

AN ORDINANCE TO VACATE A PORTION OF AN EXISTING UTILITY EASEMENT LOCATED WITHIN THE AMENDED ROLLING ACRES SUBDIVISION ON PROPERTY OWNED BY WESTPORT HOMES, INC, AND DECLARING AN EMERGENCY.

WHEREAS, various utility easements were conveyed to the village of Lithopolis by plat of record in Plat Cabinet 2, Slot 92, said easement being through a portion of lots conveyed to Westport Homes, Inc., by deed of record in Official Record Book 1663, page 2710, in particular, those lots designated as 76, 77, 82-97, inclusive, 100, 101, 104 and 105, all references to the Fairfield County Recorder's Office; and

WHEREAS, village council finds that there is good cause for vacation of a portion of the utility easements on the aforementioned property, and that such vacation will not be detrimental to the general interest of the citizens of the village;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LITHOPOLIS, OHIO:

Section 1. That the portion of the utility easement described in the document attached as Exhibit A, and incorporated by reference, and delineated on the survey map attached with the cross-hatching, in particular, those lots designated as 76, 77, 82-97, inclusive, 100, 101, 104 and 105, which was conveyed by plat of record in the Official Plat Cabinet 2, Slot 92, in the Fairfield County Recorder's Office, is hereby vacated.

Section 2. That the Village Administrator or Clerk of the village of Lithopolis is hereby directed to file a copy of this ordinance with the Fairfield County Recorder evidencing the vacation of the such of the described easement.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reasons that the acceptance of the annexation must be enacted to take advantage of the upcoming building season, to secure needed revenue for the village, and to facilitate the completion of utilities and infrastructure necessary for the citizens of the village. This ordinance shall be in full force and effect at the earliest date permitted by law.

ATTEST:		SIGNED	
	CLERK		MAYOR
DATE:	<u>3/10/15</u>	DATE:	<u>3/10/15</u>

APPROVED AS TO FORM:


JON BROWNING
VILLAGE SOLICITOR

