnahans Green.

Course 9: Thence South 89 degrees, 54 minutes, 36 seconds East, along the centerline of Bresnahans Green, a distance of 176.58 feet to a point on a non-tangent curve of the Easterly Right-of-Way of Clemente Trace.

Course 10: Thence traversing a non-tangent curve to the left, along the Easterly Right-of-Way of Clemente Trace, having a radius of 320.00 feet, a tangent length of 44.42 feet, an central angle of 15 degrees, 48 minutes 17 seconds, a chord bearing of South 10 degrees, 55 minutes, 29 seconds East, a chord distance of 87.99 feet and an arc length of 88.27 feet to a point of reverse curvature of the Easterly Right-of-Way of Clemente Trace.

Course 11: Thence traversing an arc to the right along the Easterly and Southeasterly Right-of-Way of Clemente Trace, having a radius of 150.00 feet, a tangent length of 209.97 feet, a central angle of 108 degrees, 55 minutes, 01 second, a chord bearing of South 35 degrees, 37 minutes, 53 seconds West, a chord distance of 244.11 feet and an arc length of 285.14 feet to a point on the Southerly Right-of-Way of Clemente Trace.

Course 12: Thence North 89 degrees, 54 minutes, 36 seconds West, along the Southerly Right-of-Way of Clemente Trace, a distance of 105.00 feet to a point on the Easterly Right-of-Way of Rogan Way.

Course 13: Thence South 00 degrees, 05 minutes, 24 seconds West, along the Easterly Right-of-Way of Rogan Way, a distance of 188.72 feet to a point on the Northerly Right-of-Way of Nebraska Avenue.

Course 14: Thence North 89 degrees, 56 minutes, 09 seconds West, along the Northerly Right-of-Way of Nebraska Avenue, a distance of 60.00 feet to the True Point of Beginning.

Excepting therefrom Lot 7 in the Second Recording of: Collingwood Green.

Containing 73,052.85 square feet or 1.6771 acres of land. Bearings used herein are based upon an assumed meridian and are intended to indicate angular measurement only. This legal description is based upon a field survey prepared by Lewandowski Engineers in March 2017.



Legal Description Prepared by

*Matthew D. Lewandowski* 1/9/24

Matthew D. Lewandowski, P.L.S.

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NEBRASKA AVE.

60' R/W

248.84'

948.76'

D.1895  
NLINEO

N89°56'09"W 60.00'

N00°05'24"E 30.00'

Shute  
P.O.B.

S00°05'24"W 188.72'

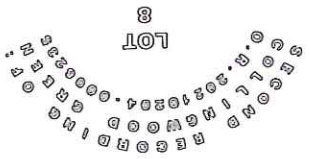
ROGAN WAY

N89°54'36"W 105.00'

N00°05'24"E 379.32'

PT. LOT 6

CLEMENTE TRACE



30' R/W

PT. LOT 6

R=176.50'  
L=97.23'  
T=49.88'  
A=31.33°43"  
CB=N64°20'34"W  
CD=96.00'

60' R/W

N89°54'36"W 126.68'

DIVISION ST.

N00°47'44"E 53.00'

BRESNAHANS

GREEN

LOT 10  
R=126.50'  
L=146.56'  
T=82.75'  
A=66°23'01"  
CB=S89°54'36"E  
CD=138.50'

R=31.50'  
L=31.23'  
T=17.03'  
A=56°48'29"  
CB=S28°18'51"E  
CD=29.97'

R=31.50'  
L=31.23'  
T=17.03'  
A=56°48'29"  
CB=N28°29'39"E  
CD=29.97'

106' R/W

S89°54'36"E 176.58'

S89°54'36"E 159.13'

SB  
CB  
A  
T  
L  
R