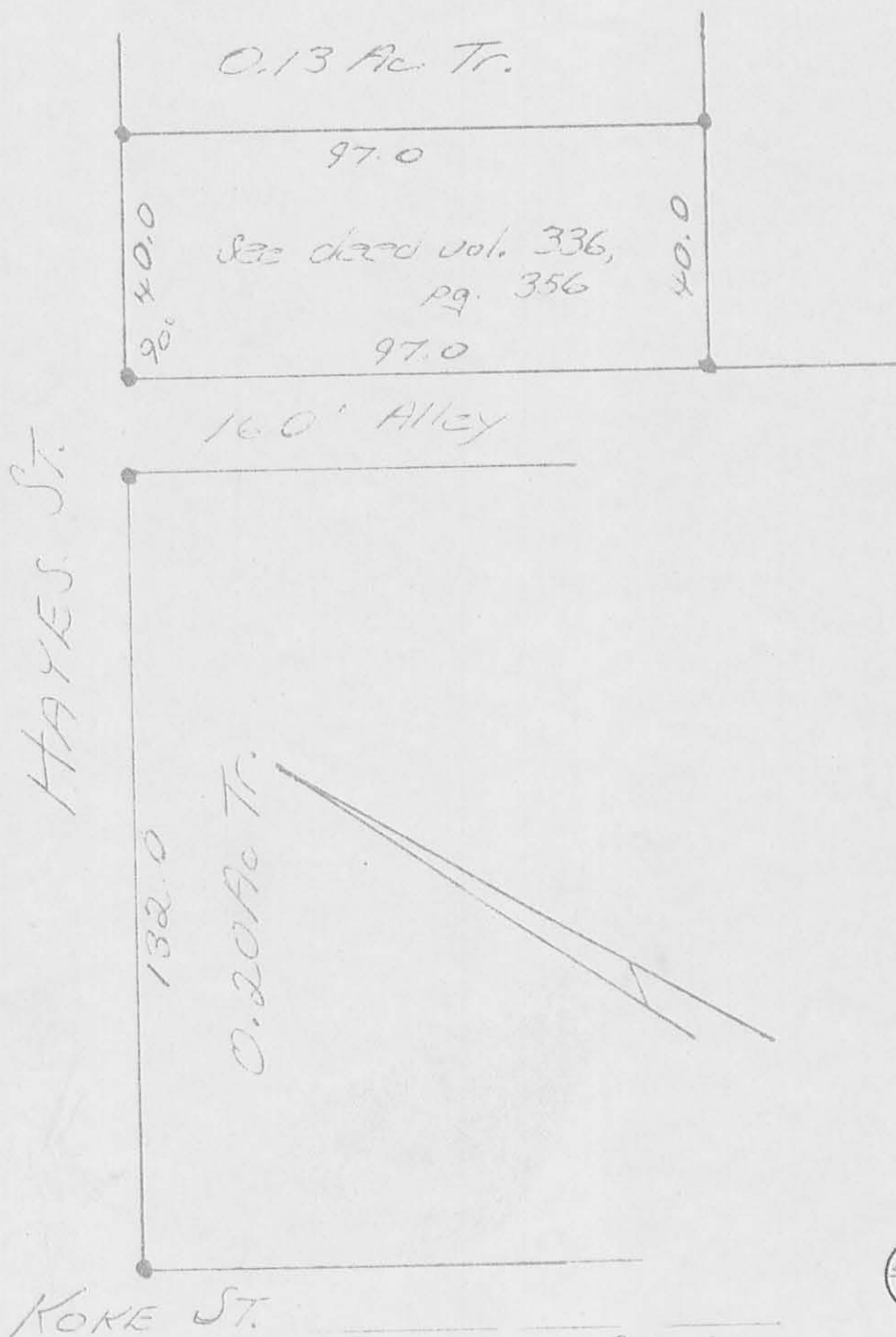
