

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 2007-09

Passed APRIL 17TH, 20 07

## **AN ORDINANCE VACATING PROGRESSIVE WAY IN THE CITY OF BROOKVILLE, OHIO AND DECLARING IT AN EMERGENCY.**

**WHEREAS**, Council has determined, pursuant to Section 723.05 of the Ohio Revised Code, that there is good cause for vacating Progressive Way, as set forth and described in the legal description and vacation plat attached hereto as Exhibit "A" and incorporated herein by reference; and

**WHEREAS**, Council has determined that vacation of Progressive Way will not be detrimental to the general interest; and

**WHEREAS**, Council further finds that all of the property owners abutting the area to be vacated have consented to the vacation of this public right of way, and therefore, that notice to adjoining property owners is not required under Section 723.06 of the Revised Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO, THAT:**

### **SECTION I:**

Progressive Way, as set forth and described in the legal description and vacation plat attached hereto as Exhibit "A" and incorporated herein by reference, is hereby vacated.

### **SECTION II:**

A certified copy of this Ordinance and plat of this street vacation shall be filed with the office of the Montgomery County Recorder, and a copy of this Ordinance shall be submitted to the office of the Montgomery County Auditor by the Clerk of Council.


### **SECTION III:**

This Ordinance is hereby declared to be an emergency measure to preserve the public peace, health, safety and welfare of the citizens of the City of Brookville to authorize the immediate vacation of this street and thereby permit the City of Brookville to proceed with re-platting of the Northbrook Industrial Park for an economic development project known as Project Eagle. This Ordinance shall take effect immediately upon passage of this Ordinance as provided by the Chapter of the City of Brookville.

PASSED this 17th day of April 2007.

ATTEST:

  
Sonja M. Keaton, Clerk

  
David E. Seagraves, Mayor

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CERTIFICATE

The undersigned, Clerk of the City of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2007-09, passed by the Council of the City of Brookville, Ohio, on the 17th day of April 2007.

  
Sonja M. Keaton, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2007-09 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 18th day of April 2007 to the 18th day of May 2007, both days inclusive.

  
Sonja M. Keaton, Clerk

