

ORDINANCE NO. 19-17

AN ORDINANCE VACATING A CERTAIN ALLEY IN THE VICINITY WEST OF SOUTH DETROIT STREET, IN THE CITY OF BELLEFONTAINE, LAKE TOWNSHIP, LOGAN COUNTY, OHIO, AND DECLARING AN EMERGENCY IN THE CITY OF BELLEFONTAINE.

WHEREAS, a petition by persons owning lots in the immediate vicinity of the hereinafter described alley was duly presented to Planning Commission and Council praying that the hereinafter described alley be vacated; and

WHEREAS, waivers and consents to the proposed alley vacation have been filed by all abutting lot owners and notice of the intention of this Council to vacate said alley is not required pursuant to Ohio Revised Code Section 723.06; and

WHEREAS, the Planning Commission of the City of Bellefontaine has recommended that Council grant said petition; and

WHEREAS, this Council is satisfied that there is good cause for such vacation; that such vacation will not be detrimental to the general interest of the City; and, therefore, ought to be made.

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

SECTION I: That the 15 foot wide and approximately 576.2 foot long alley of Clark's Park Addition (Plat Cabinet A, Slide 113), as more particularly outlined on **Exhibit A** attached hereto and incorporated herein, lying between City Lots 3311-3322 on the East and City Lots 3355-3363 on the West and being West of S. Detroit Street in the City of Bellefontaine, be, and the same hereby is, vacated; reserving, however, unto the City of Bellefontaine easement rights for any and all municipal purposes. Parcel #17-106-08-13-008-000 (Lots 3355-3363), Parcel #17-106-08-13-011-000 (Lots 3311-3316), Parcel #17-106-08-13-010-000 (Lots 3317-3318), Parcel #17-106-08-13-010-001 (Lots 3319-3320), and Parcel #17-106-08-13-009-000 (Lots 3321-3322).

SECTION II: That the plat accompanying said petition be referred to the Clerk of this Council for filing with the Logan County Auditor and Recorder as provided by Ohio Revised Code Sections 711.39 with any accompanying fee.

SECTION III: That this Ordinance is hereby declared to be an emergency measure made necessary to protect the health, safety and welfare of said City and to allow for said alley vacation at the earliest possible time; and it shall, therefore, be in force and take effect immediately upon its passage and signature by the Mayor.

Passed: 3-26, 2019

Deborah Elbecker
President of Council

Attest: Bonnie Campbell
Clerk of Council

Approved 3-26, 2019

Ben Stahl
Mayor

STREET COMMITTEE:

Richard Kurtz
Wick Loh

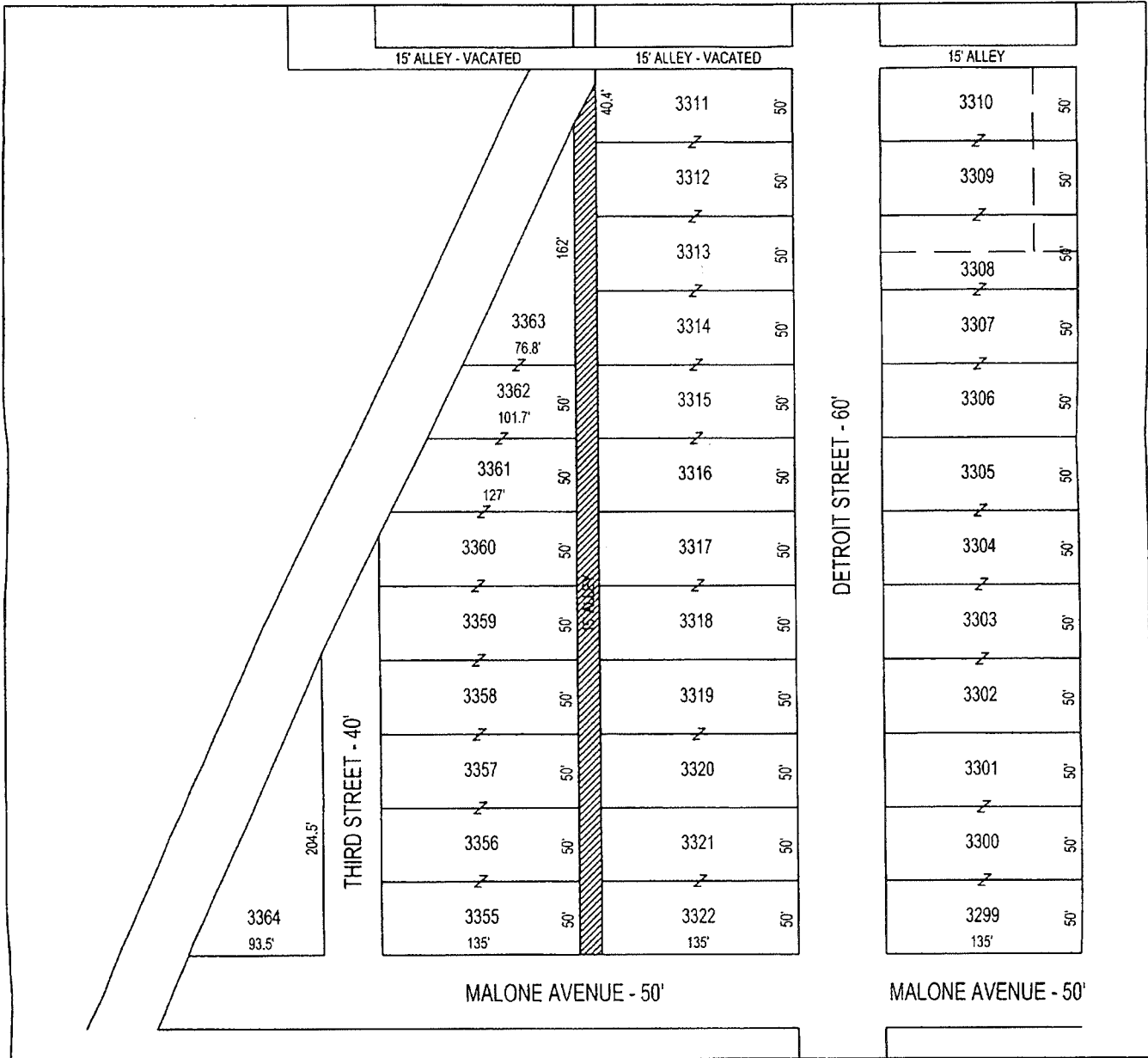
[Signature]
Director of Law

8-6-2020
TRANSFER NOT NECESSARY
LOGAN COUNTY AUDITOR
MK


20200005090 OR 1390 / p2123 - p2124
DEED
Filed in Logan County, OH Fees: \$34.00
Patricia Myers, Recorder 08/06/2020 02:24 PM

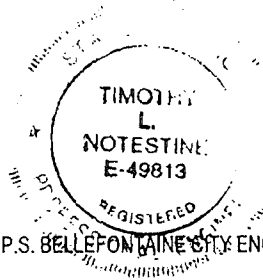
INDEXED ON MAP
9739

Exhibit A



PETITION TO VACATE THE ABOVE CROSS HATCHED 15 FOOT WIDE BY APPROXIMATELY 576.2 FOOT LONG ALLEY LYING BETWEEN CITY LOTS 3311-3322 ON THE EAST AND CITY LOTS 3355-3363 ON THE WEST AND BEING WEST OF S. DETROIT STREET, IN THE CITY OF BELLEFONTAINE, LAKE TOWNSHIP, LOGAN COUNTY OHIO AND BEING PART OF CLARK'S PARK ADDITION CABINET A, SLIDE 113. ORDINANCE 19-17.

DATE February 26, 2019
Timothy L. Notestine



DESCRIPTION CHECKED
 LOGAN CO. ENGINEER
 BY SMC 8-6-2020

PREPARED AND CERTIFIED BY TIMOTHY L. NOTESTINE P.E., P.S. BELLEFONTAINE CITY ENGINEER.

20200005090

CITY OF BELLEFONTAINE

ORDINANCE NO. 20-20

AN ORDINANCE VACATING A PORTION OF THIRD STREET IN THE VICINITY NORTH OF MALONE STREET, IN THE CITY OF BELLEFONTAINE, LAKE TOWNSHIP, LOGAN COUNTY, OHIO, AND DECLARING AN EMERGENCY IN THE CITY OF BELLEFONTAINE.

WHEREAS, a petition by persons owning lots in the immediate vicinity of the hereinafter described right of way was duly presented to Planning Commission and Council praying that the hereinafter described right of way be vacated; and

WHEREAS, waivers and consents to the proposed right of way vacation have been filed by all abutting lot owners and notice of the intention of this Council to vacate said right of way is not required pursuant to Ohio Revised Code Section 723.06; and

WHEREAS, the Planning Commission of the City of Bellefontaine has recommended that Council grant said petition; and

WHEREAS, this Council is satisfied that there is good cause for such vacation; that such vacation will not be detrimental to the general interest of the City; and, therefore, ought to be made.

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

SECTION I: That the 40 foot wide and approximately 244.3 foot long portion of Third Street of Clark's Park Addition (Plat Cabinet A, Slides 112-113), as more particularly outlined on **Exhibit A** attached hereto and incorporated herein, lying between City Lots 3355-3360 on the East and City Lot 3364 on the West and being North of Malone Street and West of S. Detroit Street in the City of Bellefontaine, be, and the same hereby is, vacated; reserving, however, unto the City of Bellefontaine easement rights for any and all municipal purposes. Parcel #17-106-08-13-008-000 (Lots 3355-3360), and Parcel #17-106-08-13-007-000 (Lot 3364).