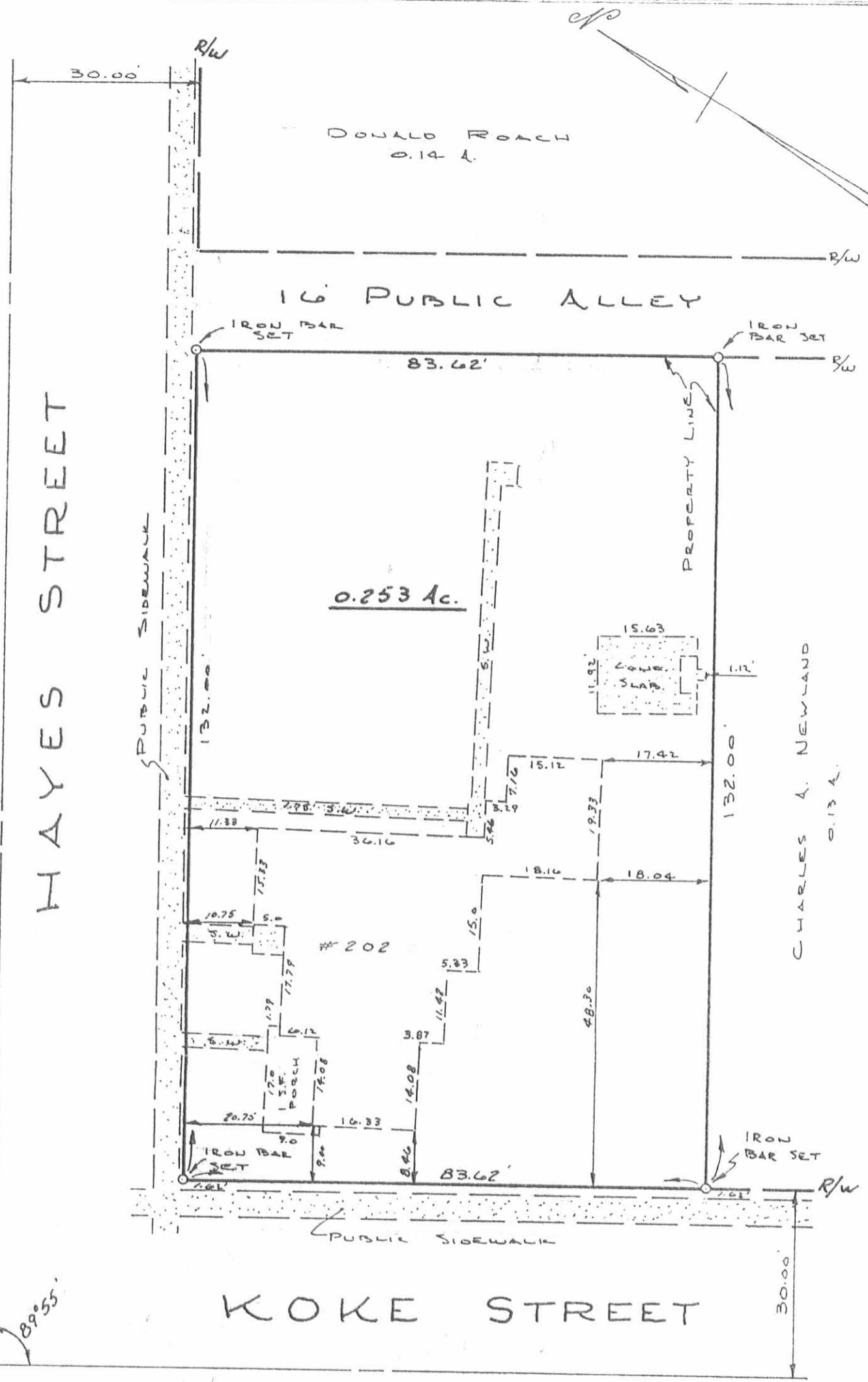


