

ORDINANCE NO. 69-24

**AN ORDINANCE TO ACCEPT DEDICATION OF PUBLIC RIGHT-OF-WAY AND
PERMANENT UTILITY EASEMENTS ALONG DETROIT ROAD AND STATE
ROUTE 83 FOR UPCOMING STATE ROUTE 254 AND STATE ROUTE 83
INTERSECTION IMPROVEMENT PROJECT
AND DECLARING AN EMERGENCY**

WHEREAS, City of Avon (hereinafter referred to as “City”) owns property on Detroit Road and State Route 83; and

WHEREAS, pursuant to Ordinance No. 85-22 which passed on June 27, 2022, the City donated much needed right of way to facilitate the completion of the upcoming State Route 254 and State Route 83 Improvement project; and

WHEREAS, it has been determined that it is necessary for the City to donate additional land as right of way to facilitate the completion of the upcoming State Route 254 and State Route 83 Intersection Improvement project; and

WHEREAS, the City has executed a dedication plat conveying the additional lands to the City for the aforementioned purposes (right of way); and

WHEREAS, Planning Commission reviewed the dedication plat on June 19, 2024 and by a vote of five (5) in favor and zero (0) opposed, recommended approval of same; and

WHEREAS, Council has reviewed the final dedication plat, the proposed right-of-way along Detroit Road and State Route 83 and the permanent utility easements and believes that it is in the best interests of the health, safety, and welfare of the citizens of Avon, to accept same and authorize the plat to be recorded upon passage of this legislation.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That the dedication plat for Detroit Road and State Route 83 Right of Way Easements offered by the City, prepared and approved by the City Engineer and as set forth in the attached Exhibit “A”, which is incorporated herein by this reference, is hereby accepted by Council on behalf of the City of Avon.

Section 2 – That the City shall cause the plat to be recorded in the office of the Lorain County Recorder within thirty (30) days of the passage of this legislation.

Section 3 - That it is found and determined that all formal actions of this Council concerning and relating to the passage 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 3 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to accept dedication of the above described plat for additional Detroit Road and State Route 83 permanent right-of-way and utility easements; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: June 24, 2024

DATE SIGNED June 24, 2024

By: Brian Fischer
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: June 25, 2024

Bryan K. Jensen
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior
John A. Gasior, Law Director

ATTEST:

Barbara J. Brooks
Barbara J. Brooks, Clerk of Council

Posted: June 26, 2024
Electronically and at City Hall as
Provided by Council

Prepared By:

John A. Gasior, Esq.
Law Director

I, Barbara J. Brooks, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 69-24, passed by the Council of said City on June 24, 2024.

IN WITNESS WHEREOF, I have on this 25th day of June 2024, affixed my signature and official seal.

Barbara J. Brooks
Barbara J. Brooks, Clerk of the Council
of the City of Avon, Ohio

OWNER'S ACCEPTANCE

THE CITY OF AVON, OWNER OF THE HEREON PLATED LANDS, DOES HEREBY ACCEPT THIS PLAT AND DEDICATE THE SAME FOR PUBLIC USE BEING PART OF:

- #1 PPN 04-00-015-109-170
- #2 PPN 04-00-015-109-166
- #3 PPN 04-00-015-109-036
- #4 PPN 04-00-015-109-164
- #5 PPN 04-00-015-109-054

EXHIBIT A
ORD. 69-24

BRYAN K. JENSEN
MAYOR OF THE CITY OF AVON

NOTARY

COUNTY OF _____, SS
STATE OF OHIO

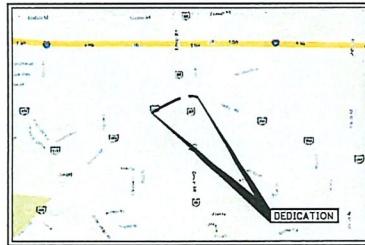
BEFORE ME, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED THE ABOVE NAMED _____, MAYOR OF THE CITY OF AVON, WHO ACKNOWLEDGE THAT _____ DID SIGN THE FOREGOING INSTRUMENT AND THAT THE SAME WAS _____ FREE ACT AND DEED AND AS SUCH OFFICER AND THE FREE CORPORATE ACT AND DEED OF SAID ENTITY.