SECTION II: That the plat accompanying said petition be referred to the Clerk of this Council for filing with the Logan County Auditor and Recorder as provided by Ohio Revised Code Sections 711.39 with any accompanying fee.

SECTION III: That this Ordinance is hereby declared to be an emergency measure made necessary to protect the health, safety and welfare of said City and to allow for said alley vacation at the earliest possible time; and it shall, therefore, be in force and take effect immediately upon its passage and signature by the Mayor.

Passed: 4-14, 2020

Attest: Bonnie Campbell
Clerk of Council

[Signature]
President of Council


Approved 4-14, 2020

Ben Stahler
Mayor

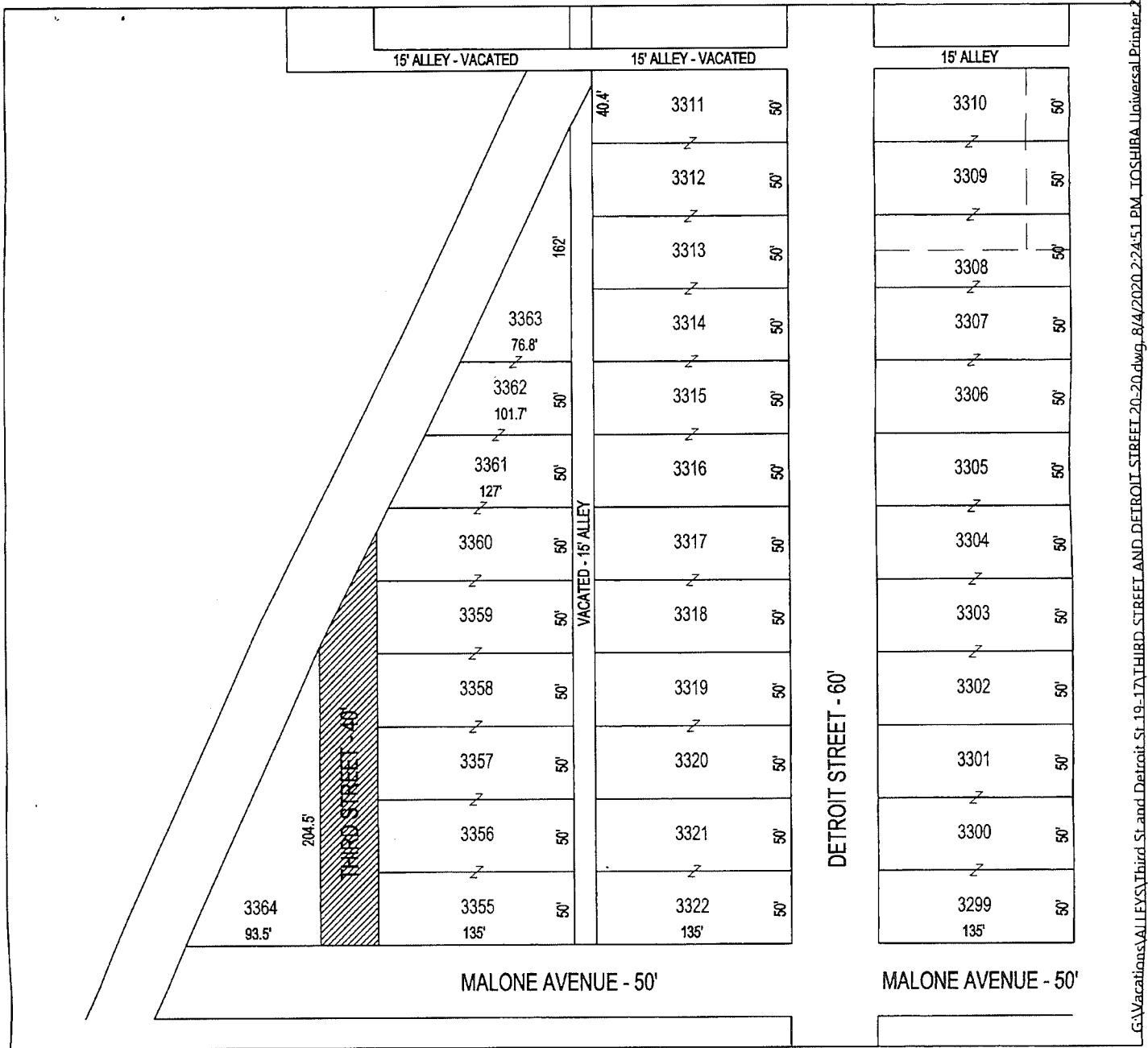
STREET COMMITTEE:
[Signature]
[Signature]
[Signature]

[Signature]
Director of Law

8-6 2020
TRANSFER NOT NECESSARY
LOGAN COUNTY AUDITOR
mk


202000005091 OR 1390 / p2125 - p2126
DEED
Filed in Logan County, OH Fees: \$34.00
Patricia Myers, Recorder 08/06/2020 02:24 PM