ROACH SURVEY ; DEGRAFF, OHIO  
MIAMI TOWNSHIP ; LOGAN COUNTY  
SECTION 12, TOWN 3, RANGE 13 - 1" = 30'



Owens K. Shirk  
Surveyor 4271  
8-27-74

INDEXED ON MAP



HAYES STREET

16 PUBLIC ALLEY

0.253 Ac.

CHARLES A. NEWLAND  
0.13 A.

KOKE STREET

SCALE 1" = 20'

I HEREBY CERTIFY THAT THIS PLAT IS A CORRECT REPRESENTATION OF A SURVEY OF A 0.253 ACRE TRACT SITUATED IN SEC. 12 TOWN 3 RANGE 13, IN THE VILLAGE OF DEGRAFF, LOGAN COUNTY, OHIO. THE SURVEY MADE BY ME SHOWS THE IMPROVEMENTS AS LOCATED ON THE LOT ON DECEMBER 30, 1973. THE IMPROVEMENTS ARE LOCATED ENTIRELY WITHIN THE PROPERTY LINES AND THERE ARE NO ENCROACHMENTS.

SURVEYED BY: *Larry E. Blosser*  
LARRY E. BLOSSER SIT # 1199  
BELLEFONTAINE, OHIO

CHECKED BY: *Cecil C. Margerlin*  
REGISTERED SURVEYOR #3151

INDEXED ON MAP  
559U 2P

Deed Description - 202 East Hayes Street, Degraff, Ohio

Situated in the County of Logan, State of Ohio, in the Village of Degraff and being part of Section 12, Town 3, Range 13 and being more fully described as follows: *Miami Twp*

Beginning at an iron bar set at the intersection of the east line of Koke Street with the south line of Hayes Street, both streets being sixty feet in width, thence with the south line of said Hayes Street easterly 132.00 feet to an iron bar set at the intersection of a 16 foot wide public alley; thence southerly parrallel with Koke Street and with the west line of said alley 83.62 feet to an iron bar set; thence westerly with the north line of a 0.13 acre tract 132.00 feet to an iron bar set on the east right of way of Koke Street; thence with said right of way northerly 83.62 feet to the point of beginning, containing 0.253 acres more or less, being the same premises conveyed to Albert L. Clark et ux by deed recorded in volume 245, page 352 of the Logan County Recorder's Deed Records.

Surveyed December 30, 1973  
By Larry E. Blosser SIT # 1199

Checked by

*Cecil E. Menzies*  
*Reg. Surv. #13151*

INDEXED ON MAP  
5596 2D



20220005604 OR 1408 / p5883 - p5884  
DEED  
Filed in Logan County, OH Fees: \$34.00  
Patricia Myers, Recorder 08/25/2022 04:14 PM

ORDINANCE NO. 704

8-24-22  
TRANSFER NOT NECESSARY  
LOGAN COUNTY AUDITOR  
MK

AN ORDINANCE VACATING A CERTAIN ALLEY IN THE VILLAGE OF DE GRAFF, OHIO, AND RESERVING AN EASEMENT THEREIN

BE IT ORDAINED, by the Council of the Village of De Graff, Ohio, three-fourths of all members elected thereto concurring:

SECTION I: That a certain alley to the rear of the Albert Clark and Melvin Allison properties and adjacent to the Edna Brunson property extending approximately one hundred forty-three (143) feet in length be, and the same hereby is, vacated.

SECTION II: That the Village of De Graff, Ohio, hereby reserves in, under and through said alley, a right-of-way and easement for water and sewage lines and directs that no building shall be erected on said alley and drainage over and through said alley shall remain unobstructed.

SECTION III: This ordinance shall be in force and take effect from and after the earliest period allowed by law.

Passed: Jan. 22, 1963

William Stephen  
President of Council

ATTEST: Robert Van Benschick  
Clerk of Council

Approved: Jan 22, 1963

John Shogren  
Mayor



INDEXED ON MAP  
5596

Ordinance No. 704

State of Ohio, County of Logan, Township of Miami, Village of DeGraff  
Section 12, Town 3, Range 13



Parcel # 26-117-07-09-005-000  
# 26-117-07-09-006-000  
# 26-117-07-09-007-000

202200005604

THOMPSON DUNLAP HEYDINGER LTD  
PICKUP

DESCRIPTION CHECKED  
LOCATION ENGINEER  
BY ASB (SMC) 8-24-22

INDEXED ON MAP  
5596

ORDINANCE NO. 84-25

VACATING A TEN FOOT ALLEY RUNNING WEST FROM KOKE STREET TO THE NORTH SOUTH ALLEY

BE IT ORDAINED, by the Council of the Village of DeGraff, Ohio, three-fourths of the members elected thereto concurring:

Section I.

Whereas the Council finds that all persons abutting upon the alley running ~~west~~ <sup>EAST</sup> from Koke Street to the north/south alley previously vacated by the Council of the Village of DeGraff, Ohio have consented in writing to the vacation of said alley, and,

Section II.

Whereas, the Council further finds that there is good cause for such vacation and that such vacation of said alley will not be detrimental to the general interests of the Village of DeGraff, therefore, be it ORDAINED

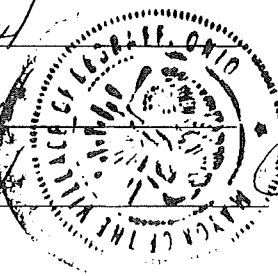
Section III.