THIS _____ DAY OF _____, 20____, IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL AT _____, OHIO

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

JUNE, 2024



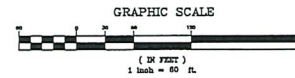
VICINITY MAP

DEDICATION PLAT

DETROIT ROAD - S.R. 254

KNOWN AS BEING PART OF ORIGINAL AVON TOWNSHIP, SECTION 15, TOWNSHIP 7 NORTH, RANGE 16 WEST

CITY OF AVON
LORAIN COUNTY, OHIO

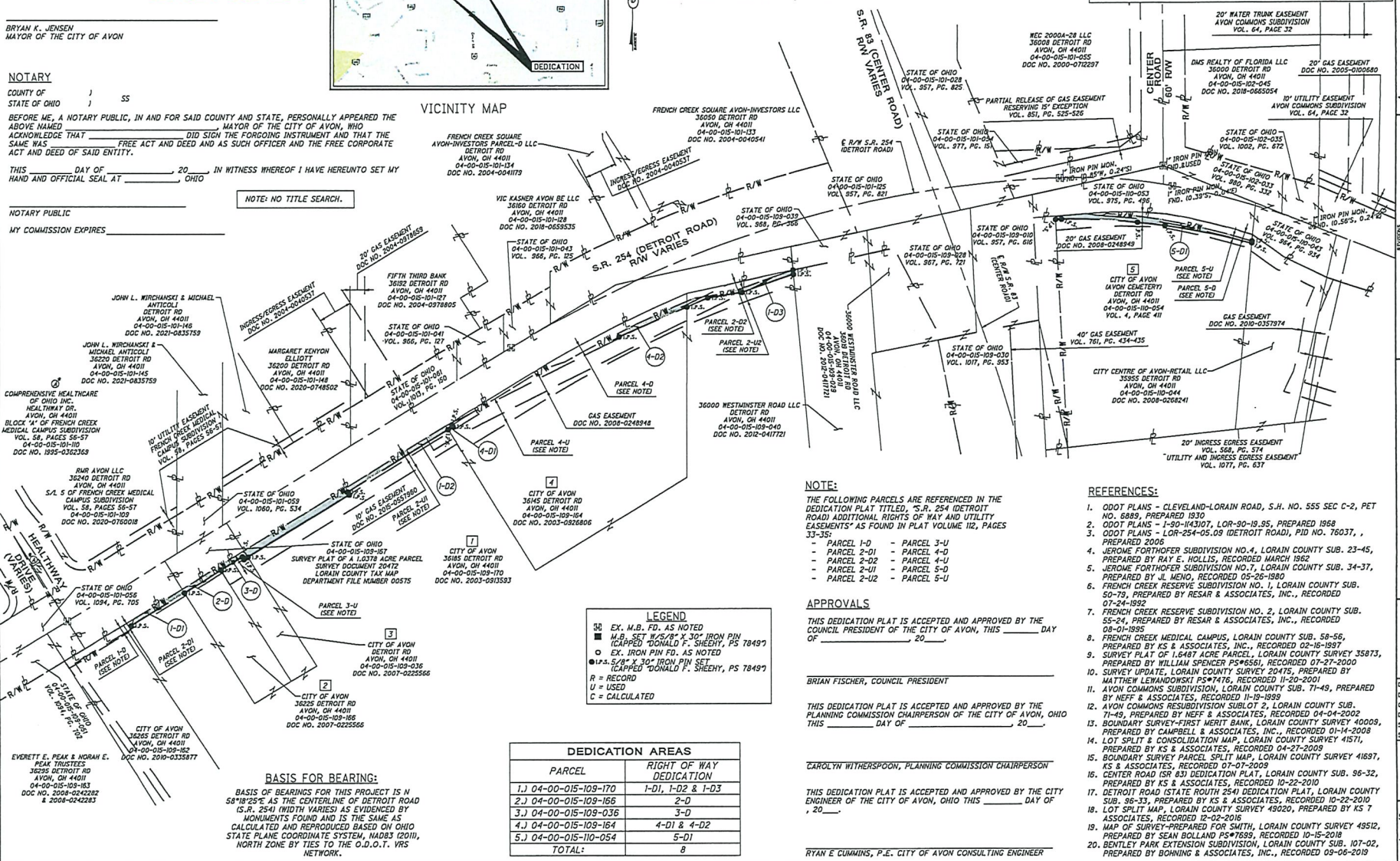


SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE SURVEYED THE LAND SHOWN HEREON, THAT IRON PINS OR PIPES WERE FOUND OR SET AT POINTS INDICATED. ALL DIMENSIONS SHOWN HEREON ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF. BEARINGS SHOWN INDICATE ANGLES ONLY, ALL OF WHICH I CERTIFY TO BE CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF.

DONALD F. SHEEHY

P.S. NO 7849



NOTE:

THE FOLLOWING PARCELS ARE REFERENCED IN THE DEDICATION PLAT TITLED, "S.R. 254 (DETROIT ROAD) ADDITIONAL RIGHTS OF WAY AND UTILITY EASEMENTS" AS FOUND IN PLAT VOLUME 112, PAGES 33-35:

- PARCEL 1-D - PARCEL 3-U
- PARCEL 2-D - PARCEL 4-D
