

ORDINANCE O-2020-13

AN ORDINANCE ACKNOWLEDGING A REPLAT ESTABLISHING S/L 51-R2 VACATING AND ESTABLISHING UTILITY EASEMENTS.

WHEREAS, on May 26, 2020 at its special meeting, the Windham Planning Commission approved a replat of real estate owned by the Village of Windham which consolidated land owned by the Village and creating S/L 51-R2; and

WHEREAS, the action taken by the Planning Commission sets forth the vacation of existing utility easements and establishes a new utility easement on the S/L 51-R2 replatted lot; and

WHEREAS, the real estate presently owned by the Village and now represented by S/L 51-R2 is under contract to be sold by the Village and the purchaser has requested the vacation of existing easements and has consented to the establishment of the new easement shown on the Replat which establishes S/L 51-R2; and

WHEREAS, as the sole owner of the real estate identified on the Replat establishing S/L 51-R2 the Village Council wishes to vacate the existing easement and establish the new easements shown on S/L 51-R2.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Windham, Portage County, Ohio, two thirds of more of its members concurring:

SECTION 1: The Replat establishing Sub Lot 51-R2 as is shown on the attached Exhibit A is approved, expressly including the vacation of and acceptance of utility easements as shown on the replat

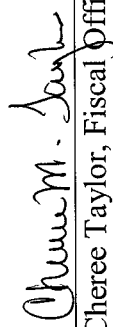
SECTION 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its Committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3: That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED IN COUNCIL on first reading, this 26th day of May 2020.

Vote of Council: Ayes: 6
 Nays: 0

ATTEST:


Cheree Taylor, Fiscal Officer

APPROVED:


Scott Garrett, Mayor

APPROVED AS TO FORM:


Thomas Reitz, Solicitor

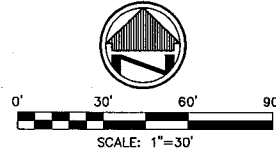
VACATION OF PUBLIC UTILITY EASEMENTS

VACATING BY THE RECORDING OF THIS REPLAT THOSE PORTIONS OF THE PUBLIC UTILITY EASEMENTS WITHIN SUBLOTS 51-55 CREATED BY MAPLE GROVE PARK PLAT NO. 1 RECORDED IN PLAT VOLUME 30, PAGE 12 OF PORTAGE COUNTY RECORDS AS SHOWN WITH CROSS-HATCHING HEREON.

NEW 12' PUBLIC UTILITY EASEMENT

CREATING BY THE RECORDING OF THIS REPLAT A NEW 12' PUBLIC UTILITY EASEMENT ALONG THE SOUTH PROPERTY LINES AS INDICATED HEREON.

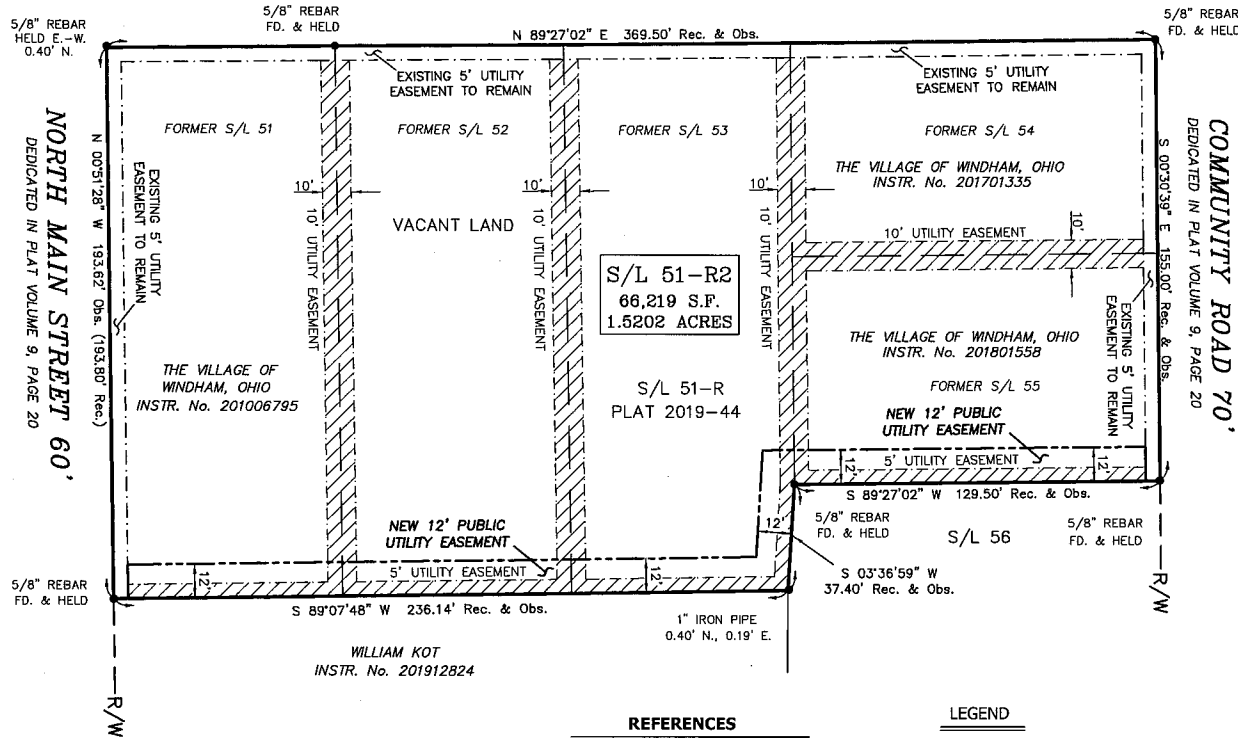
**REPLAT OF SUBLOT 51-R AS RECORDED IN PLAT 2019-44
CREATING S/L 51-R2 AND
TO VACATE EXISTING EASEMENTS AND CREATE NEW EASEMENT
VILLAGE OF WINDHAM, COUNTY PORTAGE, STATE OF OHIO**



BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY IS GRID NORTH OF THE OHIO STATE PLANE COORDINATE SYSTEM, NORTH ZONE, NAD83(2011).

MAPLE GROVE ROAD 72'
DEDICATED IN PLAT VOLUME 9, PAGE 20



OWNER'S STATEMENT

WE, THE UNDERSIGNED REPRESENTATIVE(S) OF THE VILLAGE OF WINDHAM, OWNER OF THE LAND SHOWN ON THIS REPLAT, DO HEREBY AUTHORIZE ITS RECORDING OF THE SAME AND ACKNOWLEDGE THE VACATION OF THE PUBLIC UTILITY EASEMENTS AND THE CREATION OF THE 12' PUBLIC UTILITY EASEMENT AS INDICATED HEREON.

THE VILLAGE OF WINDHAM (OWNER)

MAYOR - SCOTT GARRETT DATE

FISCAL OFFICER - CHEREE TAYLOR DATE

NOTARIAL ACKNOWLEDGEMENT

STATE OF OHIO
PORTAGE COUNTY

BEFORE ME, A NOTARY PUBLIC FOR SAID COUNTY AND STATE, PERSONALLY APPEARED THE ABOVE NAMED REPRESENTATIVES OF THE VILLAGE OF WINDHAM WHO ACKNOWLEDGED THE SIGNING OF THE FOREGOING INSTRUMENT AND THAT THE SAME IS THEIR FREE ACT AND DEED.

IN TESTIMONY WHEREOF I HAVE SET MY HAND AND SEAL
THIS _____ DAY OF _____, 20__.

(SEAL)

NOTARY PUBLIC

MY COMMISSION EXPIRES

APPROVAL

THIS REPLAT APPROVED THIS _____ DAY OF _____, 20__

VILLAGE OF WINDHAM PLANNING COMMISSION (PRINT NAME)

RECEIVED FOR RECORD THIS _____ DAY OF _____, 20__

PORTAGE COUNTY TAX MAP DEPARTMENT

RECEIVED FOR TRANSFER THIS _____ DAY OF _____, 20__

FEE _____ PORTAGE COUNTY AUDITOR

RECEIVED FOR RECORD THIS _____ DAY OF _____, 20__, AT _____ M.

IN VOLUME _____, PAGE _____ OF THE PORTAGE COUNTY PLAT RECORDS.

FEE _____ PORTAGE COUNTY RECORDER

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO AS DESCRIBED IN O.A.C. CHAPTER 47.33-37.
DATE OF FIELD WORK: JANUARY 15, 2020

James P. Yurkschatt
JAMES P. YURKSCHATT
CAMPBELL & ASSOCIATES, INC.

05/18/2020
DATE



REFERENCES

- PORTAGE COUNTY TAX MAPS
- PORTAGE COUNTY DEEDS REFERENCED HEREON
- PLATS:
 - MAPLE GROVE PARK PLAT VOLUME 9, PAGE 20
 - MAPLE GROVE PARK PLAT NO. 1 PLAT VOLUME 30, PAGE 12
 - REPLAT OF S/L'S 51-55 PLAT 2019-44
- PORTAGE COUNTY AUDITOR/GIS

LEGEND

- REC. - RECORD DISTANCE
- OBS. - OBSERVED DISTANCE
- - MONUMENT FOUND, SIZE & TYPE AS INDICATED.
- - 5/8" REBAR, 30" IN LENGTH IN LENGTH, WITH I.D. CAP C&A SET
- R/W - RIGHT-OF-WAY
- PUBLIC UTILITY EASEMENTS TO BE VACATED BY THE RECORDING OF THIS PLAT.



3485 Fortuna Drive, Suite 100

CAMPBELL & ASSOCIATES, INC.
Surveying

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JOB NO. 20190249