

**ORDINANCE 2021-11**  
**VILLAGE OF NEW RICHMOND, OHIO**

Council for the Village of New Richmond, Ohio met in regular session this 27 day of July, 2021 with the following members present:

Mary Allen, Yes  
Becky Ploucha, Yes

Larry Prues, Yes  
Gary Skeene, Yes

Melanie Slade, Yes  
Richard Feldkamp, Yes

Councilperson Allen moved for adoption of the following:

**AN ORDINANCE VACATING PORTIONS OF PAPER STREETS OF LIGHT STREET AND COLUMBIA STREET AS SET FORTH IN EXHIBIT "A"**

**WHEREAS**, a paper street is a road or street that appears on maps, but does not exist in reality and/or street which a city or village planner or subdivision developer has laid out, but never built; and

**WHEREAS**, paper streets exist within the Village of New Richmond that have never been built, but where the Village continues to have a legal public-right-of-way despite such paper streets being undriveable; and

**WHEREAS**, Exhibit "A" is a plat which details parcels located within the Village of New Richmond which contain portions of paper streets identified as Light Street and Columbia Street; and

**WHEREAS**, pursuant to R.C. §723.05 and/or R.C. §711.39, the Village of New Richmond desires to vacate the portions of paper streets of Light Street and Columbia Street contained on Exhibit "A" so that is a plat which details parcels located within the Village of New Richmond which contain; and

**WHEREAS**, the Village Council of New Richmond finds that the action vacating the portions of paper streets of Light Street and Columbia Street contained on Exhibit "A" pursuant to R.C. §723.05 and/or R.C. §711.39 will not be detrimental to the general interest and furthermore states there is good cause for such vacations of the portions of the aforementioned paper streets.

**NOW, THEREFORE, BE IT ORDAINED**, with a majority of the Council of the Village of New Richmond, Ohio concurring:

**Section 1:** The Village Council finds there is good cause for vacating the portions of paper streets of Light Street and Columbia Street contained on Exhibit "A" which will not be detrimental to the general interest of the Village.

**Section 2:** That the Mayor or Village Administrator of the Village of New Richmond is hereby provided authorization to execute and take steps to enter into an Agreement and/or execute any other documents (deeds, etc.) regarding the vacation of the portions of paper streets of Light Street and Columbia Street contained on Exhibit "A".

**Section 3:** Pursuant to ORC 723.041, the Village of New Richmond, Ohio for its own use and that of its successors reserves a permanent easement in such vacated portion or excess portion of such street, alley, or highway for the purpose of maintaining, or removing water utilities, for purposes of access to said water facilities to perform the stated activities and to clear obstructions which may interfere with said utilities. In addition, no structure of any type shall be constructed on the vacated property in any manner which interferes with the operation or placement of the utilities without the express permission of the Village Administrator. Existing structures that may interfere with access to water utilities shall remain undisturbed to the extent that, should a problem occur with water utilities under existing structures the Village of New Richmond will make reasonable efforts to mitigate the problem without disturbing said existing structures.

**Section 4:** The Village Council directs its Council Clerk to certify a copy of this Ordinance and provide such certified copy of this Ordinance to the Clermont County recorder and/or ensure that such vacation is transferred in the office of the County Auditor.

**Section 5:** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code. That this Ordinance shall take effect and be in force from the earliest date allowed by law.

Councilperson Pruess seconded the motion to adopt the foregoing Ordinance and upon roll call the vote was as follows:

Gary Skeene	<u>Yes</u>
Melanie Slade	<u>Yes</u>
Larry Prues	<u>Yes</u>
Mary Allen	<u>Yes</u>
Becky Ploucha	<u>Yes</u>
Richard Feldkamp	<u>Yes</u>

**First Reading:**

**Second Reading:**

**Third Reading:**

**ADOPTED:**

6/22/2021

7/13/2021

7/27/2021

7/27/2021

Date

Attest:

Glenn Ewing  
MAYOR, Glenn Ewing

Kathy Fuchs  
CLERK OF COUNCIL, Kathy Fuchs

Approved as to form:

[Signature]

SOLICITOR, Scott Sollmann