INDEXED ON MAP
9739



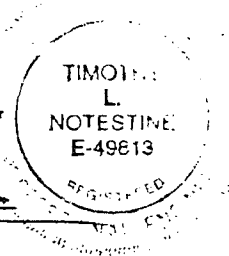
G:\Vacations\ALLEYS\Third St and Detroit St 19-17\THIRD STREET AND DETROIT STREET 20-20.dwg, 8/4/2020 2:24:51 PM, TOSHIBA Universal Printer 2



PETITION TO VACATE THE ABOVE CROSS HATCHED 40 FOOT WIDE BY APPROXIMATELY 244.3 FOOT PORTION OF THIRD STREET LYING BETWEEN CITY LOTS 3355-3360 ON THE EAST AND CITY LOT 3364 ON THE WEST AND BEING NORTH OF MALONE STREET AND WEST OF S. DETROIT STREET, IN THE CITY OF BELLEFONTAINE, LAKE TOWNSHIP, LOGAN COUNTY OHIO AND BEING PART OF CLARK'S PARK ADDITION CABINET A, SLIDE 112-113. ORDINANCE 20-20.

DATE April 14, 2020

Timothy L. Notestine



DESCRIPTION CHECKED
LOGAN CO. ENGINEER
BY SMC B-6-2020

20200005091

PREPARED AND CERTIFIED BY TIMOTHY L. NOTESTINE P.E., P.S. BELLEFONTAINE CITY ENGINEER.

CITY OF BELLEFONTAINE

2-1-2021

✓ APPROVED

January 22, 2021

PEAK ASSETS LTD. SURVEY DESCRIPTION (TRACT ONE)

Being part of lots 3320, 3321, and 3322 in Clark's Park Addition to the City of Bellefontaine, Plat Cabinet "A", slide 113, Lake Township, Logan County, Ohio. Being more particularly described as follows:

Beginning at a 5/8 inch iron bar set at the southeast corner of Lot Number 3322 in said Clark's Park Addition -

Thence, North 84°30'56" West, along the north line of Malone Street, a distance of 73.00 feet to a 5/8 inch iron bar set -

Thence, North 05°22'38" East, a distance of 108.00 feet to a 5/8 inch iron bar set -

Thence, South 84°30'56" East, a distance of 73.00 feet to a 5/8 inch iron bar set -

Thence, South 05°22'38" West, along the west line of Detroit Street, a distance of 108.00 feet to the place of beginning.

Containing 0.181 acre of land more or less.

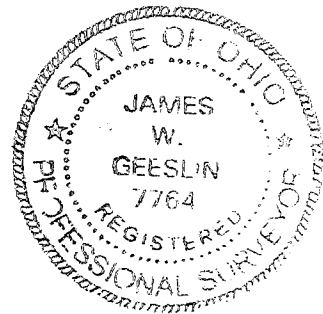
Subject to all easements and right-of-way of record.

The bearings contained herein are based on GPS observations using O.D.O.T. Cors Network Stations . Converted to the Ohio State Plane South Zone, Horizontal Datum NAD83 (2011).

Reference is made to a survey of this area by James W. Geeslin, Professional Surveyor 7764, dated January 22, 2021. On file in the County Engineer's Office.

Surveyed by

James W. Geeslin
P.S. No. 7764



INDEXED ON MAP
9739

GEESLIN SURVEYING

525 S. SECOND ST.
COLDWATER, OHIO 45828

Phone : (419) 678 - 7233
Email : geeslinsurveying@gmail.com

PERMANENT PARCEL No.	_____
Part of : _____ Sec. _____ T. _____ R. _____	Township _____
Grantor : _____	Area Retained _____ Acres _____
Grantee : _____	Area Retained _____ Acres _____
Deed Reference :	_____
APPROVALS :	_____
AGENCY :	_____
DATE :	Board of Health Township Zoning Officer Mercer County Engineer

2-1-2021



APPROVED

January 22, 2021

PEAK ASSETS LTD. SURVEY DESCRIPTION (TRACT TWO)

Being part of lots 3320, 3321, 3322, and a vacated 15' alley (O.R. 1390, page 2123), situated in Clark's Addition to the City of Bellefontaine (Plat Cabinet "A", slide 113), Lake Township, Logan County, Ohio. Being more particularly described as follows:

Commencing for reference at a 5/8 inch iron bar set at the southeast corner of Lot Number 3322 in said Clark's Park Addition -

Thence, North 84°30'56" West, along the north line of Malone Street, a distance of 73.00 feet to a 5/8 inch iron bar set. Said point being the place of beginning for the parcel of land to be conveyed by this instrument -

Thence, continuing, North 84°30'56" West, along the last described line, a distance of 69.00 feet to a 5/8 inch iron bar set -

Thence, North 05°22'38" East, a distance of 108.00 feet to a 5/8 inch iron bar set -

Thence, South 84°30'56" East, a distance of 69.00 feet to a 5/8 inch iron bar set -

Thence, South 05°22'38" West, a distance of 108.00 feet to the place of beginning.

