

City of Marion City Planning Commission

Alley Vacation

Staff Report

March 12, 2021

- APPLICANT:** Court of Common Pleas, Marion County Commissioners
- LOCATION:** Alley between 114 N. Main St. and 134 E. Center St. outlined in red
- REQUEST:** Vacate 16.5' x 132.34' alley between the courthouse and the Prosecutor's Office for use by the courts. (Totals 0.5 Acres)



BACKGROUND:

The Marion County courthouse was built in in 1884 in the Renaissance Revival style and is on the National Register of Historic Places. To the East the former bank building at 134 E. Center St. was converted to offices for the County Prosecutor's office. The Courts often have prisoner transportation enter the east side of the courthouse through this existing 16.5' wide one way

alley. Generally speaking, due to its one-way southbound traffic direction, it is predominantly used by the court system.

COMMENT:

The applicant has contacted the utilities about the proposed alley vacation with the replies as follows:

Aqua Ohio (Water) emailed approval

Columbia Gas of Ohio – phone call acknowledged approval

Ohio Edison (electric) emailed approval

Frontier (internet/cable) – no reply yet.

City Engineer's Office: seeking comments

City Fire Dept: seeking comments

In favor of the request, we find:

1. The alley is already serving the court system and has limited use others.
2. To the north is the courthouse public parking lot which has two drive approaches for ingress and egress into the mid-block area.
3. The area to be vacated is one-way and the utilities are in agreement with the proposal.
4. The county is the owner on both sides of the alley.
5. Leapin' Ministries can still be accessed from Main St., Huber and N. State St.

RECOMMENDATIONS:

Provide that the Director of Public Works and the Safety Director have no issues, approve the alley vacation because it does not negatively impact any other owners.

CITY OF MARION, OHIO
APPLICATION FOR STREET OR ALLEY VACATION
MARION CITY PLANNING COMMISSION

Applicant Court of Common Pleas 100 N. MAIN ST MARION OH 43302 740 223 4213
Name Address Phone

hereby makes application through the City Planning Commission to place matters on Marion City Council's agenda for a request of a vacation of a street or alley under Ohio Revised Code Section 723.04.

Applicant requests that the Secretary to the City Planning Commission place on the Planning Agenda at the earliest possible date, a request to vacate a street or alley which is located at: BETWEEN COUNTY COURTHOUSE + PROSECUTOR'S OFFICE

in the following subdivision N/A

Applicant further states that all utility companies have been contacted to determine that the proposed closing would not interfere with servicing any lines, pipes or poles if contained on the property:

Aqua Ohio EMAIL OK'D

Ohio Edison Company EMAIL OK'D

Columbia Gas of Ohio PHONE ~~EMAIL~~ OK'D

Frontier Phone NO REPLY

City of Marion Engineering Dept. (sewer system) _____


Applicant's Signature THOMAS CYSTER, SHERIFF

9/9/2020
Date

Owners Signature (if applicable) _____

Phone: _____

Date: _____

Application Filed: _____

Notice to abutting property owners completed on _____


Secretary
City Planning Commission
740-387-4935

ADJOINING AND ABUTTING LISTING

The following is a list of all adjoining and abutting property owners for the property listed at:

Alley in between 114 N. Main St. & 134 E Center St.

