

AN ORDINANCE VACATING THE UNIMPROVED RIGHT-OF-WAY
KNOWN AS GLENGARY DRIVE.

WHEREAS, Glengary Drive is a dedicated public right-of-way platted in 1930, located within the City of Hudson, owned by the City, and which was never improved for public use; and

WHEREAS, an application has been filed with the City by one property owner abutting Glengary Drive, Lake Forest Country Club, which requests the Drive to be vacated; and

WHEREAS, Revised Code §723.05 provides for the legislative authority of a municipality to vacate a street for good cause; and

WHEREAS, pursuant to Revised Code §723.06, all owners abutting the Glengary Drive right-of-way, including the City of Hudson that has park land abutting the Drive, agree to the vacation thereof; and

WHEREAS, the Planning Commission has recommended approval of the vacation of the Glengary Drive right-of-way and this Council deems this vacation to be for good cause based upon its longstanding unimproved status and with the conditions for the vacation approved by Council herein;

NOW, THEREFORE, BE IT ORDAINED by the Council of Hudson, Summit County, State of Ohio, that:

Section 1: Pursuant to Ohio Revised Code §723.05, Glengary Drive, an unimproved right-of-way, is hereby vacated.

Section 2: The vacation of Glengary Drive set forth in Section 1 of this Ordinance is subject to the following conditions being satisfied:

- (a) An easement of access for the benefit of Lake Forest Country Club be created on the one-half of Glengary Drive that escheats to the City of Hudson upon the vacation and that shall be designated on the vacation plat as a thirty (30)-foot wide access drive;
- (b) Any and all currently existing facilities of the City of Hudson's park, including but not limited to a driveway, parking lot or trails, which will encroach into the lands of another after the vacation, if any, shall have easements created for the facilities' uses and the easements shall be designated on the vacation plat; and
- (c) Lake Forest Country Club shall consolidate into one consolidated parcel each separate parcel of land in its ownership that currently abuts Glengary Drive and the land area which shall escheat to the Country Club upon the vacation.

Section 3: The City Manager is authorized and directed to execute such documents as are necessary to accomplish the vacation of said Glengary Drive.

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 action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

William A. Currin, Mayor

ATTEST:

Elizabeth Slagle, Clerk of Council

I certify that the foregoing Ordinance was duly passed by the Council of said Municipality on _____, 2015.

Elizabeth Slagle, Clerk of Council