

First Reading: August 12, 2025
Second Reading: September 9, 2025
Third Reading: October 14, 2025
Effective Date: November 13, 2025

VILLAGE OF NORTH BALTIMORE, WOOD COUNTY, OHIO

ORDINANCE NO. 2025-20

**AN ORDINANCE VACATING A PORTION OF THE UNIMPROVED RIGHT-OF-WAY
KNOWN AS OAK STREET, SITUATED IN THE VILLAGE OF NORTH BALTIMORE,
WOOD COUNTY, OHIO, AND CONVEYING SAID VACATED PORTION TO LESLIE
LINDQUIST AND RICHARD A. & MARY E. CAPELLE**

WHEREAS, a portion of Oak Street, located within the Village of North Baltimore, is unimproved and not needed for any public purpose; and

WHEREAS, the portion proposed for vacation lies between properties owned by Leslie Lindquist, Richard A. and Mary E. Capelle, and Country Club Acres Inc. and JCK2 Properties Ltd., and is identified as lying adjacent to Inlots 736 and 737; and

WHEREAS, the Village received a petition dated June 6, 2025, from property owner Leslie Lindquist requesting vacation of the subject portion of unimproved right-of-way, said petition being attached hereto as Exhibit A; and

WHEREAS, notice of the proposed vacation was published for six consecutive weeks in accordance with the requirements of Ohio Revised Code § 723.06; and

WHEREAS, Council is satisfied that there is good cause for such vacation and that vacating the unimproved right-of-way will not be detrimental to the general interests of the Village;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF NORTH BALTIMORE, WOOD COUNTY, OHIO:

SECTION 1. Council hereby finds that:

1. There is good cause to vacate the described portion of Oak Street;
2. Said vacation is not detrimental to the general interests of the Village;
3. Vacating the right-of-way serves the public interest and benefits the adjacent property owners.

Given the unimproved condition of the right-of-way, its exclusive use by adjacent private owners, its de minimis public value, and the absence of any impact to public access or utilities, the Village Council has determined that Planning Commission review is unnecessary for this specific vacation.

SECTION 2. The following described portion of Oak Street, an unimproved public right-of-way situated within the Village of North Baltimore, Wood County, Ohio, is hereby vacated:

Situated in the Village of North Baltimore, Wood County, Ohio, this parcel consists of approximately 6,375 square feet and comprises a portion of the unimproved public right-of-way known as Oak Street. The land to be vacated is a rectangular area that begins at the intersection of Oak Street and North 3rd Street to the east, extending westward for a length of 127.5 feet. The width of the vacated area is 50 feet, extending north and south. The northern boundary of the vacated area is the southern boundary of Parcel No. F23-310-260313004000, owned by Leslie Lindquist, and the southern boundary is the northern boundary of Parcel No. F23-310-260313006000, owned by Richard A. and Mary E. Capelle. The western boundary of the vacated area is contiguous to Parcel No. F23-310-260313005000, owned by Country Club Acres Inc. and JCK2 Properties Ltd. The parcels affected by the vacation of this unimproved section of Oak Street, by way of extending the boundaries of the parcels to include the vacated land, are Wood County Parcel F23-310-

260313004000 and F23-310-260313006000. Parcel No. F23-310-260313005000 is not affected by this vacation.

SECTION 3. The vacated right-of-way shall vest in fee simple to the adjacent property owners in accordance with Ohio Revised Code § 723.041. Any existing public utility, drainage, or access easements located within the vacated portion of Oak Street shall remain in full force and effect. The Village of North Baltimore and any public utility providers shall retain all rights necessary to access, operate, maintain, repair, or replace any existing facilities within such easements.

SECTION 4. Property owner Leslie Lindquist is directed to record a certified copy of this Ordinance, along with Exhibit A (petition), in the official records of the Wood County Recorder's Office and provide notice to the Wood County Auditor and applicable public utilities.

SECTION 5. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of Council, and that all deliberations of the Council and any of its committees or decision-making bodies were conducted in compliance with applicable Ohio law.