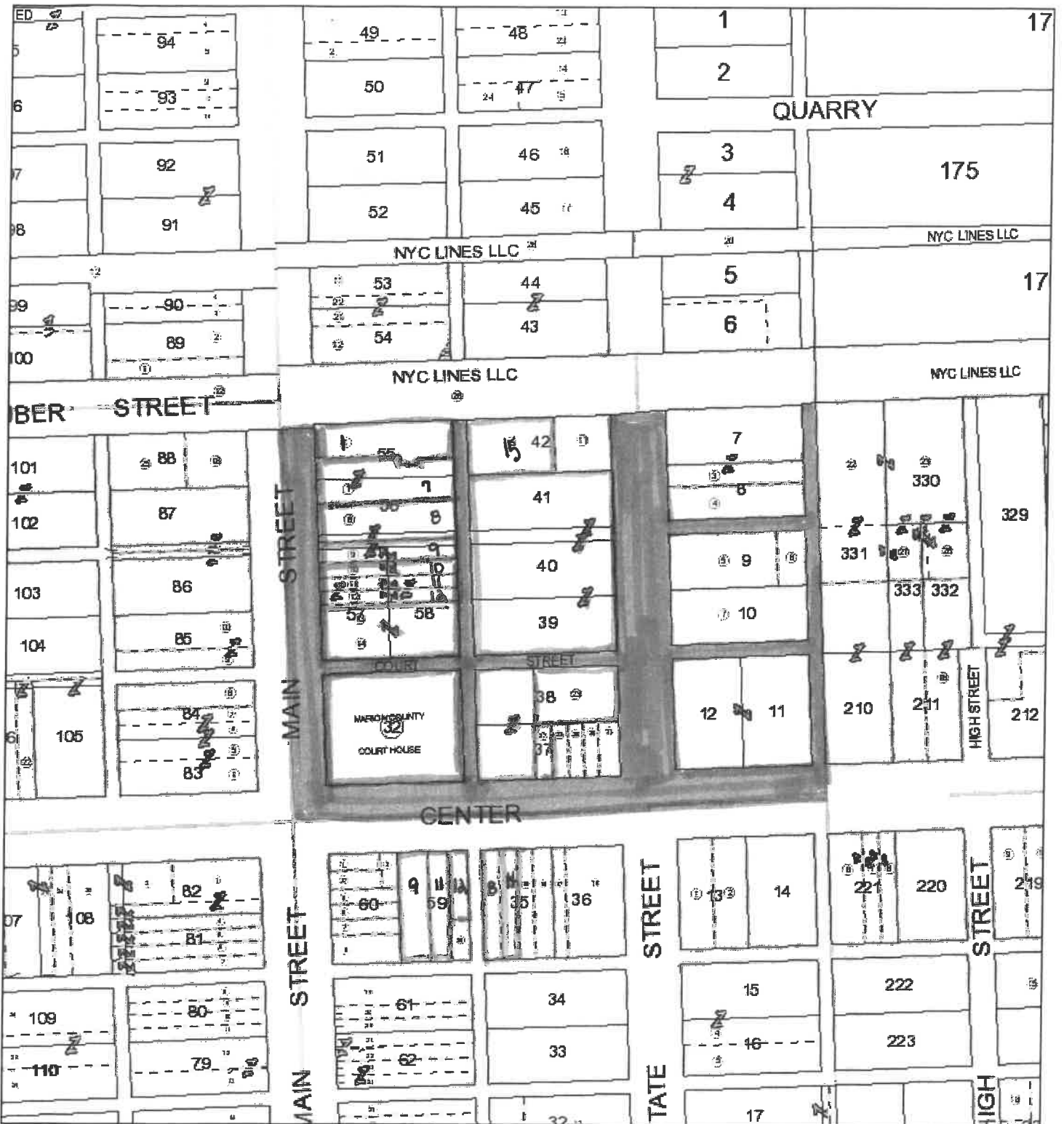
<u>Lot/Map #</u>	<u>Owner</u>	<u>Tax Mailing Address</u>	<u>Property Address</u>
32	Marion Co. Commissioners	222 W Center St. Marion, OH 43302	114 N Main St.
37-38	" "	" "	134 E Center St.
37/27	Invisible Bars LLC	183 N Main St. Marion, OH 43302	138 E Center St.
38/23	Marion Co. Republican Party	PO Box 108 Marion, OH 43302	N State St.
39-41	Leapin Outreach Center	668 Wolfinger Rd. Marion, OH 43302	148-152 Court St.
42/15	Buckeye Real Estate	170 Fairfax Rd. Marion, OH 43302	137 Huber St.
55/1	" "	" "	158 N Main St.
55-56/7	" "	" "	156 N Main St.
56/8, 9	Michael Belcher	" "	146 N Main St.
57-58/10-14	Marion Co. Commissioners	222 W Center St. Marion, OH 43302	N Main St.
59/12	Thomas Mathews		127 E Center St.
59/9, 11	Mark Washek Trustee	1855 Coons Path NE Lancaster, OH 43130	E Center St.
35/13, 14	Krisitis Properties LLC	3073 Clark Shaw Rd. Powell, OH 43065	131 E Center St.