- PARCEL 2-D2 - PARCEL 4-U
- PARCEL 2-U1 - PARCEL 5-D
- PARCEL 2-U2 - PARCEL 5-U

APPROVALS

THIS DEDICATION PLAT IS ACCEPTED AND APPROVED BY THE COUNCIL PRESIDENT OF THE CITY OF AVON, THIS _____ DAY OF _____, 20____.

BRIAN FISCHER, COUNCIL PRESIDENT

THIS DEDICATION PLAT IS ACCEPTED AND APPROVED BY THE PLANNING COMMISSION CHAIRPERSON OF THE CITY OF AVON, OHIO THIS _____ DAY OF _____, 20____.

CAROLYN WITHERSPOON, PLANNING COMMISSION CHAIRPERSON

THIS DEDICATION PLAT IS ACCEPTED AND APPROVED BY THE CITY ENGINEER OF THE CITY OF AVON, OHIO THIS _____ DAY OF _____, 20____.

RYAN E. CUMMINS, P.E. CITY OF AVON CONSULTING ENGINEER

LEGEND

- EX. N.B. FD. AS NOTED
- M.B. SET 1/2" x 1/2" x 30" IRON PIN (TAPPED) DONALD F. SHEEHY, PS 78497
- EX. IRON PIN FD. AS NOTED
- 1/2" x 5/8" x 30" IRON PIN SET (TAPPED) DONALD F. SHEEHY, PS 78497
- R = RECORD
- U = USED
- C = CALCULATED

DEDICATION AREAS

PARCEL	RIGHT OF WAY DEDICATION
1/J 04-00-015-109-170	1-D1, 1-D2 & 1-D3
2/J 04-00-015-109-166	2-D
3/J 04-00-015-109-036	3-D
4/J 04-00-015-109-164	4-D1 & 4-D2
5/J 04-00-015-110-054	5-D1
TOTAL:	8

