

VILLAGE OF JOHNSTOWN



ORDINANCE NO. 35 -2016

AN ORDINANCE TO VACATE A PORTION OF ELM STREET RIGHT-OF-WAY LOCATED IN THE VILLAGE OF JOHNSTOWN

WHEREAS, the Village of Johnstown, Ohio (“Johnstown”) currently maintains a portion of the Elm Street right-of-way that is not improved (gravel) but has a waterline through it; and

WHEREAS, the abutting property owners desire to assume the responsibility and maintenance of this portion of the Elm Street right-of-way; and

WHEREAS, the Village desires to maintain the current waterline easement that is located within this portion of the Elm Street right-of-way; and

WHEREAS, on July 6, 2016 by a 5-0 vote, the Planning & Zoning Commission approved for Village Council consideration the vacating of Elm Street; and

WHEREAS, the Village desires to vacate the portion of Elm Street that is described and depicted on the attached Exhibit A, while maintaining the current waterline easement and access thereto; and

WHEREAS, there is good cause for such vacation that will not be detrimental to the general interest.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF JOHNSTOWN, COUNTY OF LICKING, STATE OF OHIO; AND A MAJORITY OF THE MEMBERS CONCURRING THAT:

Section 1. Council hereby declares that the portion of Elm Street described and depicted on the attached Exhibit A shall be vacated.

Section 2. Council hereby declares that all existing easements within the vacated portion of Elm Street, and the Village’s access thereto, shall be maintained.

Section 3. Council further hereby further authorizes and direct the Village Manager, Clerk of Council, Law Director, or other appropriate officers of the Village to take any further action as may be appropriate to implement this Ordinance.

Section 4. This Ordinance shall be effective at the earliest time permitted by law.

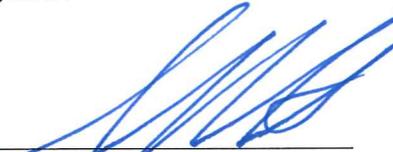
Section 5. It is found and determined that all formal actions of this Village Council concerning and relating to the recommendation of adoption of this Ordinance were approved in an open meeting of this Village Council and that meetings of any of its committees that resulted in such formal action were meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for the VILLAGE OF JOHNSTOWN

Ord 35-2016

Date of Introduction: July 19, 2016

Second Reading/Public Hearing: August 2, 2016

By: Main


Sean Stanart, Mayor

Effective Date: September 1, 2016



ATTEST TO:

APPROVED AS TO FORM:



Teresa Monroe
Clerk of Council

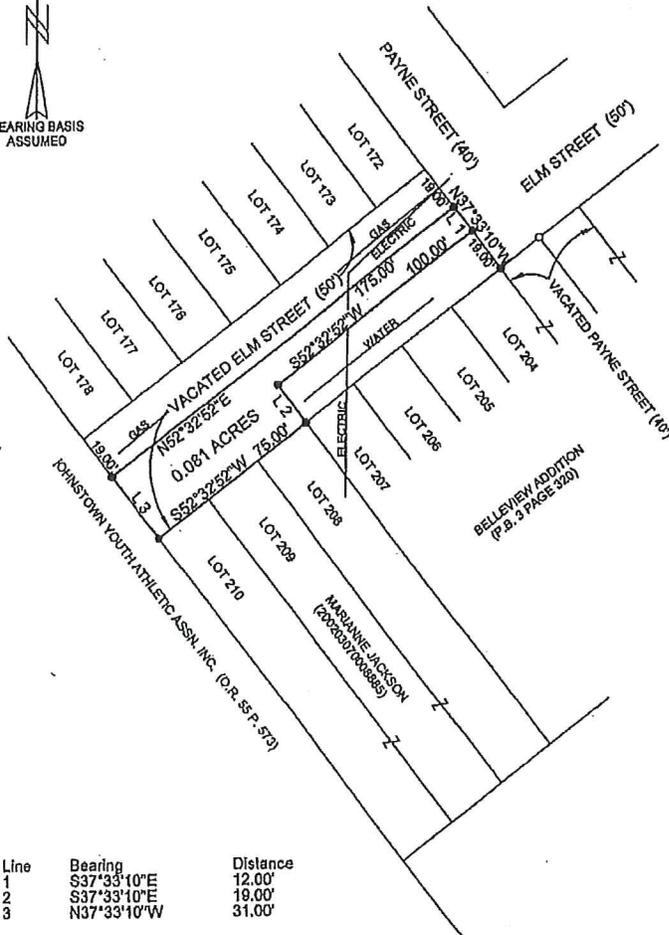
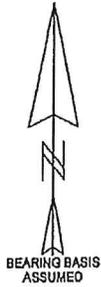


Jennifer Croghan
Law Director

VANCE SURVEYING LTD.

