

## RECORD OF ORDINANCES

Ordinance No. 3787

Passed: November 26, 2024

**AN ORDINANCE VACATING PORTIONS OF MANCHESTER ROAD, A PUBLIC STREET, COMPRISING .087 ACRES ON THE EAST SIDE AND .075 ACRES ON THE WEST SIDE SOUTH OF EAST DIXIE DRIVE, AND DECLARING AN EMERGENCY.**

**WHEREAS**, a petition was filed by the City of West Carrollton requesting the vacation of portions of Manchester Road, a public street, comprising .087 acres on the east side and .075 acres on the west side south of East Dixie Drive; and

**WHEREAS**, a Notice of Public Meeting regarding this application was mailed on November 21, 2024 to all abutting property owners within 200 feet; and

**WHEREAS**, a sign regarding this matter was placed in a conspicuous location on the property; and

**WHEREAS**, the application and Notice of Public Meeting were posted on the City's website; and

**WHEREAS**, the petition request was reviewed by the West Carrollton Planning Commission at a public hearing held on November 19, 2024, at which time all people who wished to testify gave their comments, and the Planning Commission unanimously recommends approval of the proposed petition; and

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

**NOW, THEREFORE, THE MUNICIPALITY OF WEST CARROLLTON, OHIO, HEREBY ORDAINS:**

**Section 1:** That the City Council finds that there is good cause for vacating portions of Manchester Road, a public street, and such vacation will not be detrimental to the public interest.

**Section 2:** That portions of Manchester Road, a public street, comprising .087 acres on the east side and .075 acres on the west side south of East Dixie Drive, which is more particularly described in Exhibit A, Exhibit B, and Exhibit C dated November 7, 2024, and attached hereto, be and hereby are vacated with the following condition:

1. All easements required by Ohio Revised Code Section 723.041 shall be illustrated on any record plats of property abutting the vacated right-of-way.

**Section 3:** 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 4:** It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including but not limited to Section 121.22 of the Ohio Revised Code.

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**Section 5:** That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the Municipality and its inhabitants as time is of the essence to the development of said property, and this ordinance shall take effect immediately upon passage.

Passed: November 26, 2024



Mayor

Attest: Graey Moore  
Clerk of Council

Effective Date: November 26, 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 No. 3787, passed by the Council of the City of West Carrollton, Ohio on the 26 day of November, 2024

  
Clerk of Council

Dated: November 26, 2024



**EXHIBIT A**  
**LEGAL DESCRIPTION**  
**R/W VACATION – AREA #1**

SITUATE IN PART LOT 4005 OF THE CONSECUTIVE NUMBERS OF LOTS ON THE REVISED PLAST OF THE CITY OF WEST CARROLLTON, MONTGOMERY COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Commencing for reference at the southwest corner of said Lot 4005 of the Carrollton Plaza as shown on Plat Book 102, Page 62 and being on the east right-of-way line of Manchester Road;

thence, North  $31^{\circ}27'48''$  West, 97.36 feet, along the east right-of-way line of Manchester Road to a point;

thence, North  $20^{\circ}01'05''$  West, 88.99 feet, along the east right-of-way line of Manchester Road to a point and being the principal place of beginning of the area to be vacated hereon;

thence, South  $69^{\circ}58'55''$  West, 11.39 feet, to a point;

thence, North  $20^{\circ}20'43''$  West, 292.42 feet, to a point;

thence, on a curve to the right with a radius of 27.00 feet, an arc distance of 27.91 feet, a delta angle of  $59^{\circ}13'58''$ , and a chord bearing North  $09^{\circ}16'16''$  East, 26.69 feet, to a point on the east right-of-way line of Manchester Road;

thence, South  $20^{\circ}01'05''$  East, 315.69 feet, along the east right-of-way line of Manchester Road to the principal place of beginning.

Containing 0.087 acres more or less and all being subject to any legal highways and easements of record. The bearing of North  $20^{\circ}20'43''$  West along the centerline of Manchester Road was based on NAD 83 CORS 2011 adjustment, Ohio South Zone, ODOT VRS CORS Network.

The above description was prepared by Wesley D. Goubeaux, Ohio Professional Surveyor Number 8254, based on a field survey performed under his direct supervision and dated November 7, 2024. For a pictorial representation, see attached Exhibit "B".

  
Wesley D. Goubeaux, PS #8254



11/07/2024  
Date

**EXHIBIT B**  
**LEGAL DESCRIPTION**  
**R/W VACATION – AREA #2**

SITUATE IN PART LOT 2500 OF THE CONSECUTIVE NUMBERS OF LOTS ON THE REVISED PLAST OF THE CITY OF WEST CARROLLTON, MONTGOMERY COUNTY, OHIO AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

Commencing for reference at the northeast corner of said Part Lot 2500 and being on the intersection of the southerly right-of-way line of East Dixie Drive and the west right-of-way line of Manchester Road;

thence, South 20°07'19" East, 24.65 feet, along the west right-of-way line of Manchester Road to a point and being the principal place of beginning of the area to be vacated hereon;

thence, on a curve to the right with a radius of 39.00 feet, an arc distance of 27.14 feet, a delta angle of 43°11'24", and a chord bearing South 41°56'25" East, 26.50 feet, to a point;

thence, South 20°20'43" East, 288.48 feet, to a point;

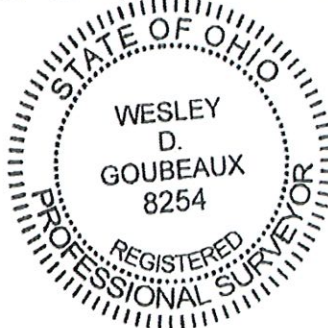
thence, South 17°35'30" West, 17.94 feet, to a point on the west right-of-way line of Manchester Road;

thence, North 20°07'19" West, 327.27 feet, along the west right-of-way line of Manchester Road to the principal place of beginning.

Containing 0.075 acres more or less and all being subject to any legal highways and easements of record. The bearing of North 20°20'43" West along the centerline of Manchester Road was based on NAD 83 CORS 2011 adjustment, Ohio South Zone, ODOT VRS CORS Network.

The above description was prepared by Wesley D. Goubeaux, Ohio Professional Surveyor Number 8254, based on a field survey performed under his direct supervision and dated November 7, 2024. For a pictorial representation, see attached Exhibit "B".

  
Wesley D. Goubeaux, PS #8254



11/07/2024  
Date



# EXHIBIT C

SITUATE IN FRACTIONAL SECTION 16, T 1, R 6 M.Rs.,  
CITY OF WEST CARROLLTON, MONTGOMERY COUNTY, OHIO