Containing 0.171 acre of land more or less.

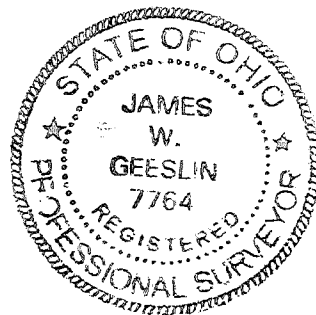
Subject to all easements and right-of-way of record.

The bearings contained herein are based on GPS observations using O.D.O.T. Cors Network Stations . Converted to the Ohio State Plane South Zone, Horizontal Datum NAD83 (2011).

Reference is made to a survey of this area by James W. Geeslin, Professional Surveyor 7764, dated January 22, 2021. On file in the County Engineer's Office.

Surveyed by

James W. Geeslin
P.S. No. 7764



INDEXED ON MAP
9139

GEESLIN SURVEYING

525 S. SECOND ST.
COLDWATER, OHIO 45828

Phone : (419) 678 - 7233
Email : geeslinsurveying@gmail.com

PERMANENT PARCEL No. _____

Part of : _____ Sec. _____ T. _____ R. _____ Township _____

Grantor : _____ Area Retained _____ Acres

Grantee : _____ Area Retained _____ Acres

Deed Reference : _____

APPROVALS : _____

AGENCY : _____
DATE : _____ Board of Health Township Zoning Officer Mercer County Engineer

2-1-2021

APPROVED

January 22, 2021

PEAK ASSETS LTD. SURVEY DESCRIPTION (TRACT THREE)

Being part of lots 3355, 3356, 3357, and a vacated 15' alley (O.R. 1390, page 2123), situated in Clark's Addition to the City of Bellefontaine (Plat Cabinet "A", slide 113), Lake Township, Logan County, Ohio. Being more particularly described as follows:

Commencing for reference at a 5/8 inch iron bar set at the southeast corner of Lot Number 3322 in said Clark's Park Addition -

Thence, North 84°30'56" West, along the north line of Malone Street, a distance of 142.00 feet to a 5/8 inch iron bar set. Said point being the place of beginning for the parcel of land to be conveyed by this instrument -

Thence, continuing, North 84°30'56" West, along the last described line, a distance of 69.00 feet to a 5/8 inch iron bar set -

Thence, North 05°22'38" East, a distance of 108.00 feet to a 5/8 inch iron bar set -

Thence, South 84°30'56" East, a distance of 69.00 feet to a 5/8 inch iron bar set -

Thence, South 05°22'38" West, a distance of 108.00 feet to the place of beginning.

Containing 0.171 acre of land more or less.

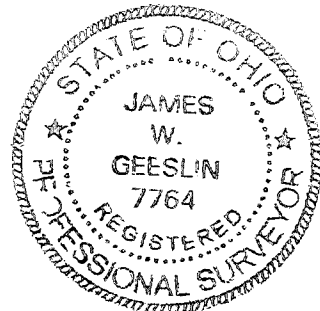
Subject to all easements and right-of-way of record.

The bearings contained herein are based on GPS observations using O.D.O.T. Cors Network Stations . Converted to the Ohio State Plane South Zone, Horizontal Datum NAD83 (2011).

Reference is made to a survey of this area by James W. Geeslin, Professional Surveyor 7764, dated January 22, 2021. On file in the County Engineer's Office.

Surveyed by

James W. Geeslin
P.S. No. 7764



INDEXED ON MAP
9739

GEESLIN SURVEYING

525 S. SECOND ST.
COLDWATER, OHIO 45828

Phone : (419) 678 - 7233
Email : geeslinsurveying@gmail.com

PERMANENT PARCEL No. _____

Part of : _____ Sec. _____ T. _____ R. _____ Township _____

Grantor : _____ Area Retained _____ Acres

Grantee : _____ Area Retained _____ Acres

Deed Reference : _____

APPROVALS : _____
AGENCY : _____
DATE : _____ Board of Health Township Zoning Officer Mercer County Engineer

Z-1-2021



APPROVED

January 22, 2021

PEAK ASSETS LTD. SURVEY DESCRIPTION (TRACT FOUR)

Being part of lots 3355, 3356, and 3357 in Clark's Park Addition to the City of Bellefontaine, Plat Cabinet "A", slide 113, Lake Township, Logan County, Ohio. Being more particularly described as follows:

Commencing for reference at a 5/8 inch iron bar set at the southeast corner of Lot Number 3322 in said Clark's Park Addition -

Thence, North 84°30'56" West, along the north line of Malone Street, a distance of 211.00 feet to a 5/8 inch iron bar set. Said point being the place of beginning for the parcel of land to be conveyed by this instrument -

Thence, continuing, North 84°30'56" West, along the last described line, a distance of 69.00 feet to a 5/8 inch iron bar set -

Thence, North 05°22'38" East, a distance of 108.00 feet to a 5/8 inch iron bar set -

Thence, South 84°30'56" East, a distance of 69.00 feet to a 5/8 inch iron bar set -

Thence, South 05°22'38" West, a distance of 108.00 feet to the place of beginning.