15071 HYATT ROAD
 MOUNT VERNON, OHIO 43050
 PH. (740) 397-8298
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 vanceurveying@gmail.com

SURVEY FOR
MARIANNE JACKSON
 PART OF VACATED ELM STREET - BELLEVIEW ADDITION
 VILLAGE OF JOHNSTOWN, LICKING COUNTY, STATE OF OHIO



Line	Bearing	Distance
1	S37°33'10"E	12.00'
2	S37°33'10"E	19.00'
3	N37°33'10"W	31.00'

- LEGEND**
- IRON PIN FOUND
 - 5/8" x 30" IRON PIN SET W/ PLASTIC CAP STAMPED "VANCE 7922"

CERTIFICATION: WE HEREBY CERTIFY THAT THE FOREGOING SURVEY WAS PREPARED FROM ACTUAL FIELD MEASUREMENTS, IN ACCORDANCE WITH CHAPTER 4733-37, OHIO ADMINISTRATIVE CODE.

Samuel R. Vance
 SAMUEL R. VANCE
 REGISTERED SURVEYOR NO. 7922

JULY 7, 2015

DRAWN BY: SRV

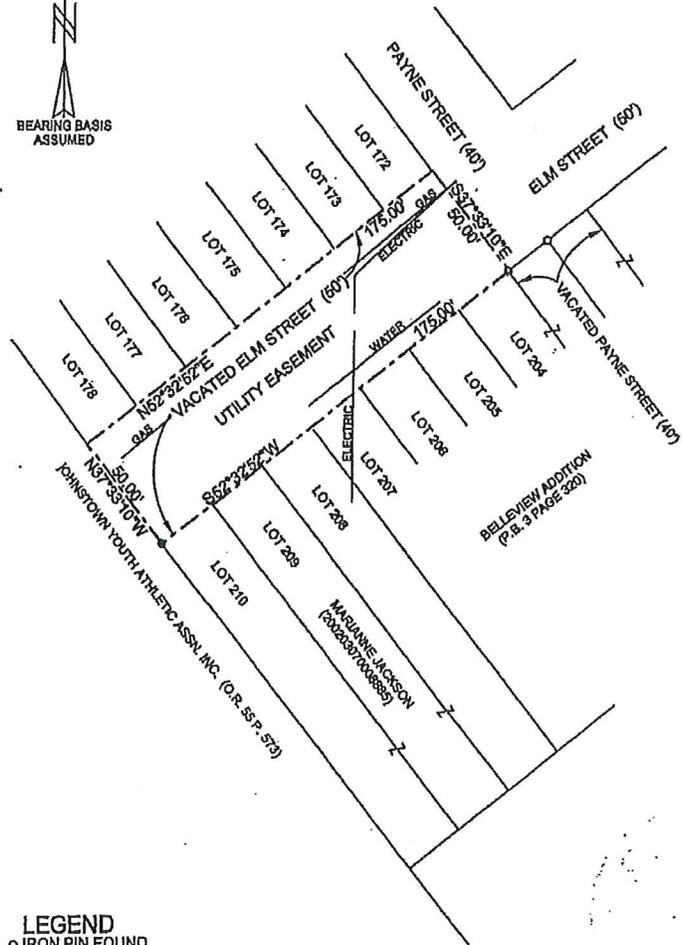
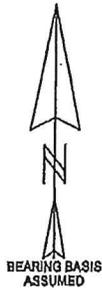
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received
8-27-15

UTILITY EASEMENT FOR
VILLAGE OF JOHNSTOWN
PART OF VACATED ELM STREET - BELLEVUE ADDITION
VILLAGE OF JOHNSTOWN, LICKING COUNTY, STATE OF OHIO



- LEGEND**
- IRON PIN FOUND
 - 5/8" x 30" IRON PIN SET W/
PLASTIC CAP STAMPED
"VANCE 7922"

CERTIFICATION: WE HEREBY CERTIFY THAT THE FOREGOING SURVEY WAS PREPARED FROM ACTUAL FIELD MEASUREMENTS, IN ACCORDANCE WITH CHAPTER 4733-37, OHIO ADMINISTRATIVE CODE.

