

City of Willoughby Hills

ORDINANCE NO. 2009-74

AN ORDINANCE ACCEPTING THE VACATION OF A PORTION OF LANDS OF INTERSTATE 90 PRESENTLY EXISTING AS ADDITIONAL RIGHT-OF-WAY, NEITHER PAVED OR IMPROVED, IN THE CITY OF WILLOUGHBY HILLS.

WHEREAS, Interstate 90 contains additional right-of-way on the north side of Maplegrove Road that was provided for in the original bridge installation on Maplegrove Road; and

WHEREAS, Ackerman Commercial, Inc. (Permanent Parcel Number 31A-017-A-00-004-0) seeks to develop said property as a Congregate Care Facility; and

WHEREAS, Ackerman Commercial, Inc. has secured approval from the Ohio Department of Transportation (ODOT) to vacate a portion of the right-of-way of Interstate 90 as described and shown on the Vacation Plat dated September 7, 2009 and attached hereto as Exhibit "A"; and

WHEREAS, the City Engineer has reviewed and provided approval of the vacation plat to the Willoughby Hills Planning Commission, dated September 11, 2009; and

WHEREAS, the Council of the City of Willoughby Hills is of the opinion that such vacation will not be detrimental to the general interest of the citizens and residents of the City; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. The Council of the City of Willoughby Hills finds and determines that vacating a portion of Interstate 90 as identified in the Vacation Plat and Legal Description prepared by **Aztech Engineering and Surveying dated September 7, 2009**, attached hereto as "**Exhibit A**" consisting of (1) page and incorporated herein by reference, is not detrimental to the general interest of the citizens and residents of the City.

SECTION 2. The Council of the City of Willoughby Hills finds and determines that there is no requirement to maintain the Interstate 90 right-of-way for public use.

SECTION 3. The portion of Interstate 90 as shown on the aforesaid vacation plat be, and the same hereby is, approved to be vacated.

SECTION 4. The City Engineer and Clerk of Council are hereby authorized to endorse upon such plat the action of this Council in vacating a portion of Interstate 90 and to cause said plat to be recorded in the Office of the Recorder of Lake, County, Ohio.

SECTION 5. The Clerk of Council is hereby directed to notify the Auditor of Lake County, Ohio, of the aforesaid vacation by certifying to him a copy of this Ordinance.

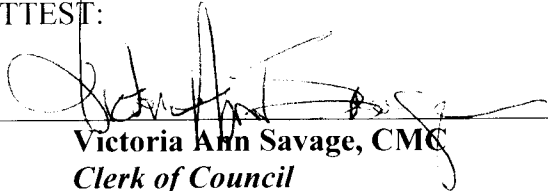
SECTION 6. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

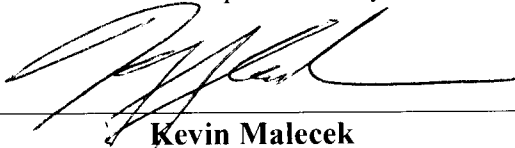
SECTION 7. This Ordinance shall be in full force and effect at the earliest time permitted by law.

PASSED: September 24, 2009

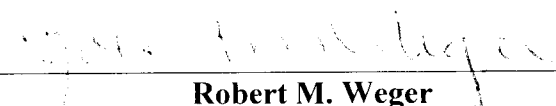
Submitted to the Mayor for his approval
on this 24 day of September, 2009

ATTEST:


Victoria Ann Savage, CMC
Clerk of Council


Kevin Malecek
President of Council

Approved by the Mayor

September 24, 2009

Robert M. Weger
Mayor

ORDINANCE NO. 2009-74

I, Victoria Ann Savage, Clerk of Council for the City of Willoughby Hills, Lake County, Ohio do hereby certify that the foregoing **Ordinance No. 2009-74** was duly and regularly passed by the Council of the City of Willoughby Hills, Lake County, Ohio at a meeting held on **September 24, 2009**.

That this legislation was posted according to law and duly advertised pursuant to Ordinance No.2003-19 in the **Lake County News-Herald** on **September 30, 2009**. Effective date of Legislation: **October 24, 2009**.

Victoria Ann Savage, CMC
Clerk of Council