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W. J. G.

An Ordinance to Vacate Part of Rice Street Between Pine Street and Erie Street In the City of Wapakoneta, County of Auglaize, and State of Ohio.

Whereas, a petition was duly presented to Council praying that a portion of Rice Street be vacated, that petition having been signed by the owners of Lots in the City of Wapakoneta in the immediate vicinity of the part of Rice Street to be vacated, a copy of the petition has been given as required by law, and

Therefore, Council, upon hearing, is satisfied that there is good cause for such vacation prayed for, and 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 so much of Rice Street between the east line of Pine Street and the west line of Erie Street, as lies adjacent to and in between Inlots 1963 and 1964 and Inlot 1948 in Merzer and Kreitzer addition and Lot 6 of Westhaven Addition, being two parcels of former Rice Street.

Section Two: The City of Wapakoneta, in making this vacation, does expressly reserve a North and South public alley right-of-way at a width of 16.5 feet between the areas designated as vacated.

Section Three: The City of Wapakoneta, in making this vacation, does expressly reserve an easement for utility purposes over, under, and through the area designated as vacated. The City of Wapakoneta further, in making this vacation, does restrict the area designated as vacated against the construction thereon of any buildings of a temporary or permanent type, or the making of any improvement in, over, or subjacent to the area designated as vacated, or the storing or placing of any materials, equipment or other obstruction thereon, or otherwise interfering with the access to or the maintenance of public utilities therein and appurtenances, and against the planting or sufferance thereon or in such proximity thereto of trees of such characteristics which may injure said public utilities, without the expressed written consent of the City of Wapakoneta.

Section Four: This Ordinance shall be enforced and take effect from and after the earliest period allowed by law.

ATTEST:

Passed this 20th day of October 1982.

Carlene S. Kantner
Clerk of Council

Amie C. Wolf
President of Council

APPROVED:

Approved as to form:

William V. Leitch
Mayor

Deanne P. Miller
Wapakoneta City Director of Law