

ORDINANCE NO. O2024-17

**AN ORDINANCE VACATING A CERTAIN ALLEY
PARALLEL WITH AND BETWEEN EASTERN AVENUE AND OHIO AVENUE AND
BETWEEN FAIR VIEW PLACE AND OHIO AVENUE
IN GALLIPOLIS, OHIO**

WHEREAS, the owners of certain real property located parallel with and between Eastern Avenue and Ohio Avenue between Fair View Place and Bell Avenue in Gallipolis, Ohio, as hereinafter described, have petitioned the City to vacate the subject area and the subject area has not been used and is not being used.

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, AARON's, 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 alley have already been vacated by the City in Ordinance No. 91-39.

NOW, THEREFORE, BE IT ORDAINED The portion of the alley as shown in the attached "Exhibit A" and more particularly described as follows:

SECTION 1: That the area more particularly described as:

Situated in Section 23 of Gallipolis City, Gallipolis Township, County of Gallia, State of Ohio. Being a part of the East Gallipolis Subdivision as recorded in Plat 2, Page 82 of the Gallia County Plat Records.

Beginning at the most southerly corner of Lot 13, said point also being on the north line of a certain twenty-foot wide unnamed alley that runs parallel between Point Pleasant Avenue on the north side and Ohio Avenue on the south side, thence with the southerly lines of Lots 13, 14 and 15 of said subdivision, a distance of One Hundred and Fifty feet to a point that is the most southerly corner of Lot 16 of said subdivision; thence in a southeasterly direction 20 feet to the south line of said unnamed 20-foot wide alley; thence in a southwesterly direction along the northerly lines of Lots 44, 43 and 42, 150 feet, more or less, to the northwest corner of Lot 42 of said subdivision, also being on the northerly right of way line of Valentine Street; thence with the said northerly line of Valentine Street, a distance of 20 feet to the place of beginning containing 3,000 square feet, more or less.

The above-described tract is intended to be a description vacating a portion of the 20 foot unnamed alley in a direction northeast of the portion previously vacated by Ordinance 91-39 as recorded in Plat Book 4, Pages 193 – 195 of the Gallia County, Ohio Official Records.

Is hereby vacated 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: June 18, 2024

ATTEST: _____

Shelly Clonch
Clerk of the City Commission
Shelly Clonch

Michael C Fulks
President of the City Commission
Michael Fulks

The foregoing Ordinance is hereby approved as to form to City Charter

Andrew J. Noe
Gallipolis City Solicitor
Andrew J. Noe