SECTION 6. The land being vacated shall be divided between the adjacent property owners:

Leslie Lindquist, owner of Parcel No. F23-310-260313004000

Richard A. and Mary E. Capelle, owners of Parcel No. F23-310-260313006000

SECTION 7. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

SECTION 8. All expenses related to the vacation, including recording costs, shall be borne by the petitioners.

Passed in Council this ____ day of ____, 2025.

Dee Hefner, President of Council

Aaron Patterson, Mayor

Attest:

Becky Walter, Clerk-Treasurer

Exhibit A

June 06, 2025

Josh Bender Village Administration
Village of North Baltimore
205 N. Main St.
North Baltimore OH 45872

Dear Village Administrator

RF: Alley Closing Request

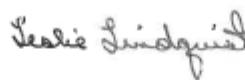
As the owner of 705 N. Third St. and
owner of lot 737 I would like the
Village Council to consider my
request to close the alleyway
located between Parcel Number
F-23-310-260313006000 and
Parcel Number F-23-310-260313004000.

I purchased my property in 2001
and have maintained the alleyway
since my purchase. This property
has not served as an alleyway
for the past 24 years.

Thank you for your time and consideration.

Leslie Lindquist

ALLEY / STREET VACATION PETITION

OWNER (PRINT NAME)	SIGNATURE	ADDRESS	PARCEL / INLOT #
LESLIE LINDQUIST		615 N THIRD	F23-310-260313004000
MALCOM L CAMERON		515 W STATE ST & 700 N THIRD ST	F23-310-260311001000 & F23-310-260312004000
RICHARD A. AND MARY E. CAPELLE		625 N THIRD ST	F23-310-260313006000
COUNTRY CLUB ACRES INC. AND JCK2 PROPERTIES LTD		100 S TAYLOR ST	F23-310-260313005000

Instructions to Applicants:

Under Village procedures and the Ohio Revised Code:

- A completed petition must be submitted to the **Village Administrator**.
- The request may be reviewed by a Village Committee or Planning Commission for advisory comment.
- Village Council will hold a public hearing and make the final decision by ordinance.
- **Public notice will be published at least 20 days prior to final Council action.**
 - **Notice Exception under ORC § 723.06:** Public notice of the intention to vacate a street or alley is not required when written consent is provided by all property owners abutting the portion of right-of-way to be vacated.

Please attach:

1. A plat or map clearly identifying the portion to be vacated.
2. A list of abutting property owners and parcel numbers.
3. A brief statement justifying the request.

Submit all materials to:

Josh Bender, Village Administrator & Zoning Inspector
nbadmin@northbaltimore.net
205 North Main Street, North Baltimore, OH 45872
(419) 257-2394

ALLEY / STREET VACATION PETITION

FEE PAID: _____

DATE: _____

ADVERTISING FEE PAID: _____

DATE: _____

To: The Honorable Mayor and Council of the Village of North Baltimore, Ohio

We, the undersigned, being all of the owners of property abutting the portion of public right-of-way proposed for vacation, respectfully petition the Village Council to vacate the following:

Type of Vacation Requested (check one): Street / Alley

Location of Right-of-Way to be Vacated: Oak Street, North Baltimore, OH 45872

Legal Description:

Situated in the Village of North Baltimore, Wood County, Ohio, this parcel consists of approximately 6,375 square feet and comprises a portion of the unimproved public right-of-way known as Oak Street. The area begins at the eastern boundary of Parcel No. F23-310-260313006000, owned by Richard A. and Mary E. Capelle, and extends northward to its intersection with Parcel No. F23-310-260313004000, owned by Leslie Lindquist. The western boundary of this right-of-way portion is contiguous to Parcel No. F23-310-260313005000, owned by Country Club Acres Inc. and JCK2 Properties Ltd. This parcel lies entirely within the corporate limits of the Village of North Baltimore, Wood County, Ohio.

Subdivision and Lot References:

The portion to be vacated abuts the following described lots in the subdivision of:

INLOT 736 & 737

As required, we submit a \$100.00 petition filing fee, and we agree to pay all additional advertising and recording fees associated with the vacation, as determined by the Village.

We further agree to accept any existing public utility or drainage easements that may remain in place following the vacation. A plat map of the area and a list of all abutting property owners (including those not joining the petition) are attached.

