

TO VACATE FREDERICK STREET FROM THE EAST LINE OF WENTZ STREET TO THE WEST LINE OF RAUTHLAND AVENUE AND TO RESERVE A RIGHT OF WAY OVER SAID VACATED STREET TO THE CITY OF WAPAKONETA, OHIO, FOR MUNICIPAL UTILITIES.

WHEREAS, on the 19th day of May, 1954, a petition by all persons owning lots in the immediate vicinity of Frederick Street between the east line of Wentz Street to the west line of Rauthland Avenue was duly presented to Council praying that said street, between the points named, be vacated, and

WHEREAS, the City of Wapakoneta, Ohio, has constructed and installed a storm sewer in and through said Frederick Street between the points named, and

WHEREAS, it is necessary that the City of Wapakoneta, Ohio reserve a right of way for all municipal utilities in, over and through a strip of land twenty feet wide along the entire north side of said Frederick Street, and

WHEREAS, the Council is satisfied that there is good cause for such vacation as prayed, that it will not be detrimental to the general interest so long as the City of Wapakoneta, Ohio, maintains a right of way in, over and through said street for all municipal utilities and that the vacation ought to be made.

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Wapakoneta, State of Ohio.

SECTION 1. That Frederick street from the east line of Wentz Street to the west line of Rauthland Avenue be and the same is hereby vacated, reserving to the City of Wapakoneta, Ohio, a right of way in, over and through a strip of land twenty feet wide along the entire north side of said Frederick Street between the points named for all municipal utilities.

SECTION 2. That the right of way hereby reserved by the City of Wapakoneta, Ohio, shall include the right of ingress and egress and the right to maintain, construct, erect and repair all municipal utilities now located on said right of way or hereinafter constructed on said right of way.

SECTION 3. The right of way herein reserved to the City of Wapakoneta, Ohio, shall remain unobstructed at all times and no buildings of any nature nor any fences, shrubbery, trees or other obstruction of any other nature or kind shall be placed upon said right of way.

SECTION 4. That this Ordinance be and remain in force from and after the earliest period allowed by law.

Passed: Oct. 6, 1954

Paul E. Fisher, President

Attest: Carl A. Hutchens, Clerk Richard H. Brading, Mayor