

RECORD OF ORDINANCES

Ordinance No. 3775

Passed: August 27, 2024

AN ORDINANCE VACATING CENTRAL LANE BETWEEN STADIUM AVENUE AND CEDAR STREET, A PUBLIC STREET COMPRISING 1.141 ACRES.

WHEREAS, a petition was filed on July 1, 2024, by the West Carrollton City Schools requesting the vacation of Central Lane, a public street comprising 1.141 acres, extending from the current right-of-way line along the north side of Central Avenue to the south curb line of Central Lane, between Stadium Avenue to the east and Cedar Street to the west; and

WHEREAS, the petition request was reviewed by the West Carrollton Planning Commission at a public hearing held on August 1, 2024, at which time all people who wished to testify gave their comments; and

WHEREAS, the Planning Commission adopted Resolution SV-24-1 with conditions, recommending approval of the right-of-way vacation to City Council; and

WHEREAS, City Council believes that this right-of-way vacation will not be detrimental to the public interest; and

WHEREAS, this petition has been filed and reviewed pursuant to and in accordance with Chapter 723 of the Ohio Revised Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WEST CARROLLTON, COUNTY OF MONTGOMERY, STATE OF OHIO:

SECTION I. That Central Lane between Stadium Avenue and Cedar Street, which are more particularly described in the right-of-way vacation map "Vacation Plat of a Portion of Main Street and East Central Avenue" stamp dated received July 1, 2024, and attached hereto, be and is hereby vacated as provided therein, subject to the following conditions:

1. The applicant shall submit, receive approval of, and record a lot consolidation application to combine the vacated area of Central Lane with the abutting West Carrollton Board of Education parcel, prior to issuance of a final certificate of occupancy for the grades 2-4 building project.
2. Since there is no other adjacent property owner except for the applicant, the entire area to be vacated shall accrue to the applicant.
3. Easements shall be shown on the plat and noted as to purpose for all utilities within the vacated area, and language shall be added to the plat stating "*Easements shown on this plat are for the construction, operation, maintenance, repair, replacement, or removal of water, gas, sewer, electric, telephone or other utilities or services, and for the express privilege of removing any and all trees or other obstructions to the free use of said utilities and for providing of ingress and egress to the property for said purposes, and are to be maintained as such forever.*"

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4. All trees currently on the property shall be maintained by the applicant and any trees that will need to be replaced due to decay or disease shall be replaced by the applicant within 6 weeks of removal. The only exception would be as provided in Section I (3).

SECTION II. That the Clerk of Council is hereby directed to certify a copy of this ordinance to the Recorder and Auditor of Montgomery County, Ohio so that this vacation provided herein may become part of the official public records of said county.

SECTION III. That this Ordinance shall take effect from and after the earliest period allowed by law.

Passed: August 27, 2024


Mayor

Attest: Gray Moore
Clerk of Council

Effective Date: September 27, 2024

CERTIFICATE

The undersigned, Clerk of Council of the City of West Carrollton, Ohio, hereby certifies the foregoing is a true and correct copy of Ordinance 3775, passed by said Council on the 27 day of August, 2024.


Clerk of Council

Dated: August 27, 2024



NO.	DATE	DESCRIPTION
1	04/22/24	VACATION PLAT - KLJ

**VACATION PLAT
OF A PORTION OF MAIN
STREET AND EAST
CENTRAL AVENUE**
SECTIONS 21 & 22, TOWN 1, RANGE 5, N.E. 1/4
CITY OF WEST CARROLLTON
MONTGOMERY COUNTY, OHIO

PROJECT NO:	22009TV3D002
DATE	04/22/2024

1" = 100'

