

ORDINANCE NO. 81-38

AN ORDINANCE TO VACATE PART OF RACE STREET BETWEEN WILLIPIE STREET AND PERRY 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 Race 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 Race Street to be vacated, notice of pendency in prayer of the petition has been given as required by law, and

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

WHEREFORE, Be It Ordained by the Council of the City of Wapakoneta, State of Ohio, to-wit:

SECTION ONE: That so much of Race Street between Willipie Street and Buchanan Street as lies adjacent to and in between Lots Numbered 626 and 627, being one parcel of former Race Street between the west line of Willipie Street and the east line of Perry Street is hereby vacated.

SECTION TWO: 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 THREE: This Ordinance shall be enforced and take effect from and after the earliest period allowed by law.

ATTEST:

Nancy A. Smith
Clerk of Council

Charles C. Cripps
President of Council

Passed this 19 day of August, 1981.

APPROVED:

William E. Lietz
Mayor

Approved as to form:

Devin P. Allen
Wapakoneta City Director of Law