CITY OF FOSTORIA, OHIO

Ordinance No.: 2025-

Introduced by:

Requested by: Compliance

AN ORDINANCE

Amending ordinance Number 2025-56 to change the portion vacated from an alley to a street and correcting the legal description and declaring an emergency to exists.

BE IT ORDAINED by the City of Fostoria, Seneca, Hancock, and Wood Counties, Ohio:

SECTION 1**.** That ordinance No. 2025-56 passed August 19, 2025, be, and the same is hereby amended to read as follows:

AN ORDINANCE

To adopt, pursuant to Section 911.01-911.02 of the Codified Ordinances of the City of Fostoria, Ohio, the petition to vacate ~~an unnamed alley~~ a portion of Ohio Avenue in the Fourth Ward of the City of Fostoria.

WHEREAS, on the 9th day of June, 2025, there was filed by Floyd W. Green an application requesting the vacation of a portion of Ohio Avenue ~~an unnamed alley~~ as hereinafter described. A copy of said petition is attached hereto and marked as Exhibit A; and,

WHEREAS**,** Notice of the Pendency of this petition and Notice of Intention to vacate the ~~unnamed alley~~ portion of Ohio Avenue has been waived and consent to the vacation has been given by all of the adjoining property owners of the land abutting that portion of ~~the unnamed alley~~ Ohio Avenue sought be vacated; and,

WHEREAS**,** The Council of the City of Fostoria, upon application is satisfied that there is good cause for the vacation as requested and that it will not be detrimental to the general interests and ought to be made.

NOW, THEREFORE, BE IT ORDAINED by the City of Fostoria, Seneca, Hancock, and Wood Counties, Ohio:

SECTION 1**.** That the portion of ~~said alley~~ Ohio Avenue hereinafter described in Section 2, infra, is hereby vacated reserving, however, all rights thereto now enjoyed by public utilities now using the premises and further reserving easements for water and sewer lines; provided, however, that easements for water and sewer lines shall be exercised and valid only so far as the same may be done without interfering with buildings or other structures which have been placed on the premises prior to the installation of any water or sewer lines. Petitioners own property adjoining the ~~unimproved alley~~ portion of Ohio Avenue.

SECTION 2**.** That said ~~unimproved alley~~ portion of Ohio Avenue is situated in the City of Fostoria, County of Seneca and State of Ohio, in the Fourth Ward of said City, and bounded on the north by ~~Railroad Tracks~~ a previously vacated portion of Ohio Avenue; and bounded on the south by Bulger Avenue.

SECTION 3. Upon passage of this Ordinance, the Clerk of the Council of the City of Fostoria shall transmit a certified copy of this Ordinance to the Seneca County Auditor’s office for conveyance, and then to the Seneca County Recorder’s office for recording within no more than twenty-one (21) days of the said passage.

SECTION 4: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 5: That in order to preserve the public peace, health, safety and welfare of the City of Fostoria and its inhabitants, this measure shall take effect at the earliest time allowed by law after its passage for the reason that this ordinance is necessary for the inhabitants of the City of Fostoria.

SECTION 2. Upon passage of this Ordinance, the Clerk of the Council of the City of Fostoria shall transmit a certified copy of this Ordinance to the Seneca County Auditor’s office for conveyance, and then to the Seneca County Recorder’s office for recording within no more than twenty-one (21) days of the said passage.

SECTION 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 4: That in order to preserve the public peace, health, safety and welfare of the City of Fostoria and its inhabitants, this measure shall take effect at the earliest time allowed by law after its passage for the reason that this ordinance is necessary to correct a previously passed ordinance.

THEREFORE, upon the affirmative vote of two-thirds (2/3) of all members elected to Council, and signature by the Mayor, this ordinance shall go into immediate force and effect.

Passed this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2025.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Brian Shaver, President of Council

ATTEST:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Tamara L. Drake, Clerk of Council

Filed with me and approved by me this \_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2025.

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Donald L. Mennel, Mayor