That that alley, ten feet wide, extending from the westerly line of Koke Street ~~west~~ <sup>EAST</sup> to a north/south alley previously vacated by this Council, be and the same is hereby vacated.

Section IV.

This ordinance is hereby declared to be an emergency measure necessary for the health and welfare of the citizens of the Village of DeGraff, Ohio and shall be in full force and effect immediately upon its passage and signature by the mayor.

PASSED: 12/11/84  
APPROVED: 12/11/84  
ATTEST: 12/11/84  
*Quinn M. ...*  
President of Council  
*David V. Allison*  
Mayor  
*Mary Sue ...*  
Clerk of Council



84-25

0-24.22  
TRANSFER NOT NECESSARY  
LOGAN COUNTY AUDITOR

202200005606  
DEED  
OR 1408 / p5887 - p5892  
Filed in Logan County, OH  
Patricia Myers, Recorder 08/25/2022 04:14 PM  
Fees: \$66.00

INDEXED ON MAP  
5596

CERTIFICATE

THE UNDERSIGNED, CLERK OF COUNCIL OF THE VILLAGE OF DEGRAFF, OHIO, HEREBY CERTIFIES THIS TO BE A TRUE AND ACCURATE COPY OF ORDINANCE/RESOLUTION NO. 84-25 PASSED BY COUNCIL OF THE VILLAGE OF DEGRAFF ON THE 11<sup>th</sup> DAY OF December 1984 AND THAT THERE IS NO NEWSPAPER PRINTED IN SAID VILLAGE, AND THAT PUBLICATION OF THIS ORDINANCE/RESOLUTION WAS DULLY MADE BY POSTING TRUE COPIES THEREOF AT FIVE PUBLIC PLACES IN SAID VILLAGE AS AUTHORIZED AND DETERMINED BY THE COUNCIL, EACH FOR THE PERIOD OF 15 DAYS, COMMENCING ON THE 13<sup>th</sup> DAY OF December 1984

DATED: 12/13/84 *Mary Ann Henry*  
 CLERK OF COUNCIL



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Sept. 17, 1984

Council of the Village of DeGraff:

A petition of purpose for the closing of the alleyway between the Charles A. Newland property and the Thomas Earl Comer property on South Koke Street is hereby submitted.

We desire closed to public and commercial use the alleyway, which runs east from Koke Street to a junction point with the fire lane, which is parallel with Koke Street. The fire lane was closed to public use by Ordinance #704, Jan. 22, 1963. We desire that the right of way for public utility and fire protection be maintained and for equal access and usage by the aforementioned properties.

Thank you.

Submitted by,

Charles A. Newland

*Charles A. Newland*

Thomas Earl Comer

*Thomas E Comer*

Hirschfeld Agri-Service Inc.

*Dale Hirschfeld Sec Treas.*

INDEXED ON MAP  
5596



**723.05 Change of name, vacating, or narrowing streets without petition**

The legislative authority of a municipal corporation may, when there are two or more streets, avenues, or alleys of the same name in the municipal corporation, by ordinance and without petition therefor, change the name of any such street, avenue, or alley so as to leave only one to be designated by the original name.

When, in the opinion of the legislative authority, there is a good cause for vacating or narrowing a street or alley, or any part thereof, and that such vacation or narrowing will not be detrimental to the general interest, it may, by ordinance and without petition therefor, vacate or narrow such street or alley or any part thereof.

HISTORY: 1953 H 1, eff. 10-1-53  
GC 3726

**CROSS REFERENCES**

See Gotherman's Revision of Crowley, Ohio Municipal Law, Text 25.40; Forms 47.21

OJur 2d: 27, Highways and Streets § 7, 116  
Am Jur 2d: 39, Highways, Streets, and Bridges § 24, 132, 135, 143, 144, 146

90 Abs 47, 187 NE(2d) 511 (App Jefferson 1962), Smith v Wintersville. A city council has discretion to vacate or narrow a street or alley, and its discretion will not be reviewed in the absence of fraud or abuse of discretion.