 #90
 Applicant Signature: _____

9-9-20
 Date: _____
 Joan M Kaschis RS
 Marion Co. Auditor

OF LINES: 13
 # OF COPIES: 14
 TOTAL: \$2.70

GIS Map



9/9/2020, 10:16:11 AM

— Annotation Arrows

City & Villages

Linework

Tie Marks

— Full Line

↑ Full Tie

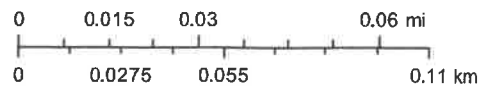
- - Dashed

↑ Half Tie

Boundaries

(highlighted in green)

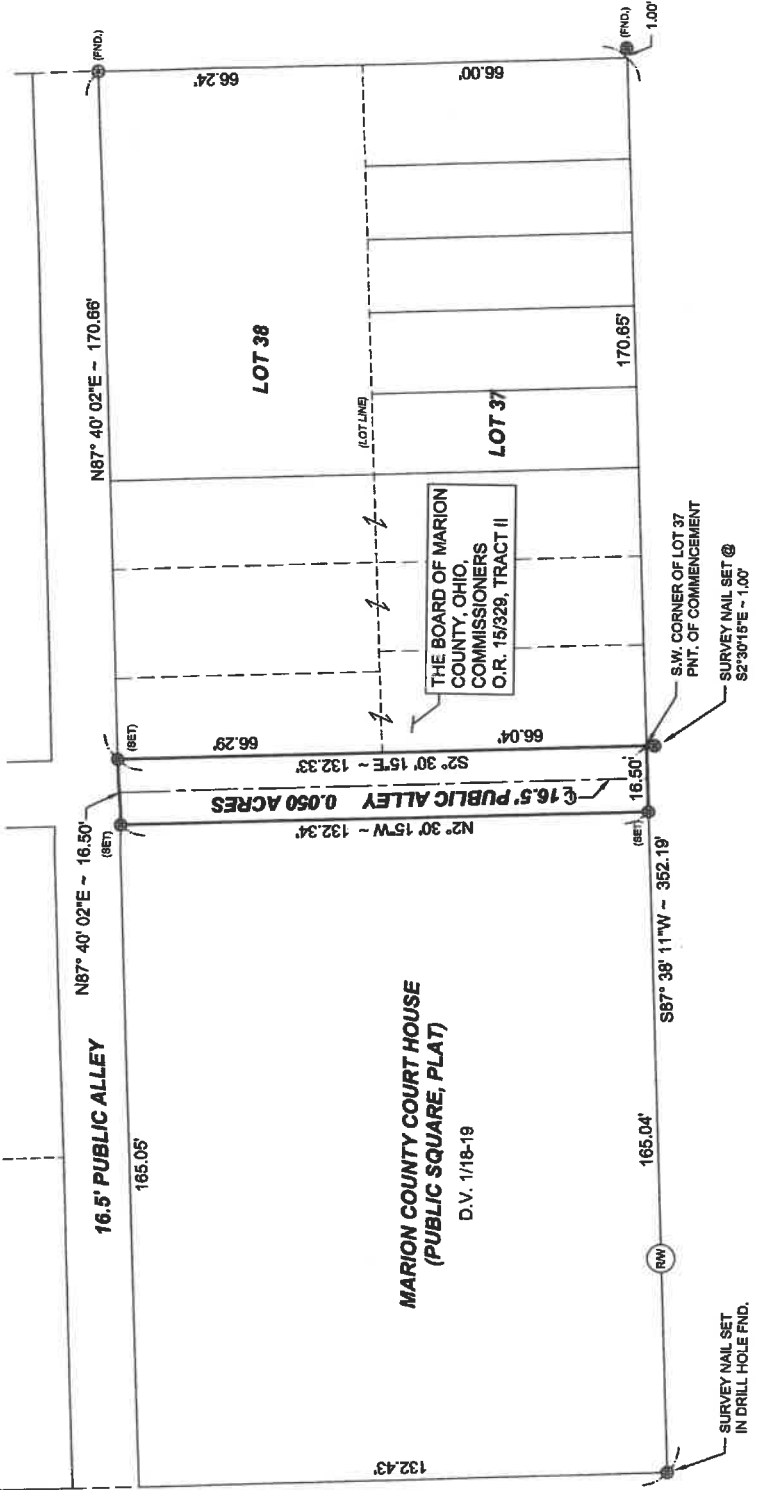
1:2,000



"Subject property"
**vacant alley-request*

Juan M Kasas
KS

STATE STREET



MAIN STREET 82.5' R/W

REFERENCE MATERIALS

- ① SURVEY BY C. TOZZER - DATED 08-12-1964
 - ② SURVEY & FIELD NOTES BY C. TOZZER - DATED MAY 1922
 - ③ SURVEY BY S. FOX - DATED 06-01-1986
 - ④ SURVEY BY T. BOBLENZ - DATED 05-02-1981
 - ⑤ SURVEY BY S. FOX - DATED 01-17-2019
- Official Record _____ Page _____
 Prior Deed Volume _____ Page _____
 Basis of Bearing, VRS. STATE PLANE COORS. (NORTH ZONE)
 N. R/W OF CENTER ST. - S 87°38'11"W

Dwg. By: B/JZ

THIS SURVEY WAS PERFORMED AT THE REQUEST OF: MARION COUNTY PROSECUTOR'S OFFICE



CERTIFICATION

I hereby certify that this plat is a true and correct representation of a survey performed under my responsible direction and supervision and is correct to the best of my knowledge.

Steven A. Fox
 Steven A. Fox, Reg. P.S. No. 7000
 Date of Survey 07-02-2020

SEAL

LEGEND

- R.R Spike Fnd.
 - Iron pin / pipe fnd. (as noted)
 - ⊕ Survey nail set
 - Stone found
 - State hwy R/W monument fnd.
 - 5/8" dia. Iron pin set with a plastic cap stamped " FOX SURVEYING CO"
- Scale 1" = 30 feet
- 0 15 30 60

Job No.: 20230



106 S. Elm St.
P.O. Box 133

FOX SURVEYING COMPANY

Prospect, Ohio 43342

Fax.: 740-494-2730

Ph.: 740-494-2028

Cell: 740-802-3269

Description of 0.050 Acre

Proposed Vacation of Public Alley

Being a 16.5 ft. public alley lying west of Lots 37 & 38 in the Original Plat of Marion (Plat Book 1, page 3), and lying east of the Marion County Court House (Public Square, Deed Volume 1, page 18-19), City of Marion, Marion County, State of Ohio and being more particularly described as follows:

Beginning at a point located on the north right-of-way of Center Street (82.5'), said point referenced South 2 deg. 30 min. 15 sec. East for a distance of 1.00 feet to a survey nail set, and said point being the southwest corner of Lot 37, the southwest corner of a tract of land, now or formerly owned by the Board of Marion County, Ohio, Commissioners, Official Record 15, page 329, Tract, the southeast corner of hereinafter described 0.050 acre tract, and the true point of beginning;

Thence along the north right-of-way of Center Street **South 87 deg. 38 min. 11 sec. West** for a distance of **16.50 feet** to a survey nail set, said point being the southeast corner of the Marion County Court House, Deed Volume 1, page 18-19;

Thence along the west right-of-way of said alley **North 2 deg. 30 min. 15 sec. West** for a distance of **132.34 feet** to a survey nail set;

Thence crossing said alley **North 87 deg. 40 min. 02 sec. East** for a distance of **16.50 feet** to a survey nail set located on the northwest corner of Lot 38;

Thence along the east line of said alley, the west line of Lot 38, and then the west line of Lot 87 **South 2 deg. 30 min. 15 sec. East** for a distance of **132.33 feet** to a point and the true place of beginning.

Containing **0.050 acres**, more or less, and subject to legal highways, easements, restrictions and agreements of record. This description prepared from a survey performed by Steven A. Fox, Registered Professional Surveyor 7000, and dated July 2, 2020. All 5/8 inch dia. Iron pins set have a plastic identity cap with the inscription "Fox Surveying Co."

Basis of bearings, VRS. State Plane Coors. (North Zone), north right-of-way of Center St. South 87 deg. 38 min. 11 sec. West.


Steven A. Fox, P.S. 7000




Date of Survey

Job No. 20230