

ORDINANCE NO. 69-24

**AN ORDINANCE TO ACCEPT DEDICATION OF PUBLIC RIGHT-OF-WAY AND
PERMANENT UTILITY EASEMENTS ALONG DETROIT ROAD AND STATE
ROUTE 83 FOR UPCOMING STATE ROUTE 254 AND STATE ROUTE 83
INTERSECTION IMPROVEMENT PROJECT
AND DECLARING AN EMERGENCY**

WHEREAS, City of Avon (hereinafter referred to as “City”) owns property on Detroit Road and State Route 83; and

WHEREAS, pursuant to Ordinance No. 85-22 which passed on June 27, 2022, the City donated much needed right of way to facilitate the completion of the upcoming State Route 254 and State Route 83 Improvement project; and

WHEREAS, it has been determined that it is necessary for the City to donate additional land as right of way to facilitate the completion of the upcoming State Route 254 and State Route 83 Intersection Improvement project; and

WHEREAS, the City has executed a dedication plat conveying the additional lands to the City for the aforementioned purposes (right of way); and

WHEREAS, Planning Commission reviewed the dedication plat on June 19, 2024 and by a vote of five (5) in favor and zero (0) opposed, recommended approval of same; and

WHEREAS, Council has reviewed the final dedication plat, the proposed right-of-way along Detroit Road and State Route 83 and the permanent utility easements and believes that it is in the best interests of the health, safety, and welfare of the citizens of Avon, to accept same and authorize the plat to be recorded upon passage of this legislation.

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

Section 1 - That the dedication plat for Detroit Road and State Route 83 Right of Way Easements offered by the City, prepared and approved by the City Engineer and as set forth in the attached [Exhibit “A”](#), which is incorporated herein by this reference, is hereby accepted by Council on behalf of the City of Avon.

Section 2 – That the City shall cause the plat to be recorded in the office of the Lorain County Recorder within thirty (30) days of the passage of this legislation.

Section 3 - 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 Detroit Road and State Route 83 permanent right-of-way and utility easements; 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