

**ORDINANCE NO. 99-25**

**AN ORDINANCE TO ACCEPT DEDICATION OF LAND TO BE USED AS  
ADDITIONAL RIGHT-OF-WAY ALONG THE WEST SIDE OF WILLIAMS COURT  
IMMEDIATELY IN FRONT OF 3650 WILLIAMS COURT  
AND DECLARING AN EMERGENCY**

**WHEREAS**, Donald W. Scarbro and Hazel L. Scarbro, husband and wife, owned the land at 3650 Williams Court back in 1971; and

**WHEREAS**, it was their desire to convey approximately .07 acres (30 x 100 feet) of land to the city to widen the Williams Court right of way; and

**WHEREAS**, on August 2<sup>nd</sup>, 1971, the Scarbros executed a deed conveying said property to the city; and

**WHEREAS**, on April 19<sup>th</sup>, 1974, the city recorded the deed; and

**WHEREAS**, by accepting the deed and then recording same, the city accepted the conveyance of the land but failed to dedicate it to public use as additional right of way; and

**WHEREAS**, the parcel now sits in front of 3650 Williams Ct. and landlocks said parcel with no access to Williams Court; and

**WHEREAS**, it was never the intention of the city to own this parcel of land for any other purpose but to use it as additional right of way in the event Williams Ct. needed to be widened; and

**WHEREAS**, the current owner (Scarbro Estate) cannot pass title to their land out of the estate until the city dedicates its parcel to public use; and

**WHEREAS**, Council, having considered the comments of the Administration, finds dedication of the parcel to public use as additional Williams Court right of way to be in the best interests of the health, safety, and welfare of the citizens of Avon.

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

Section 1 – That the parcel of land owned by the City of Avon, identified as Permanent Parcel No. 04-00-026-109-052, and consisting of approximately .07 acres (approximately 30' x 100') situated directly in front of and to the east of 3650 Williams Court and currently landlocks said parcel, is hereby dedicated to public use and shall hereafter and forever be considered part of the Williams Court right of way. The legal description of said parcel contained within the deed of conveyance attached hereto, is incorporated herein by this reference as [Exhibit A](#).

Section 2 – 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 right-of-way along the west side of Williams Court; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: \_\_\_\_\_

DATE SIGNED \_\_\_\_\_

By: \_\_\_\_\_  
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: \_\_\_\_\_

\_\_\_\_\_  
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
John A. Gasior, Law Director

ATTEST:

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

Posted: \_\_\_\_\_  
Electronically and at City Hall as  
Provided by Council

Prepared By:

John A. Gasior, Esq.  
Law Director