

# City of NAPOLEON, OHIO

255 RIVERVIEW AVENUE - (419) 592-4010  
NAPOLEON, OHIO 43545-0151



February 3, 1992

Mayor  
Steven Lankenau

Mr. Keith Muehlfeld, Attorney  
555 Monroe Street  
Napoleon, Ohio 43545

Re: Alley Vacation Request  
Encil Rebeau

Members of Council  
Terri A. Williams, President  
John E. Church  
Michael J. DeWit  
Dennis L. Filgor  
Robert G. Heft  
James Hershberger

Dear Mr. Muehlfeld:

As per your request, Engineering Staff has reviewed the possible vacation of an alley that lies westerly of Mr. Rebeau's property at 806 Clinton Street.

City Manager  
Terry Dunn

All City Utility Departments were asked to review this vacation and comment and to date, no negative comments were received.

Finance Director  
Rupert W. Schweinhagen

Therefore, in accordance with vacation procedures, you should file for vacation through the Finance Director, Rupert Schweinhagen (see attached).

Law Director  
Michael J. Wesche

If you have any questions, please call.

Prosecuting Attorney  
Thomas L. Bischoff

Respectfully,

Marc S. Gerken, P.E.  
City Engineer

MSG:rw

Attachment

cc: Rupert W. Schweinhagen  
Brent N. Damman

satisfaction of the superintendent. ('65 Code, § 50.05) Penalty, see § 90.99

§ 90.06 EXCEPTIONS.

The provisions of this chapter shall not apply to persons in the employ of the city or engaged by the city in making public improvements in such streets and public grounds. ('65 Code, § 50.06)

§ 90.07 COSTS FOR VACATION OF STREETS AND ALLEYS.

All applications for vacation of streets and alleys filed shall be accompanied by a fee computed as follows:

(A) The full cost of publication of the ordinances for vacation of said street or alley, and all legislation costs.

(B) Petitions for vacating streets, avenues, ways, places, alleys, and the like shall be accompanied by a fee as follows: The owners of benefited property must pay, as part of the expenses involved, the larger of the following 2 amounts per square foot vacated:

(1) The amount of \$.10 per square foot vacated, or

(2) That amount per square foot vacated which is equal to twice the average tax value per square foot of the land only which immediately abuts the vacated portion upon both sides; together with the costs of restoring or moving paving, curbing, sidewalks, grading, and the like. Until these charges are paid, council shall not enact legislation to vacate. ('65 Code, § 50.07)

§ 90.08 FEES RETAINED BY CITY.

Such fees shall be retained by the city pending action of the council thereon, and if the street or alley is vacated, the city shall retain the moneys as fees, and if vacation of the street or alley is not granted, the fees shall be returned to the applicant or depositor of the fees. ('65 Code, § 50.08)

§ 90.09 CURBS, DRIVEWAYS, AND SIDEWALKS REQUIRED TO BE KEPT CLEAN AND CLEAR; SNOW AND ICE REMOVAL.

(A) For the purpose of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(1) "ABUTTING." Bordering or adjoining.

(2) "CURB." A constructed border along the paved portion of the right-of-way used by vehicles.