0 50 100 200

**WEST
CARROLLTON
2-4 SCHOOL**

1 OF 1

CLOSURE: 1.141 ACRES

North 61241.9467° East 1470889.5761°
 Segment #1 : Line
 Course: 167.500° Length: 46.37
 Point 1: 61241.9467° East 147077.0689°
 Segment #2 : Line
 Course: 167.500° Length: 46.37
 Point 2: 61242.9434° East 147084.0161°
 Segment #3 : Curve
 Length: 65.72° Radius: 55.07°
 Point 3: 609.57° East 11° Tangent: 34.37°
 Point 4: 71.31° Tangent: 107.39° 33.71°
 Point 5: 1267.17° 26.71° Course Out: 591.00° 45.71°
 Point 6: 1479.91° 34.62° Course Out: 1479.91° 34.62°
 End North: 122646.3157° East: 147913.5267°
 Segment #4 : Line
 Course: 167.500° Length: 46.37
 Point 5: 61252.9434° East 147500.0762°
 Segment #5 : Curve
 Length: 65.72° Radius: 55.07°
 Point 6: 609.57° Tangent: 34.37°
 Point 7: 11.31° Tangent: 57.39° 45.71°
 Point 8: 167.00° Course Out: 5205.54° 45.71°
 Point 9: 61272.9225° East: 147959.3881°
 End North: 122646.3157° East: 147954.5786°
 Segment #6 : Line
 Course: 167.500° Length: 46.37
 Point 10: 61283.9402° East 147698.3664°
 Point 11: 61294.9370° East 1477.1414
 Point 12: 61305.9338° East 1477.9172°
 End North: 61305.9338° East: 147800.0000°
 Segment 1 : 229527.59

