

AN ORDINANCE TO VACATE PART OF PARK STREET,
NORTH OF KREIN AVENUE IN THE CITY OF WAPAKONETA,
COUNTY OF AUGLAIZE, AND STATE OF OHIO.

WHEREAS, on the 6th of March 1984, a petition was duly presented to Council praying that a portion of said street be vacated, that petition having been signed by the owners of Lots in the City of Wapakoneta in the immediate vicinity of Park Street North of Krein Avenue by said property owners in accordance with Section 723.06 of the Ohio Revised Code, and

WHEREAS, Council is satisfied that there is good cause for such vacation prayed for, that it will not be detrimental to the general interest, and ought to be made;

THEREFORE, BE IT ORDAINED by the Council of the City of Wapakoneta, State of Ohio, to-wit:

SECTION ONE

THAT the portion of Park Street North of Krein Avenue, more particularly described as follows:

Situate in the City of Wapakoneta, County of Auglaize and State of Ohio, to-wit:

Commencing at the southwest corner of Lot #1406 of the Brown's Addition to said City, thence north along the west line of said Lot #1406, 1405, #1404, and #1403 to a point equal distance between Lot #1403, and #1402 of said Brown's Addition. Thence west to the west line of Park Street; thence south along the west line of Park Street to the north line of Krein Avenue; thence east along the north line of Krein Avenue to the PLACE OF BEGINNING.

is hereby vacated.

SECTION TWO

The City of Wapakoneta, in making this vacation, does expressly reserve an easement for overhead utility purposes including poles, wire and appurtenances, over the area designated as vacated. In the event that the property owner desires that said lines be raised, the respective utility companies may do so if sound engineering permits and if they are fully compensated for all expenses. This reservation of easement is specifically limited to and for utility purposes for the City of Wapakoneta and for The Telephone Service Company of Wapakoneta, and not other public or private utilities.

SECTION THREE

The City of Wapakoneta, in making this vacation, does expressly reserve an easement for an existing eight inch water main, and a sewer line, and appurtenances thereto, under the area designated as vacated. In the event that the property owner desires that said line or lines be removed or relocated, the City shall do so if they are fully compensated for all expenses of said removal or said relocation. This reservation of underground easement is specifically limited to and for the City of Wapakoneta only and not any other public or private utility.

SECTION FOUR

This Ordinance shall be in force and take effect from and after the earliest period allowed by law.

Attest:

Passed this 18th day of

Carlene S. Kantner
Clerk of Council

July 1984.

Amelucio Lopez
President of Council

Approved:

Approved as to form:

William V. Fritz
Mayor

James P. Miller
City Law Director

This is to certify that the foregoing Ordinance was published in the Wapakoneta Daily News, a newspaper of general circulation in Auglaize County, Ohio and appeared in it's issues of 7-25-84 and 8-1-84

Carlene S. Kantner
Clerk