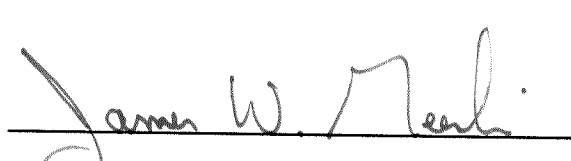
Containing 0.171 acre of land more or less.

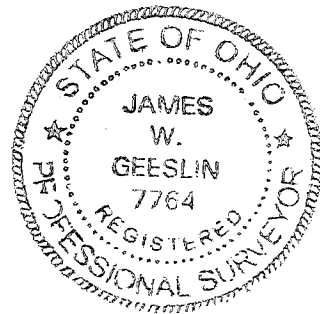
Subject to all easements and right-of-way of record.

The bearings contained herein are based on GPS observations using O.D.O.T. Cors Network Stations . Converted to the Ohio State Plane South Zone, Horizontal Datum NAD83 (2011).

Reference is made to a survey of this area by James W. Geeslin, Professional Surveyor 7764, dated January 22, 2021. On file in the County Engineer's Office.

Surveyed by


James W. Geeslin
P.S. No. 7764



INDEXED ON MAP
9739

GEESLIN SURVEYING

525 S. SECOND ST.
COLDWATER, OHIO 45828

Phone : (419) 678 - 7233
Email : geeslinsurveying@gmail.com

PERMANENT PARCEL No. _____

Part of : _____ Sec. _____ T. _____ R. _____ Township _____

Grantor : _____ Area Retained _____ Acres _____

Grantee : _____ Area Retained _____ Acres _____

Deed Reference : _____

APPROVALS : _____

AGENCY : _____

DATE : _____ Board of Health Township Zoning Officer Mercer County Engineer

2-1-2021

APPROVED

January 22, 2021

PEAK ASSETS LTD. SURVEY DESCRIPTION (TRACT FIVE)

Being part of lots 3355, 3356, 3357, 3364 and vacated Third Street (O.R. 1390, page 2125), situated in Clark's Addition to the City of Bellefontaine (Plat Cabinet "A", slide 113), Lake Township, Logan County, Ohio. Being more particularly described as follows:

Commencing for reference at a 5/8 inch iron bar set at the southeast corner of Lot Number 3322 in said Clark's Park Addition -

Thence, North 84°30'56" West, along the north line of Malone Street, a distance of 280.00 feet to a 5/8 inch iron bar set. Said point being the place of beginning for the parcel of land to be conveyed by this instrument -

Thence, continuing, North 84°30'56" West, along the last described line, a distance of 69.00 feet to a 5/8 inch iron bar set -

Thence, North 05°22'38" East, a distance of 108.00 feet to a 5/8 inch iron bar set -

Thence, South 84°30'56" East, a distance of 69.00 feet to a 5/8 inch iron bar set -

Thence, South 05°22'38" West, a distance of 108.00 feet to the place of beginning.

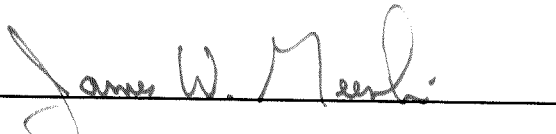
Containing 0.171 acre of land more or less.

Subject to all easements and right-of-way of record.

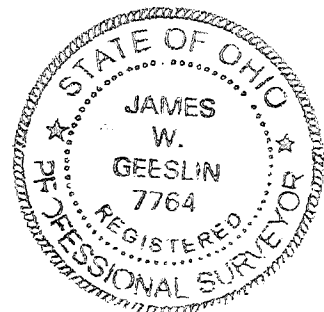
The bearings contained herein are based on GPS observations using O.D.O.T. Cors Network Stations . Converted to the Ohio State Plane South Zone, Horizontal Datum NAD83 (2011).

Reference is made to a survey of this area by James W. Geeslin, Professional Surveyor 7764, dated January 22, 2021. On file in the County Engineer's Office.

