

**VILLAGE OF SOUTH LEBANON, OHIO
ORDINANCE NO. 2020-21**

AN ORDINANCE VACATING A PORTION OF COCHRAN ROAD

WHEREAS, on April 16, 2020, the Village Council passed Ordinance No. 2020-8 approving the Preliminary Development Plan (PDP) for 19.369 acres at 5315 Cochran Road; and

WHREAS, the approved PDP included the development on Cochran Road which is the right-of-way shown on the attached Exhibit A; and

WHEREAS, the vacation on said right-of-way is required for the development of this process as approved; and

WHEREAS, Ohio Revised Code § 723.05 permits a legislative authority of a municipal corporation to vacate a street, or any part thereof, if such vacation is not detrimental to the general interest; and

WHEREAS, a portion of Cochran Road, as described in the attached Exhibit A and incorporated herein by reference, is not currently used by the public; and,

WHEREAS, the developer of an adjacent parcel has requested that this portion of Cochran Road be vacated to aid in the development; and,

WHEREAS, the Village desires to officially vacate this portion of Cochran Road as detailed in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of South Lebanon, at least a majority of all members elected thereto concurring:

Section 1. The Village hereby vacates that portion of Cochran Road as detailed in the attached Exhibit A. The Village hereby finds that there is good cause for vacating the portion of road described in Exhibit A, and that such vacation will not be detrimental to the general interest.

Section 2. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 3. That it is found and determined that all formal actions of the Council concerning and relating to passing this Resolution were adopted in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted this 1st day of October, 2020.

Attest: Nicole Armstrong
Nicole Armstrong, Fiscal Officer/Clerk

James D. Smith
James D. Smith, Mayor

Rules Suspended: / /2020 (if applicable) Effective Date – / /2020

Vote - ___ Yeas
 ___ Nays

First Reading – 9/3/2020
Second Reading – 9/17/2020
Third Reading – 10/1/2020

Effective Date – / /2020

Vote - 5 Yeas
 ___ Nays

Prepared by and approved as to form:

PAUL R. REVELSON
VILLAGE SOLICITOR
SOUTH LEBANON, OHIO

By: [Signature]
Date: 10/1 /2020

