

ORDINANCE NO. O2021-51

**AN ORDINANCE VACATING A PORTION OF THE ALLEY RUNNING
BETWEEN EASTERN AVENUE AND OHIO AVENUE**

WHEREAS, The City Commission has determined that there is good cause for vacating an alley located, as depicted on attached "Exhibit A" , and that such vacation will not be detrimental to the general interest; and

WHEREAS, all abutting property owners to the portion of the alley in question have consented to vacating the alley in accordance with ORC 723.06; and

WHEREAS, Magic Tunnel Midwest, LLC, being owner of all abutting properties, has petitioned the City to vacate subject alley and the alley is not currently being used by the City of Gallipolis; and

WHEREAS, Portions of the unnamed 20-foot alley have already been vacated by the City in Ordinance No. 91-39 and Ordinance No. 97-20.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Gallipolis, Ohio:

SECTION 1: The portion of the alley as shown in the attached "Exhibit A" and more particularly described as follows:

A part of an unnamed alley running parallel with Eastern Avenue and Ohio Avenue abutting Parcel Nos. 00705100400, 00705100500, 00705104600 and 00705104700 which are also referred to as lots 22 and 23 on one side and lots 51 and 52 on the other side located in the City of Gallipolis, Ohio, is hereby vacated for good cause and ownership is restored to the property owners over whose property the alley travels.

SECTION 2: The City hereby retains a utility easement, including but not limited to: electric, sewer, water line, cable line, gas line or any other utility that the City may have on said real estate.

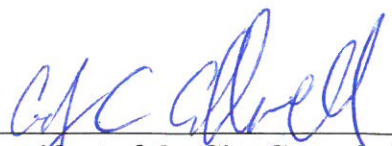
SECTION 3: That this Ordinance shall be in full force and effect at the earliest period of time allowed by law.

PASSED: November 16, 2021

ATTEST:



Clerk of the City Commission
Shelly L. Clonch



President of the City Commission
Cody C. Caldwell

The foregoing Ordinance is hereby approved as to form and correctness thereof,

A handwritten signature in black ink, appearing to read "Brynn S. Noe", written over a horizontal line.

Gallipolis City Solicitor
Brynn S. Noe