

BEREA CITY COUNCIL

City of Berea, Ohio

ORDINANCE NO. 2025- __

By: _____ Sponsor: Mayor Cyril M. Kleem

AN ORDINANCE

VACATING PORTIONS OF THE PUBLIC RIGHT OF WAY ON FRONT STREET AND LOU GROZA BOULEVARD, NO LONGER NEEDED FOR MUNICIPAL PURPOSES.

WHEREAS, portions of the public right of way located on Front Street and Lou Groza Boulevard, as described in Exhibit "A", attached hereto and incorporated herein (and as shown on the Map attached hereto as Exhibit "B"), are no longer needed for municipal purposes; and

WHEREAS, there is good cause for vacating portions of said land, and the vacation will not be detrimental to the general interest; and

WHEREAS, upon vacating said portions of the right of way, the City of Berea, as the adjoining property owner, would receive the land; and

WHEREAS, the abutting Property Owner has provided Council with the City's written consent to the Vacation of said portions of the right of way adjacent to Front Street and Lou Groza Boulevard, as described herein, and that, therefore, no Publication Notice is required per O.R.C. 723.06.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Berea, State of Ohio:

SECTION 1. That this Council hereby vacates those portions of the public right of way located on Front Street and Lou Groza Boulevard, as described in Exhibit "A" and shown on the map of Exhibit "B", respectively attached hereto and incorporated herein, the same being no longer needed for municipal purposes.

SECTION 2. That this Council finds good and sufficient reason and cause to vacate the subject real property, public right of way, described in Exhibit "A" and, more particularly, that the said real property area is no longer needed for any municipal purpose, and that the vacation of the same is not, nor will be, detrimental to the public interest but, in fact, aids the public interest.

SECTION 3. That pursuant to Section X of the City of Berea Charter, this Council has referred this Ordinance to the Municipal Planning Commission for review and recommendation, and the Planning Commission has recommended approval.

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SECTION 4. That the right of way, consisting of the above-described portions of Front Street and Lou Groza Boulevard, as fully described on Exhibit "A" attached hereto and as shown in the map attached hereto as Exhibit "B", is hereby vacated without reservation or restriction.

SECTION 5. That the City of Berea, the sole Adjoining Property Owner, has agreed to accept said portions of the right of way, located on Front Street and Lou Groza Boulevard in total and, upon vacation, said land shall therefore attach in total to the Adjoining Property Owner's land, such Owner having provided written consent to the vacation and agreement on vacation that said land shall attach to the Owner's lands.

SECTION 6. That the Mayor of the City and appropriate City Administrators be and hereby are authorized and directed to execute the Plat of Vacation and all other documents on behalf of the City of Berea consistent with this Ordinance and to cause the same to be filed for record in the Office of the Recorder of Cuyahoga County, Ohio.

SECTION 7. That the Clerk of Council is hereby directed to notify the Auditor of Cuyahoga County of the vacation by sending a copy of this Ordinance, immediately upon its passage and approval, to the Auditor of the County.

SECTION 8. That it is 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 this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 9. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED:

President of Council

ATTEST: _____
Clerk of Council

APPROVED:

APPROVED AS TO FORM:

Mayor _____ Date _____

Director of Law