

ORDINANCE NO. 61 -83

BY: James H. Gross

To vacate the unimproved Ruhl Avenue street right-of-way lying between and parallel to Caroline Avenue and Maryland Avenue.

WHEREAS, Mr. Sol A. Shenk of 434 North Columbia Avenue, a contiguous property owner, has petitioned Council to vacate the Ruhl Avenue unimproved right-of-way adjoining his property; and

WHEREAS, in 1939, Bexley City Council adopted Ordinance No. 32-39 granting a license to the abutting property owners to landscape the unimproved Ruhl Avenue right-of-way after said owners had petitioned that it be vacated because Council, at that time, wanted to hold it for possible future use; and

WHEREAS, the Bexley Planning Commission has reviewed this request and has unanimously recommended that the entire unimproved right-of-way from Northview Avenue on the east and Parkview Avenue on the west be vacated because it no longer serves any public purpose and that such action will not be detrimental to the public interest.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, STATE OF OHIO:

Section 1: That the Ruhl Avenue right-of-way lying between Caroline Avenue and Maryland Avenue, running east from Parkview Avenue to Northview Avenue, which is unimproved, is not now used and has never been used by the City as a public street, and will not be needed for any foreseeable future need and that the Planning Commission of the City, after receiving a request to vacate from Mr. Sol A. Shenk, an abutting property owner, unanimously recommended, that the right-of-way be vacated and that such action will not be detrimental to the public interest.

Section 2: That the unimproved Ruhl Avenue right-of-way described as follows:

Being situated in the State of Ohio, County of Franklin, City of Bexley, and being a part of Section 1, Township 5, Range 22, Refugee Lands, and being a part of Ruhl Avenue (60 feet wide) as dedicated in the Plat of subdivision of the Estate of Anton Ruhl (deceased) shown of record in Plat Book 8, Page 7A, Recorder's Office, Franklin County, Ohio, and being more particularly described as follows:

Portion of Ruhl Avenue between North Columbia Avenue and North Parkview Avenue.

Beginning at an iron pin at the intersection of the westerly line of North Columbia Avenue (8 feet wide), with the northerly line of Ruhl Avenue (60 feet wide);

Thence south four degrees, fourteen minutes west, across said Ruhl Avenue, and along the westerly line of said North Columbia Avenue produced southerly, a distance of 60.00 feet to an iron pin at the intersection of the westerly line of said North Columbia Avenue with the southerly line of said Ruhl Avenue;

Thence north eighty-five degrees, fifty one minutes west, along the southerly line of said Ruhl Avenue, a distance of 500.00 feet to an iron pin at the intersection of the southerly line of said Ruhl Avenue, with the easterly line of North Parkview Avenue (80 feet wide);

Thence north four degrees, fourteen minutes east, along the westerly line of said Ruhl Avenue, and along the easterly line of said North Parkview Avenue produced northerly, a distance of 46.95 feet to an angle point in said line;

Thence north twenty-two degrees, eleven minutes east, along the westerly line of said Ruhl Avenue, and along the easterly line of said North Parkview Avenue produced southerly, a distance of 13.72 feet to an iron pin at the intersection of the easterly line of said North Parkview Avenue, with the northerly line of said Ruhl Avenue;

Thence south eighty-five degrees, fifty-one minutes east, along the northerly line of said Ruhl Avenue, a distance of 495.77 feet to the place of beginning, containing 29,972 square feet, 0.6881 acres, subject, however, to all highways and easements of record, and of easements, records and restrictions of record.

Portion of Ruhl Avenue between North Drexel Avenue and North Columbia Avenue.

Beginning at an iron pin at the intersection of the westerly line of North Drexel Avenue (60 feet wide), with the northerly line of Ruhl Avenue (60 feet wide);

Thence south four degrees, fourteen minutes west, across said Ruhl Avenue, and along the westerly line of said North Drexel Avenue produced southerly a distance of 60.00 feet to an iron pin at the intersection of the westerly line of said North Drexel Avenue, with the southerly line of said Ruhl Avenue;

Thence north eighty-five degrees, fifty-one minutes west, along the southerly line of said Ruhl Avenue, a distance of 500.00 feet to an iron pin at the intersection of the southerly line of said Ruhl Avenue, with the easterly line of North Columbia Avenue (80 feet wide);

Thence north four degrees, fourteen minutes east, across said Ruhl Avenue, and along the easterly line of said North Columbia Avenue produced northerly, a distance of 60.00 feet to an iron pin at the intersection of the easterly line of said North Columbia Avenue, with the northerly line of said Ruhl Avenue;

Thence south eighty-five degrees, fifty-one minutes east, along the northerly line of said Ruhl Avenue, a distance of 500.00 feet to the place of beginning containing 30,000 square feet, 0.6887 acres, subject, however, to all highways and easements of record, and of records, easements, and restrictions of record.