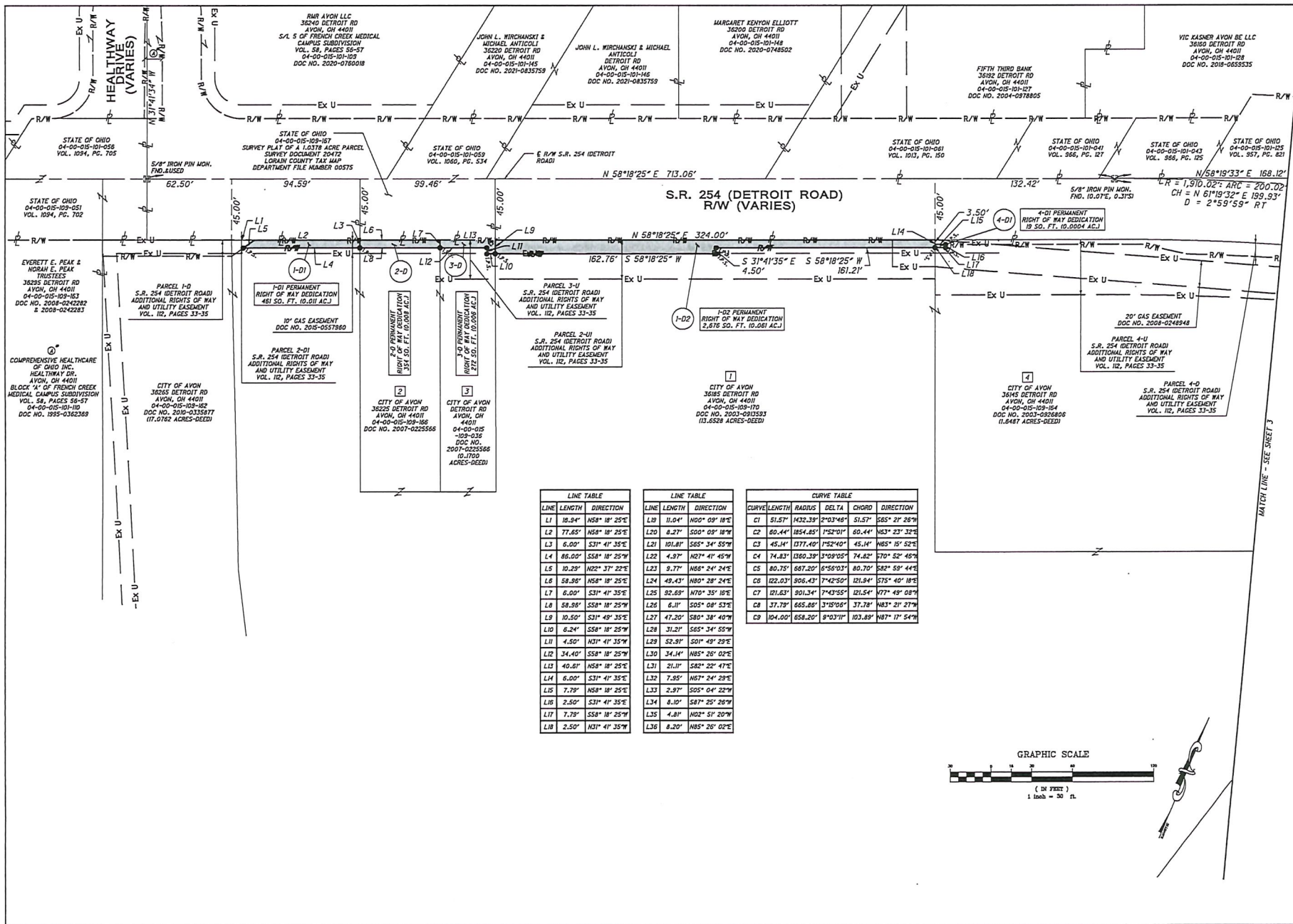
BASIS FOR BEARING:

BASIS OF BEARINGS FOR THIS PROJECT IS N 53°18'25" E AS THE CENTERLINE OF DETROIT ROAD (S.R. 254) (WIDTH VARIES) AS EVIDENCED BY MONUMENTS FOUND AND IS THE SAME AS CALCULATED AND REPRODUCED BASED ON OHIO STATE PLANE COORDINATE SYSTEM, NAD83 (2011), NORTH ZONE BY TIES TO THE O.D.O.T. VRS NETWORK.

CVE
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Fax: 614.443.1338
www.cveinc.com

DEDICATION PLAT
S.R. 254 (DETROIT ROAD)
ADDITIONAL RIGHTS OF WAY
CITY OF AVON
LORAIN COUNTY, OHIO

DESIGNED BY: SDK
DRAWN BY: SDK
CHECKED BY: JMS
DATE: 05/15/2024
SCALE: 1"=80'
PROJECT NUMBER
19415
Drawing Name
SHEET: 1
TOTAL SHEETS: 3

[illegible]

