

ORDINANCE NO. 32 - 04

By: Jeffrey McLelland
~~Richard E. Weber~~

An Ordinance to vacate Mound Street between Pleasant Ridge Avenue and College Avenue, reserving to the City a permanent easement in such vacated portion of the street for the purpose of maintaining, operating, renewing, reconstructing and removing City-owned utility facilities located under the street and for purposes of access to said facilities.

WHEREAS, pursuant to Ohio Revised Code Section 723.04 Capital University, a property owner in the City, has filed with this Council a petition praying that Mound Street between Pleasant Ridge Avenue and College Avenue be vacated, and a copy of said petition is attached to, and incorporated by reference in, this Ordinance as Exhibit 1;

WHEREAS, the portion of Mound Street proposed to be vacated is shown in the vacation plat attached to, and incorporated by reference in, this Ordinance as Exhibit 2;

WHEREAS, Capital University is only owner of property abutting the part of Mound Street proposed to be vacated and by the filing of its petition has given written consent to the proposed vacation;

WHEREAS, this Council has adopted the Southwest Bexley Master Plan for the purposes of encouraging and regulating redevelopment in the southwest section of the City;

WHEREAS, this Council authorized and approved, and the City has entered into, a Memorandum of Understanding with Capital University and Trinity Lutheran Seminary to promote implementation of the Southwest Bexley Master Plan;

WHEREAS, the Main Street Redevelopment Commission has approved in concept the Capital University Campus Master Plan which contemplates the vacation of Mound Street as proposed;

WHEREAS, the proposed vacation of a portion of Mound Street is consistent with the goals of the Southwest Bexley Master Plan, the Memorandum of Understanding with Capital University and Trinity Lutheran Seminary and the Capital University Campus Master Plan;

WHEREAS, a Mound Street Closure Traffic Analysis commissioned by Capital University and a report of the City's traffic consultant concluded that the proposed vacation of Mound Street would not have a material negative impact on adjacent residential streets;

WHEREAS, the proposed vacation, together with other improvements to be made by Capital University, including an additional northbound turn lane for College Avenue at Main Street, will enhance the campus of Capital University, improve pedestrian safety and promote redevelopment in the southwest part of the City; and

WHEREAS, there is good cause for the vacation, it will not be detrimental to the general interest and it should be made;

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

Section 1. That Mound Street between Pleasant Ridge Avenue and College Avenue, as shown on the plat attached as Exhibit 2, is hereby declared vacated, subject to the reservation, pursuant to Ohio Revised Code Section 723.041, by the City of a permanent easement in such vacated portion of the street for the purpose of maintaining, operating, renewing, reconstructing and removing City-owned utility facilities located under the street and for purposes of access to said facilities.

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

Passed: _____, 2004

President of Council

Attest: _____
Clerk of Council

Approved: _____, 2004

David H. Madison, Mayor

4.13.04 First Reading.
4.27.04 Second Reading
5.11.04 Third Reading. Passed.

**Petition to Vacate Mound Street
from Pleasant Ridge to College Avenue**

To the City Council of Bexley, Ohio:

This petition to vacate the public right of way currently owned and maintained by the City of Bexley (the City), described as Mound Street extending from Pleasant Ridge Avenue on the east to College Avenue on the west, is being made by Capital University (University), sole owner of property adjoining that portion of Mound Street. The vacation of Mound Street between Pleasant Ridge and College Avenue is an integral part of the University's Campus Master Plan that was approved in concept by the Main Street Redevelopment Commission and City Council. Mound Street bisects the core of the campus, creating a significant safety concern for students, employees and visitors to campus. The closing of Mound Street as a vehicular connection will improve the safety of pedestrians, and will enhance the attractiveness and functionality of the campus.

WHEREAS, the purposes for the petition to vacate are to improve the safety of pedestrians, and to unify and beautify the University's campus; and

WHEREAS, the University Board of Trustees has expressed its position that the vacation of Mound Street is critical to the implementation of the Campus Master Plan and the partnership of the Southwest Bexley Master Plan; and

WHEREAS, the Southwest Bexley Master Plan and the Memorandum of Understanding reflect the partnership between the City, the University and Trinity Lutheran Seminary, and acknowledge the importance of the closure of Mound Street to the University; and

WHEREAS, an independent Mound Street Closure Traffic Analysis (see *Exhibit A* for Executive Summary), and the City's traffic consultant (*Exhibit B*) have concluded that the vacation of Mound Street between Pleasant Ridge and College Avenue would not have a material negative impact on adjacent residential streets; and

WHEREAS, the University has agreed to pay the costs of converting Mound Street to a pedestrian spine, and to pay for an additional northbound lane for College Avenue at Main Street to improve traffic flow at that intersection; and

THEREFORE, Capital University, hereby petitions the City Council of Bexley, Ohio, to vacate Mound Street between Pleasant Ridge Avenue and College Avenue.



Donald B. Aungst
VP for Resource Management

4/6/07

Date