CLOSURE: 0.266 ACRES

North: 612683.7622 East: 147373.1552

Segment #1 : Line

Course: N02° 59' 15" W Length: 68.00'
North: 612640.5141 East: 147359.6807

Course: N01° 05' 25" E Length: 175.50'
North: 613014.3609 East: 1475933.3907

Segment #3 : Line

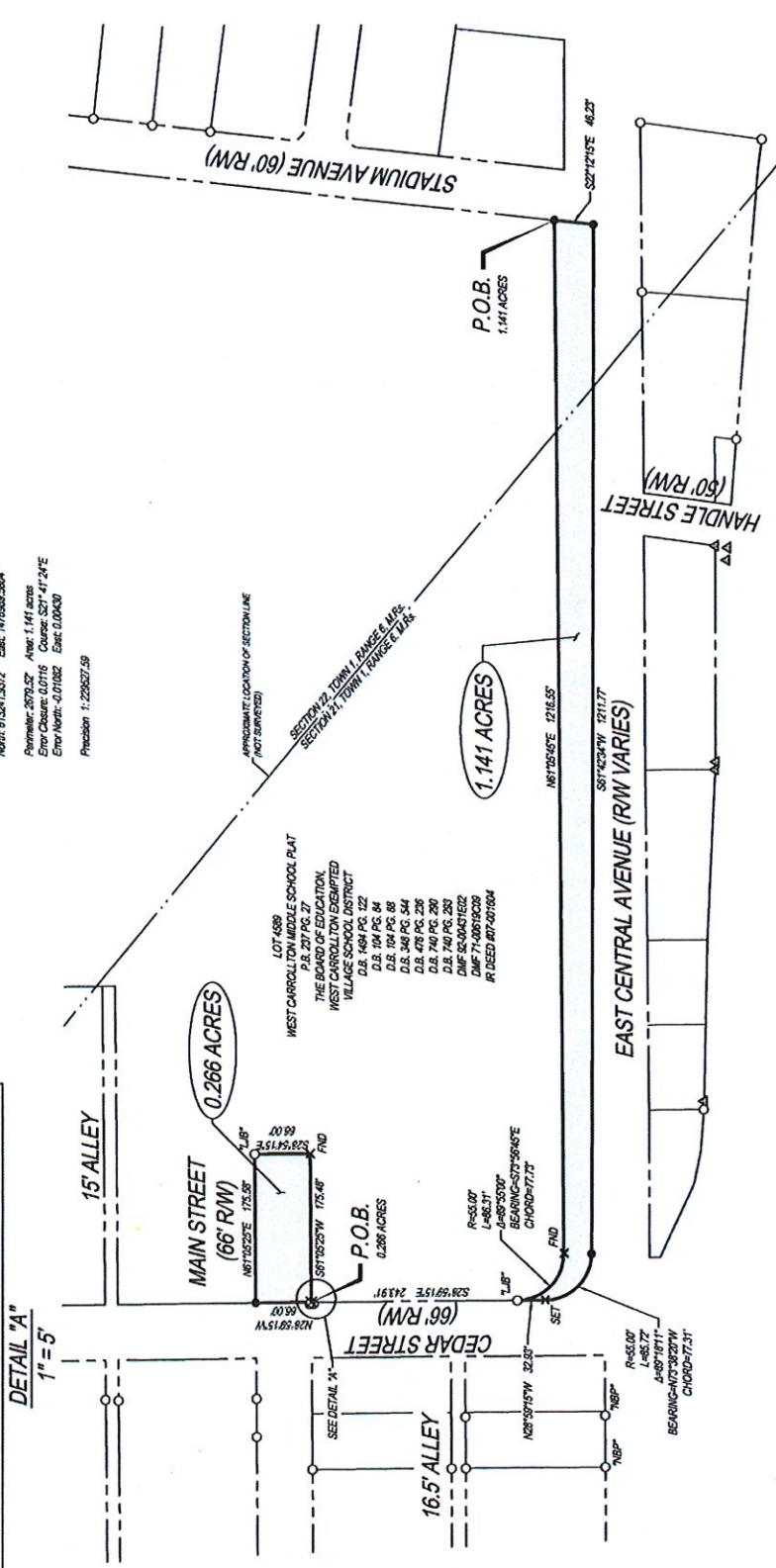
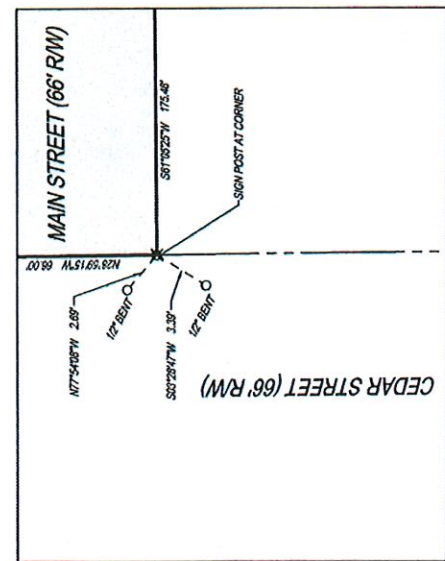
Course: S30° 54' 15" E Length: 68.00'
North: 612973.6168 East: 147586.2607

Segment #4 : Line

Course: S81° 05' 25" W Length: 175.48'
North: 613083.7841 East: 147373.1807

Perimeter: 453.08' Area: 0.269 acres
Error Closure: 0.0040' Error North: 0.0018 Error East: 0.0054

Prepared by: J20765.00



SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAT OF SURVEY WAS PREPARED UNDER MY DIRECTION AND IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE CHAPTER 4733-37 "MINIMUM STANDARDS FOR BOUNDARY SURVEYS". ALL MONUMENTATION HAS BEEN SET AS SHOWN

Digitally signed by
David L. Cox
Date: 2024.04.26
00:00:04 -04'00'

DATE _____
DAVID L COX
OHIO PROFESSIONAL SURVEYOR NO. 7107

NOTES:

1. SOURCE DOCUMENTS AS NOTED.
2. OCCUPATION AS SHOWN.
3. MOVEMENTATION IS IN GOOD CONDITION UNLESS OTHERWISE NOTED.
4. DISTANCE UNITS ARE BASED ON THE U.S. SURVEY FOOT DEFINITION (1" = 120.0002 METERS, OR APPROXIMATELY 1" = 0.30480061 METERS)
5. BEARINGS ARE BASED ON OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE. (NAD 83 - 2011, AS PER P.B. 237 PG. 27)