



Legislation Text

File #: ORD-0247-2002, **Version:** 1

TO ABANDON A PORTION OF MCCUTCHEON ROAD AS A PUBLIC ROADWAY WITH UTILITY EASEMENTS TO BE MAINTAINED; TO DECLARE AS EXCESS LAND; FOR 0.407 ACRES LOCATED ON MCCUTCHEON ROAD EAST OF STYGLER ROAD AND WEST OF OLDE RIDENOUR ROAD; TO REPEAL ORD-0022-2001 WHICH ABANDONED THIS ROADWAY BUT WAS NEVER RECORDED; TO DEDICATE 0.226 ACRES OF PUBLIC LAND AS ROAD WAY RIGHT OF WAY; AND TO DECLARE AN EMERGENCY.

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WHEREAS, Brookewood Construction has a final plat for property located on McCutcheon Road known as Woodmere Place; and

WHEREAS, C. V. Perry has a recorded plat for a portion of Imperial Rise that fronts on McCutcheon Road; and

WHEREAS, ORD-0022-2001 was passed at the request of former Mayor McGregor for the abandoning of right of way for street purposes due to the Mayor's objections to the possibility of McCutcheon Road becoming a through street; and

WHEREAS, Brookewood Construction has no objection to the abandonment of this right of way as it does not affect the portion of McCutcheon Road that is part of the Woodmere Place Final Plat; and

WHEREAS, C.V. Perry Co. has no objection to the abandonment of a portion of the roadway previously vacated but would prefer to have direct access to Stygler Road; and

WHEREAS, the Planning Commission has reviewed this request and at their regular meeting held November 20, 2002 recommended to Council that ORD-0022-2001 be repealed and only a portion of the previous abandonment of McCutcheon Road be abandoned as a public roadway except that utility easements be maintained; and

WHEREAS, the City Engineer has stated that these portions of McCutcheon Road could be vacated as a public road except for utility easements and declared as excess land to be included as a part of McCorkle Park; and

WHEREAS, it is imperative that this abandonment proceed as quickly as possible so that final plans can be drawn and roadway improvements begin as soon as possible, all for the preservation of the public peace, health, safety and welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GAHANNA, STATE OF OHIO:

Section 1. That ORD-0022-2001, "To Abandon a Portion of McCutcheon Road as a Public Roadway with Utility Easements to be Maintained; to Declare As Excess Land; For 0.106 acres and 0.553 acres Located on McCutcheon Road, East of Stygler Road and West of Olde Ridenour Road, is hereby repealed.

Section 2. That a 0.407 acre portion of McCutcheon Road, more particularly described in EXHIBIT A, shall be considered excess road right-of-way, and the public right therein shall terminate upon the approval of this Ordinance.

Section 3. That a general utility easement in, over, on, across, under, and through the above described right-of-way be and hereby is retained unto the City of Gahanna.

Section 4. That 0.226 acres of land now known as a part of McCorkle Park and adjacent to McCutcheon Road right of way is hereby dedicated as roadway right of way, more particularly described in EXHIBIT B attached hereto.

Section 5. That the portion of McCutcheon Road being abandoned as road right of way shall be maintained in its entirety as City property known as McCorkle Park.

Section 6. That, for the reasons set forth in the preamble hereinabove, this ordinance shall be declared emergency legislation and shall be in full force and effect after passage by this Council and on date of signature approval by the Mayor.