Portion of Ruhl Avenue between Northview Drive and North Drexel Avenue.

Beginning at an iron pin at the intersection of the westerly line of Northview Drive (60 feet wide), with the northerly line of Ruhl Avenue (60 feet wide);

Thence south four degrees, fourteen minutes west, across said Ruhl Avenue, and along the westerly line of said Northview Drive produced southerly a distance of 60.00 feet to an iron pin at the intersection of the westerly line of said Northview Drive, with the southerly line of said Ruhl Avenue;

Thence north eighty-five degrees, fifty-one minutes west, along the southerly line of said Ruhl Avenue, a distance of 299.00 feet to an iron pin at the intersection of the southerly line of said Ruhl Avenue, with the easterly line of North Drexel Avenue (60 feet wide);

Thence north four degrees, fourteen minutes east, across said Ruhl Avenue, and along the easterly line of said North Drexel Avenue produced northerly, a distance of 60.00 feet to an iron pin at the intersection of the easterly line of said North Drexel Avenue, with the northerly line of said Ruhl Avenue;

Thence south eighty-five degrees, fifty-one minutes east, along the northerly line of said Ruhl Avenue, a distance of 299.00 feet to the place of beginning, containing 17,940 square feet, 0.4118 acres, subject, however, to all highways and easements of record, and of records, easements, and restrictions of record.

Shall be and the same is hereby vacated and abandoned; provided, however, that the City of Bexley and all persons or companies engaged in the operation of public utilities shall retain, and have, the right to maintain in place, and to construct and erect, all sewers, conduits, pipes, poles, and wires and any other facilities used or useful in the rendition of public utility service and the right of ingress and egress thereover.

Section 3: That this Ordinance shall be and remain in force from and after the earliest period allowed by law.

Passed: Nov 22, 1983

Lawrence Thomas Christy
President of Council

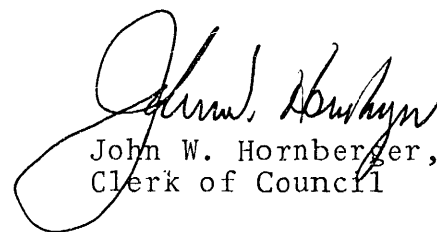
Attest: John W. Harbison
Clerk of Council

Approved: David H. Madison, 1983
David H. Madison
Mayor

Sept 11, 1983: First reading
Oct 25, 1983: Second reading
Tabled to Nov 22, 1983
Nov 22, 1983 - Resolved upon table
Ordinance adopted

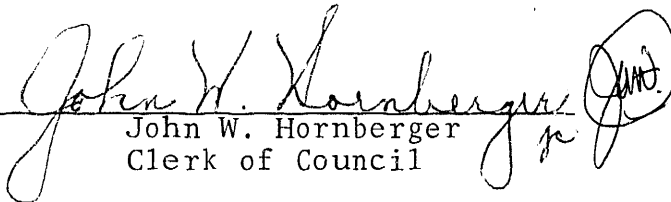
PUBLIC NOTICE

In accordance with the Ohio Revised Code, Public Notice is hereby given of the intent to vacate the unimproved Ruhl Avenue street right-of-way lying between Caroline Avenue and Maryland Avenue, running east from Parkview Avenue to Northview Drive. Said vacation shall take effect upon passage of Bexley City Ordinance No. ____-83 on November 22, 1983. All interested persons are invited to direct their comments to Bexley City Council, 2242 East Main Street, Bexley, Ohio 43209.


John W. Hornberger,
Clerk of Council

NOTICE OF PUBLIC HEARING

The Bexley City Council will conduct a Public Hearing on the adoption of Ordinance No. 61-83 to vacate the unimproved Ruhl Avenue street right-of-way lying between and parallel to Caroline Avenue and Maryland Avenue at 7:00 P.M., Tuesday, November 22, 1983, in the City Council Chambers of Bexley City Hall, 2242 East Main Street, Bexley, Ohio 43209. All interested persons are invited to attend.

BY: John W. Hornberger 
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Clerk of Council