**723.06 Notice not required**

Notice of the intention of the legislative authority of a municipal corporation to vacate any street, alley, avenue, or part thereof shall be given as provided in section 723.07 of the Revised Code, except when written consent to such vacation is filed with the legislative authority by the owners of the property abutting the part of the street or alley proposed to be vacated, in which case such notice shall not be required.

HISTORY: 1953 H 1, eff. 10-1-53  
GC 3727

**CROSS REFERENCES**

OJur 2d: 27, Highways and Streets § 116  
Am Jur 2d: 39, Highways, Streets, and Bridges § 135, 146

77 App 61, 63 NE(2d) 916 (1945), Bulen v Moody. Owner of property abutting a street or alley, a portion of which, other than part on which such property abuts, is vacated, does not have right to enjoin obstruction of vacated portion by property owners to whom it reverted where there is reasonable access to his property by other streets and alleys. To entitle abutting property owner to relief in such a situation, inconvenience which he suffers must be different in kind from that of general public and not merely a difference in degree.

77 App 61, 63 NE(2d) 916 (1945), Bulen v Moody. When there is no physical connection between a person's property and an alley intended to be vacated by city council, such property does not abut upon such alley and owner is not entitled to notice of intended vacation under provisions of section.

36 App 337, 173 NE 260 (1930), Messinger v Cincinnati. Proceedings to vacate streets are statutory and the provisions of the statutes must be strictly followed. Publication is not waived

by the appearance of a land owner in council to protest against passage of the vacating ordinance. Property lying at the "dead end" of a street, and fronting on the end instead of on the sides, is abutting property, and the owner thereof is entitled to legal notice before an ordinance may be passed vacating a portion of the end of the street.

12 Abs 690 (App Franklin 1932), Caraway v Feigley. Portion of alley in municipality having been vacated by city council on petition of abutting owners, and this section having been fully complied with, portion of alley so vacated reverts to owners of land abutting thereon, and such abutting owners may close such portion of such alley against any use whatsoever, subject only to such rights as other property owners on such alley may have therein as a necessary means of access to their property.

480 F(2d) 936 (6th Cir 1973), Gibson and Perin Co v Cincinnati. Owners of property on one side of street are not entitled to notice of proceedings for vacation and relocation of sidewalk on the other side of the street.

**723.07 Notice of application to be published**

No street or alley shall be vacated or narrowed unless notice of the pendency and prayer of the petition under section 723.04 of the Revised Code is given by publishing, in a newspaper published or of general circulation in such municipal corporation, for six consecutive weeks preceding action on such petition, or, where no newspaper is published in the municipal corporation, by posting the notice in three public places therein six weeks preceding such action. Action thereon shall take place within three months after the completion of the notice.

HISTORY: 1953 H 1, eff. 10-1-53  
GC 3728

**CROSS REFERENCES**

OJur 2d: 27, Highways and Streets § 116  
Am Jur 2d: 39, Highways, Streets, and Bridges § 135, 146

**723.08 Effect of order of vacation**

The order of a legislative authority of a municipal corporation vacating or narrowing a street or alley which has been dedicated to public use by the proprietor thereof, shall, to the extent to which it is vacated or narrowed, operate as a revocation of the acceptance thereof by the legislative authority, but the right of way and easement therein of any lot owner shall not be impaired by such order.

HISTORY: 1953 H 1, eff. 10-1-53  
GC 3729

**CROSS REFERENCES**

OJur 2d: 17, Dedication § 92; 27, Highways and Streets § 194  
Am Jur 2d: 39, Highways, Streets, and Bridges § 142

116 App 248, 187 NE(2d) 921 (1962), Dayton v Woodgeard. Where the vacation of a street by a charter city affects only two abutting property owners, service of notice of the resolution proposing the vacation on one such owner personally and on the other owner by leaving a copy at his usual place of residence, is in compliance with a city charter requirement that service of notice of a resolution proposing the vacation or narrowing of a street be made on all abutting owners affected thereby "in the manner that service of summons is required to be made in civil actions . . . and by publications . . . as to all persons who can not be personally served."

Sept. 17, 1984

Council of the Village of DeGraff:

A petition of purpose for the closing of the alleyway between the Charles A. Newland property and the Thomas Earl Comer property on South Koke Street is hereby submitted.

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Thank you.

Submitted by,

Charles A. Newland

*Charles A. Newland*

Thomas Earl Comer

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Hirschfeld Agri-Service Inc.

*Dale Hirschfeld Sec. Treas.*

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