Surveyed by



James W. Geeslin
P.S. No. 7764



INDEXED ON MAP
9739

GEESLIN SURVEYING

525 S. SECOND ST.
COLDWATER, OHIO 45828

Phone : (419) 678 - 7233
Email : geeslinsurveying@gmail.com

PERMANENT PARCEL No. _____

Part of : _____ Sec. _____ T. _____ R. _____ Township _____

Grantor : _____ Area Retained _____ Acres

Grantee : _____ Area Retained _____ Acres

Deed Reference : _____

APPROVALS : _____
AGENCY : _____
DATE : _____ Board of Health Township Zoning Officer Mercer County Engineer

2-1-2021



January 22, 2021

PEAK ASSETS LTD. EASEMENT DESCRIPTION

Being a sanitary sewer easement through lots 3320,3321,3356,3357, 3364, a vacated 15' alley (O.R. 1390, page 2123), and vacated Third Street (O.R. 1390, page 2125), in Clark's Addition to the City of Bellefontaine (Plat Cabinet "A", Slide 113), Lake Township, Logan County, Ohio. Being more particularly described as follows:

Commencing for reference at a 5/8 inch iron bar set at the southeast corner of Lot Number 3322 in said Clark's Park Addition -

Thence, North 84°30'56" West, along the north line of Malone Street, a distance of 349.00 feet to a 5/8 inch iron bar set -

Thence, North 05°22'38" East, a distance of 11.62 feet to a point. Said point being the place of beginning for the herein described easement -

Thence, continuing, North 05°22'38" East, a distance of 25.51 feet to a point -

Thence, North 28°27'24" East, a distance of 76.98 feet to a point -

Thence, South 84°30'56" East, a distance of 192.64 feet to a point -

Thence, South 05°22'38" West, a distance of 12.77 feet to a point -

Thence, North 84°38'59" West, a distance of 187.40 feet to a point -

Thence, South 28°27'24" West, a distance of 90.34 feet to the place of beginning.

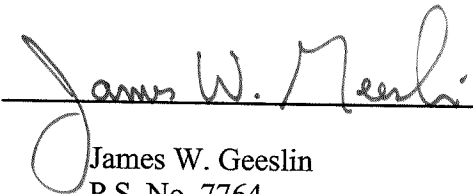
Containing 0.076 acre of land more or less.

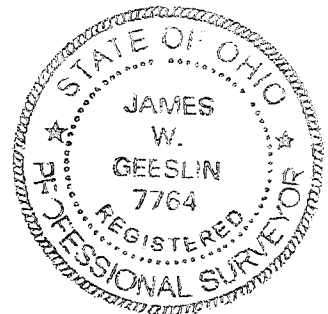
Subject to all easements and right-of-way of record.

The bearings contained herein are based on GPS observations using O.D.O.T. Cors Network Stations . Converted to the Ohio State Plane South Zone, Horizontal Datum NAD83 (2011).

Reference is made to a survey of this area by James W. Geeslin, Professional Surveyor 7764, dated August 3, 2020. On file in the County Engineer's Office.

Surveyed by


James W. Geeslin
P.S. No. 7764



INDEXED ON MAP
9739

GEESLIN SURVEYING

525 S. SECOND ST.
COLDWATER, OHIO 45828

Phone : (419) 678 - 7233
Email : geeslinsurveying@gmail.com

PERMANENT PARCEL No.	_____
Part of : _____ Sec. _____ T. _____ R. _____	_____ Township
Grantor : _____	Area Retained _____ Acres
Grantee : _____	Area Retained _____ Acres
Deed Reference :	_____
APPROVALS :	_____
AGENCY :	_____
DATE :	Board of Health Township Zoning Officer Mercer County Engineer

2-1-2021

APPROVED

NOTE: THE BEARINGS CONTAINED HEREIN ARE BASED ON GPS OBSERVATIONS USING O.D.O.T. CORS NETWORK STATIONS, CONVERTED TO THE OHIO STATE PLANE SOUTH ZONE, HORIZONTAL DATUM NAD83 (2011).

