

Ordinance No. _____

AN ORDINANCE VACATING A PORTION OF ADAMS STREET BETWEEN THE FALES AND ADAMS ADDITION AND WAVERLY HEIGHTS REVISED PLAT AND ACCEPTING A PERMANENT EASEMENT

WHEREAS, the City received a petition to vacate part of the undeveloped Adams Street right-of-way adjacent to and adjoining Lot Nos. Twenty-Eight (28) and Twenty-Nine (29) in the Fales and Adams Addition and Lot No. Twenty-Nine (29) in the Waverly Heights Revised Plat; and,

WHEREAS, the Planning Commission heard the petition at the January 21, 2020 public hearing and voted unanimously to recommend the right-of-way vacation *contingent upon the conveyance of an easement interest to the City for sewer line access and a shared driveway agreement with a neighboring property*; and,

WHEREAS, the Planning Commission heard the amended petition for an additional 10' East-West alley at the November 17, 2020 public hearing and voted unanimously to recommend to Council the right-of-way vacation with the same contingencies; and,

WHEREAS, the petitioner provided both a shared driveway agreement for purposes of maintenance and access and a utility easement; and,

WHEREAS, the subject right-of-way is unimproved and unpaved; and,

WHEREAS, Council finds good cause for vacating part of the street and that the requested vacation will not be detrimental to the public interest pursuant to Section 905.19(a) of the Codified Ordinances of Defiance, Ohio;

Now therefore, be it enacted by the Council of the Municipality of Defiance, Ohio, that:

Section 1: The 60' North to South portion of Adams Street extending for approximately 274 feet adjacent to and adjoining Lots No. 28 and 29 in Fales and Adams Addition and Lot 29 of the Waverly Heights Revised Plat and the 10.5' alley running East to West for approximately 66 feet in the same section, as more fully described and depicted by the plat, survey, and legal description now on file in the office of the Law Director, is hereby vacated.

Section 2: The perpetual easement for ingress and egress to the combined sewer and culvert is hereby accepted.

Section 3: The Law Director is directed to record a copy of this Ordinance, along with the easement, to document the vacation of all public rights of way lying between these parcels.

Section 4: It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session or in Executive Session duly convened in accordance with law.

Section 5: This Ordinance shall be effective on the earliest date permitted by law.

Passed: _____, 2021

President of Council

Votes in Favor of Adoption: _____

Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2021

Mayor

RESOLUTION No. _____

A RESOLUTION SUPPORTING THE DEFIANCE COUNTY CANAL ROAD SHOULDER ENHANCEMENT PROJECT

WHEREAS, Defiance County seeks funding from the Ohio Department of Transportation ("O.D.O.T.") to resurface and widen the shoulder of Canal Road from Ball Road in Defiance Township to Jackson Avenue in the City; and

WHEREAS, a portion of these proposed improvements will occur on City-owned right-of-way; and

WHEREAS, Defiance County will provide design services and pay for all construction costs beyond the amount of grant funding available if the county receives the O.D.O.T. grant award; and

WHEREAS, funding for this project would provide increased connectivity for all methods of transportation and improve the surface of the designated Buckeye and North Country Trails;

Now therefore, be it Resolved by the Council of the Municipality of Defiance, Ohio, that:

Section 1: Council for the City of Defiance hereby supports the Canal Road shoulder enhancement project as a means to enable community mobility and the use of recreational trails in the area.

Section 2: Council further authorizes access to City right-of-way along canal road in the designated project area for the purpose of completing the proposed shoulder enhancement.

Section 3: It is found and determined that all legislative actions pertaining to the adoption of this Resolution were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session or in Executive Session duly convened in accordance with law.

Section 4: This Resolution shall be effective on the earliest date permitted by law.

Passed: _____, 2021

President of Council

Attest: _____, Clerk

Approved: _____, 2021

Mayor

Defiance County/City Canal Road Bicycle & Pedestrian Enhancements Project

Detailed Map

