

ORDINANCE NO. 2-2008

VACATING A RIGHT OF WAY INVOLVING APPROXIMATELY 0.053 ACRES OF EXISTING EAST TEMPLE STREET

WHEREAS, Anchor Properties is requesting that an unimproved portion of a right away be vacated, and;

WHEREAS, the right of way vacation involves approximately 0.053 acres of existing Temple Street as illustrated in the attached legal description and plat survey, and;

WHEREAS, all public services were contacted regarding their use of the right of way for purpose of placement of services and utilities, and;

WHEREAS, the Fayette County Hospital consents to the vacation of the right of way subject to their receiving a 25.30 foot right of way onto Temple Street, and;

WHEREAS, the Planning Commission at its December 4, 2008 meeting recommended that the right of way be vacated pursuant to the terms and conditions espouse thereto and pursuant to the attached legal description and plat survey.

WHEREAS, the owners of the property abutting the property have given their written consent to the vacating of the right of way.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WASHINGTON COURT HOUSE, FAYETTE COUNTY, OHIO

SECTION 1. It is to the best interests of the city of Washington Court House that the right of way described in the attached legal description and plat survey, be vacated, pursuant to the terms and conditions heretofore espoused, provided, that the City retains the right to maintain, operate, repair and replace, by itself or by any licensee or a holder of a franchise from the city, any poles, wires, pipes, conduits, sewer mains, water mains, or any other facility or equipment for the maintenance or operation of any utility now located in the right of way or portion thereof vacated by this ordinance.

SECTION 2. That this Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED:

January 24, 2008

B G Kelly

CHAIRPERSON OF COUNCIL

ATTEST:

Deane M. Keenan

CLERK OF COUNCIL

APPROVED AS TO FORM:

Mark A. ...

CITY ATTORNEY