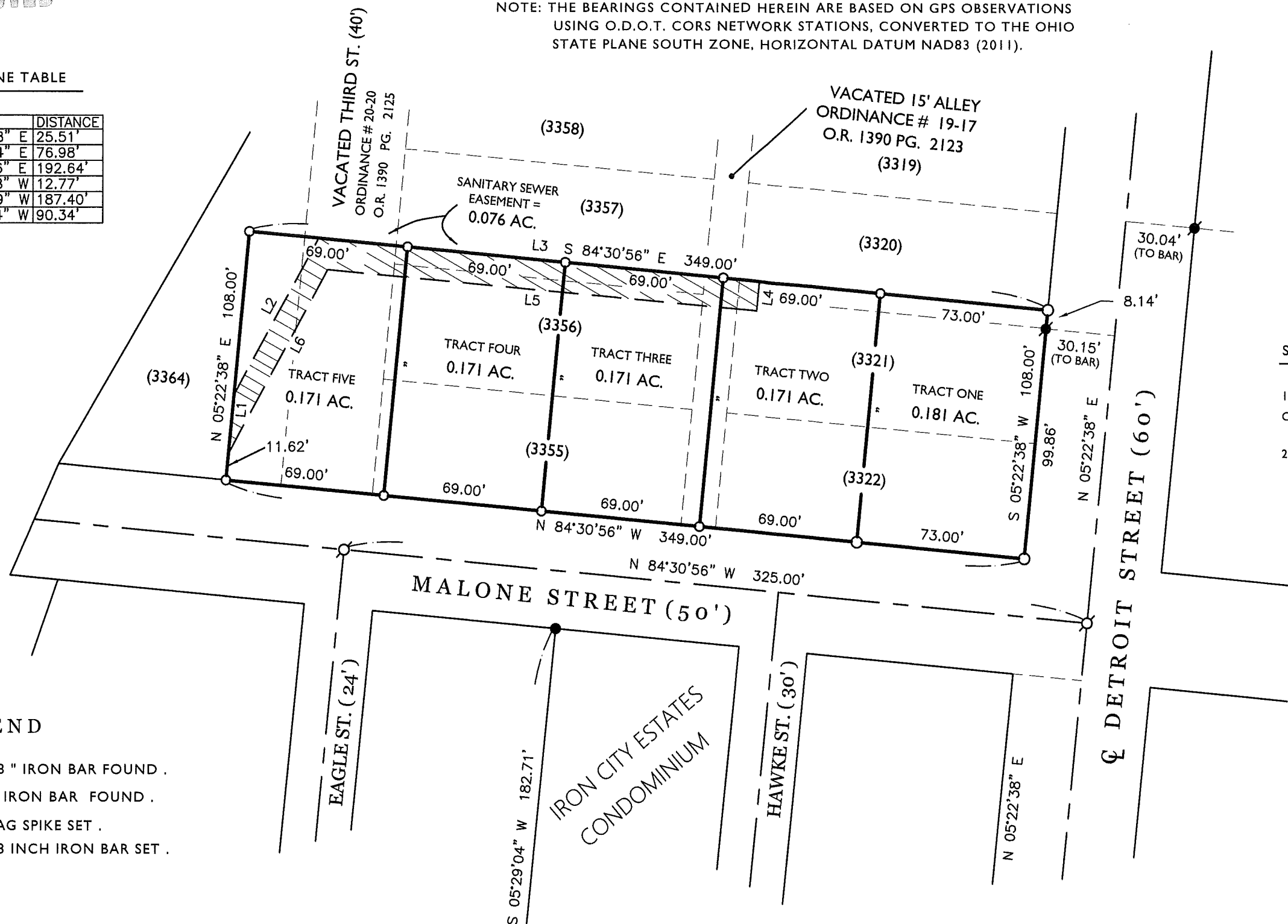
GEESLIN SURVEYING

525 S. SECOND ST.
COLDWATER, OHIO 45828

Phone : (419) 678 - 7233
Email : geeslinsurveying@gmail.com

EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
L1	N 05°22'38" E	25.51'
L2	N 28°27'24" E	76.98'
L3	S 84°30'56" E	192.64'
L4	S 05°22'38" W	12.77'
L5	N 84°38'59" W	187.40'
L6	S 28°27'24" W	90.34'



SURVEY REFERENCES:

- 1) CLARK'S PARK ADDITION PLAT , JUNE 1924 (PLAT CAB-CABINET "A", SLIDE 113.
- 2) IRON CITY ESTATES CONDOMINIUM PLAT BY J. LEE, P.S. 6359 , 11/13/98 .

LEGEND

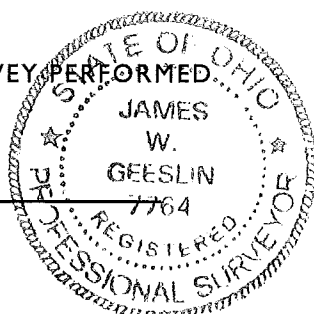
- = 5/8 " IRON BAR FOUND .
- = 1" IRON BAR FOUND .
- ⊙ = MAG SPIKE SET .
- = 5/8 INCH IRON BAR SET .

OWNER :

PEAK ASSETS LTD.
O.R. VOL.. 1336 PG. 593-594

THIS PLAT REPRESENTS AN ACTUAL FIELD SURVEY PERFORMED UNDER MY SUPERVISION, AS DATED HEREIN.

James W. Geeslin



ATTEST: JAMES W. GEESLIN
PROFESSIONAL SURVEYOR 7764

PEAK ASSETS LTD. SURVEY

PART OF LOTS 3320 , 3321 , 3322 , 3355 , 3356 , 3357 , AND 3364 , AND THE VACATED 15' ALLEY (AS SHOWN) , AND VACATED THIRD STREET (AS SHOWN) , IN CLARK'S PARK ADDITION TO THE CITY OF BELLEFONTAINE , (LAKE TOWNSHIP) , LOGAN COUNTY , OHIO .

JANUARY 22 , 2021



SCALE 1" = 50'

INDEXED ON MAP
9-739