

Repealed 2-14-50
by Ord. 2-57

AN ORDINANCE NO. 977.

By Mr. R. J. Wheaton.

To vacate that part of Maryland Avenue in the Village of Bexley, Ohio, between the west line of North Parkview Avenue and Alum Creek.

WHEREAS, on the 27th day of November, 1928, a petition and consent by the persons owning all the lots and lands bounding and abutting upon that part of Maryland Avenue between the west line of North Parkview Avenue and Alum Creek, was duly presented to Council praying that said Maryland Avenue between said points be vacated as provided in Section 3727 of the General Code and further requesting that the Village reserve for itself, the public and quasi public corporations holding franchises and permits from it for the supplying of water, gas, electricity and telephone service, all necessary easements, in, under and over the abandoned avenue to enable the village and them to enter upon and use said avenue for the purposes of sewers, mains, underground wires and conduits and maintaining and keeping them in repair, so far as the village may determine to be necessary to supply its inhabitants with public utility service, water, sewers and drainage, and further agreeing on behalf of themselves, their heirs and assigns, in the event said petition shall be granted by the Council and said vacation made that should said lands now constituting that part of said Maryland Avenue so petitioned to be vacated ever be required for highway purposes by the Village of Bexley, or its successors, or by properly constituted public authority or authorities, they will by proper deed convey, dedicate and surrender to the public, without compensation, said premises for highway purposes, and,

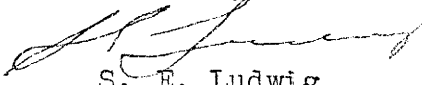
WHEREAS, Council upon hearing is satisfied that there is good cause for such vacation as prayed for and that such vacation will not be detrimental to the general interests and finds that said petition and consent have been signed by all of the owners of the lots and lands bounding and abutting upon said Maryland Avenue between said points, NOW, THEREFORE:

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BEXLEY,
STATE OF OHIO:

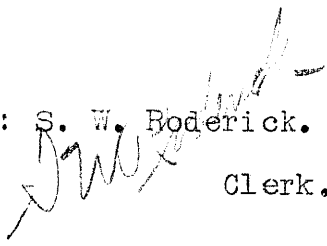
Section 1. That the part of Maryland Avenue between the west line of North Parkview Avenue and Alum Creek in the Village of Bexley, be, and the same is hereby, vacated; reserving, however, to the Village, the public and quasi-public corporations holding franchises and permits from the Village for the supplying of water, gas, electricity and telephone service, all necessary easements, in, under and over said part of said avenue to enable the village and said public and quasi-public corporations to enter upon and use said avenue for the purpose of installing, maintaining and repairing sewers, mains, underground wires and conduits insofar as the Village may determine to be necessary to supply its inhabitants with public utility service, sewers and drainage; said vacation being also subject to the agreement of said abutting property owners, their heirs and assigns, that should the lands now constituting that part of Maryland Avenue so vacated ever be required for highway purposes by the Village of Bexley, or its successors, or by properly constituted public authority or authorities, that they, or their heirs and assigns will by proper deed convey, dedicate and surrender to the public, without compensation therefor, said premises for highway purposes.

Section 2. This ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed Dec. 11, 1928.


S. E. Ludwig.

Mayor.

Attest: 
S. W. Boderick.

Clerk.