Samuel R. Vance
SAMUEL R. VANCE
REGISTERED SURVEYOR NO. 7922

AUGUST 24, 2015

DRAWN BY: SRV

VANCE SURVEYING
15071 HYATT ROAD
MOUNT VERNON, OHIO 43050
PH. (740)397-6296
FAX (740) 397-6032

0.081 ACRES

Being part of vacated Elm Street (50') – Belleview Addition (Plat Book 3 Page 320), Village of Johnstown, Licking County, State of Ohio. Being part of that land Plat Book 3 Page 320 in the Licking County Recorder's Office and being more particularly described as follows;

Beginning for reference at a 5/8 inch pin set at the northeast corner of Lot 204 – Belleview Addition, being the intersection of the west line of Payne Street with the south line of Elm Street; Thence North 37 degrees 33 minutes 10 seconds West across Elm Street a distance of 19.00 feet to a 5/8 inch iron pin set and being the true place of beginning;

Thence from the true place of beginning South 52 degrees 32 minutes 52 seconds West across Elm Street a distance of 100.00 feet to a 5/8 inch iron pin set;

Thence South 37 degrees 33 minutes 10 seconds East across Elm Street a distance of 19.00 feet to a 5/8 inch iron pin set;

Thence South 52 degrees 32 minutes 52 seconds West along the north line of Lots 208, 209 and 210 – Belleview Addition a distance of 75.00 feet to a 5/8 inch iron pin set;

Thence North 37 degrees 33 minutes 10 seconds West along the easterly boundary of Johnstown Youth Athletic Assn. Inc. (O.R. 55 P. 573) a distance of 31.00 feet to a 5/8 inch iron pin set;

Thence North 52 degrees 32 minutes 52 seconds East across Elm Street a distance of 175.00 feet to a 5/8 inch iron pin set;

Thence South 37 degrees 33 minutes 10 seconds East across Elm Street a distance of 12.00 feet to the place of beginning - containing 0.081 acres, more or less.

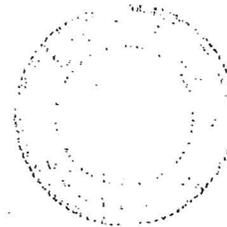
Subject to all legal right-of-way of previous records.

The above description was prepared by me, Samuel R. Vance, Registered Surveyor No. 7922 from actual field measurements, in accordance with Chapter 4733-37, Ohio Administrative Code in July, 2015. Bearing Basis assumed. All pins set are 5/8 inch by 30 inch rebar with plastic caps stamped "Vance 7922"

Samuel R. Vance

Samuel R. Vance
Registered Surveyor No. 7922

July 7, 2015



received
8-27-15

VANCE SURVEYING
15071 HYATT ROAD
MOUNT VERNON, OHIO 43050
PH. (740)397-6296
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UTILITY EASEMENT

Being part of vacated Elm Street (50') – Belleview Addition (Plat Book 3 Page 320), Village of Johnstown, Licking County, State of Ohio. Being part of that land Plat Book 3 Page 320 in the Licking County Recorder's Office and being more particularly described as follows;

Beginning at a 5/8 inch pin set at the northeast corner of Lot 204 – Belleview Addition, being the intersection of the west line of Payne Street with the south line of Elm Street;

Thence from the place of beginning South 52 degrees 32 minutes 52 seconds West Along the south line of Elm Street a distance of 175.00 feet to a 5/8 inch iron pin set;

Thence North 37 degrees 33 minutes 10 seconds West along the easterly boundary of Johnstown Youth Athletic Assn. Inc. (O.R. 55 P. 573) a distance of 50.00 feet to a point;

Thence North 52 degrees 32 minutes 52 seconds East along the north line of Elm Street a distance of 175.00 feet to a point;

Thence South 37 degrees 33 minutes 10 seconds East across Elm Street a distance of 50.00 feet to the place of beginning.

Subject to all legal right-of-way of previous records.

The above description was prepared by me, Samuel R. Vance, Registered Surveyor No. 7922 from actual field measurements, in accordance with Chapter 4733-37, Ohio Administrative Code in August, 2015. Bearing Basis assumed. All pins set are 5/8 inch by 30 inch rebar with plastic caps stamped "Vance 7922"

Samuel R. Vance

Samuel R. Vance
Registered Surveyor No. 7922

August 24, 2015

