



LEGISLATIVE COVER MEMO

Introduction: October 17, 2022

Public Hearing: November 7, 2022

Effective Date: December 7, 2022

Agenda Item: **Ordinance 2022-27**

AN ORDINANCE TO VACATE A PORTION OF THE FIRST ALLEY NORTH OF PARK AVENUE FROM PINE STREET TO 250 FEET WEST PURSUANT TO OHIO REVISED CODE, SECTION 723.05

Submitted by: Barry Conway, City Engineer

Scope/Description: The City has been made aware that the alley north of Park Avenue running from Pine Avenue to 250 feet west has not been vacated. This portion of the alley is under the old Laura Farrell School and parking lot located at 513 Park Avenue. The City has no utilities in the old alley. According to County records the school was built in 1962.

Vote Required for Passage: Per Section 4.03 of the City Charter, After the hearing, the Council may adopt the proposed ordinance with or without amendment or reject it. No Ordinance shall be passed without concurrence of a majority of the members of Council who are present.

Recommendation: Approval

CITY OF FRANKLIN, OHIO
ORDINANCE 2022-27

**AN ORDINANCE TO VACATE A PORTION OF THE FIRST ALLEY NORTH OF PARK AVENUE FROM PINE STREET TO
250 FEET WEST PURSUANT TO OHIO REVISED CODE, SECTION 723.05**

WHEREAS, the City has searched the Ordinances and could not find any evidence that this alley located at 513 Park Avenue was vacated; and

WHEREAS, the Warren County Engineer's Office has no record of any legislation vacating this alley; and

WHEREAS, the Ohio Revised Code, Section 723.05 provides legal authority for the City Council to make this vacation by ordinance upon being satisfied that there is good cause for such vacation and that such vacation will not be detrimental to the City's general interest; and

WHEREAS, this Council, upon receipt of said recommendation, has timely conducted a public hearing in accordance with Section 4.03 of the Charter of the City of Franklin;

THE CITY OF FRANKLIN HEREBY ORDAINS, by an affirmative vote of the majority of the members of Council who are present:

Section 1. The first alley north of Park Avenue from Pine Street to 250 feet west, as illustrated in the attached Exhibit A, is hereby vacated based upon Council's finding that there is good cause for such vacation and that such vacation will not be detrimental to the City's general interest.

Section 2. The City Engineer is authorized to take all further action and sign all legal documents, subject to the City Law Director's review and approval, necessary to effectuate this alley vacation.

Section 3. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

Section 4. This Ordinance shall become effective on December 7, 2022.

INTRODUCED: October 17, 2022

ADOPTED: November 7, 2022

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
Brent Centers, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of Ordinance 2022-21 passed by that body on October 17, 2022.

Khristi Dunn, Clerk of Council

APPROVED AS TO FORM:

Ben Yoder, Law Director



Date: 10/13/2022

Cadastral Lines		Corporate Line	Parcel Line	Hardware
all other values:		County Line	ROW Unknown Width Line	Subdivision Lot Line
Line Type		Farm Lot Line	Road ROW	Township and Range Line
Audible Trad Line		Overpass Line	School Line	Trad Line
Civil Township Line		Subdivision Limit Line	Section Line	VMS Line
				Vacated Road Line

1 inch = 100 feet

513 Park Ave.

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