

2024-11.12.b

A Resolution to Approve a Petition from the Rushcreek Township Trustees to Vacate a Portion of an Unimproved Public Road

WHEREAS, the Fairfield County Board of Commissioners received a petition to vacate a portion of an unimproved road on September 23, 2024, from the Rushcreek Township Trustees; and

WHEREAS, the Rushcreek Township Trustees passed resolution 2024-10, on September 18, 2024, to petition the Fairfield County Board of Commissioners to vacate a portion of an unimproved road; and

WHEREAS, Section 5553.045 of the Ohio Revised Code, provides that when the Board of County Commissioners is of the opinion that it will be necessary for the public convenience and welfare to vacate an unimproved portion of a public road, it shall so declare by resolution; and

WHEREAS, the hearing for the vacation of the unimproved public road was advertised in the Lancaster Eagle Gazette on October 18, 2024, and October 25, 2024, and noticed to the abutting property owners, for November 5, 2024 at 9:30 a.m. as provided under Section 5553.045(C); and

WHEREAS, at the hearing on November 5, 2024, two of the abutting landowners appeared and testified in support of the road vacation and no one appeared to oppose the petition; and

WHEREAS, petitioned to be vacated is situated in the State of Ohio, County of Fairfield, Township of Rushcreek, Range 17, Township 16, Section 25. Being a segment of McCullough Road, Township Road #322, 60 feet wide, that has not been used or maintained for a period of more than twenty-one years.

Beginning at the southeast corner of a 5.283 acre tract recorded in the Official Record 1183, Page 824 in the Fairfield County Recorder's Office. Said beginning point being approximately 0.269 miles east of the intersection point of McCullough Road #322, eastward to the Perry County line, being approximately 0.267 miles in length; and

WHEREAS, feedback was sought from the County Prosecutor, County Engineer, County Regional Planning Commission, County Auditor, County GIS Department, and the County Health Department; and

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WHEREAS, the Commissioners desire to vacate the portion of the unimproved public road described above.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, COUNTY OF FAIRFIELD, STATE OF OHIO:

Section 1. That the Fairfield County Board of Commissioners authorizes and approves the vacation of a portion of an unimproved public road as stated above.

Section 2. That the Clerk will provide a copy of this resolution to the Rushcreek Township as the Petitioner, the County Engineer, the County GIS Department, and the Ohio Department of Natural Resources.

Prepared by: Rochelle Menningen



Resolution No. 2024-11.12.b

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(Fairfield County Commissioners)

Upon the motion of Commissioner Jeffrey M. Fix, seconded by Commissioner Steven A. Davis, this resolution has been Adopted:

Voting:

David L. Levacy, President
Jeffrey M. Fix, Vice President
Steven A. Davis

Aye
Aye
Aye

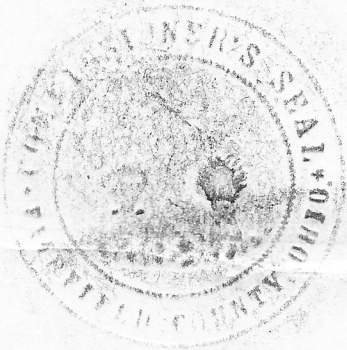
Board of County Commissioners
Fairfield County, Ohio

CERTIFICATE OF CLERK

It is hereby certified that the foregoing is a true and correct transcript of a resolution acted upon by the Board of County Commissioners, Fairfield County, Ohio on the date noted above.

Rochelle Menningen

Rochelle Menningen
Board of County Commissioners
Fairfield County, Ohio



PUBLIC ROAD PETITION

(Rev. Code, Sec. 5553.045)

September 18, 2024

Lancaster, Ohio

To the Honorable Board of County Commissioners of Fairfield County, Ohio:

The Rushcreek Township Trustees, petitioners of the proposed improvement hereinafter described, respectfully request that for public convenience and welfare the vacating of a segment of a Public Road on the line hereinafter described is required; and make application to you to institute and order proper proceedings in the premises, for vacating such road; the same not being a road on the State Highway System.

Situate in the State of Ohio, County of Fairfield, Township of Rushcreek, Range 17, Township 16, Section 25. Being a segment of McCullough Road, Township Road # 322, 60 feet wide, that has not been used or maintained for a period of more than twenty one years, with no public funds spent by the Rushcreek Township Trustees per the Ohio Revised Code.

The following is the general route and termini of said road:

Proposed segment to be vacated begins at the southeast corner of a 5.283 acre tract recorded in the Official Record 1183, Page 824 in the Fairfield County Recorder's Office. Said beginning point being approximately 0.269 miles east of the intersection point of McCullough Road # 322 and Bethel Road # 373. Thence vacating all portions of McCullough Road # 322, eastward to the Perry County line, being approximately 0.267 miles in length. The abandoned portion of road being vacated is highlighted and hatched on the current Auditors Office's tax map (Exhibits A and B).

RUSHCREEK TOWNSHIP TRUSTEES

DATE: 9/18/2024

Chad Bester
Jim Deed
R. Mayer

DESCRIPTION REVIEWED AND APPROVED
FOR TRANSFER ONLY, FAIRFIELD COUNTY
AUDITOR/ENGINEER TAX MAPS.

BY CMF DATE 11-25-24
2024-11.12.b

**TRANSFER
NOT NECESSARY**

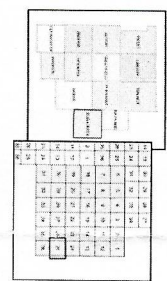
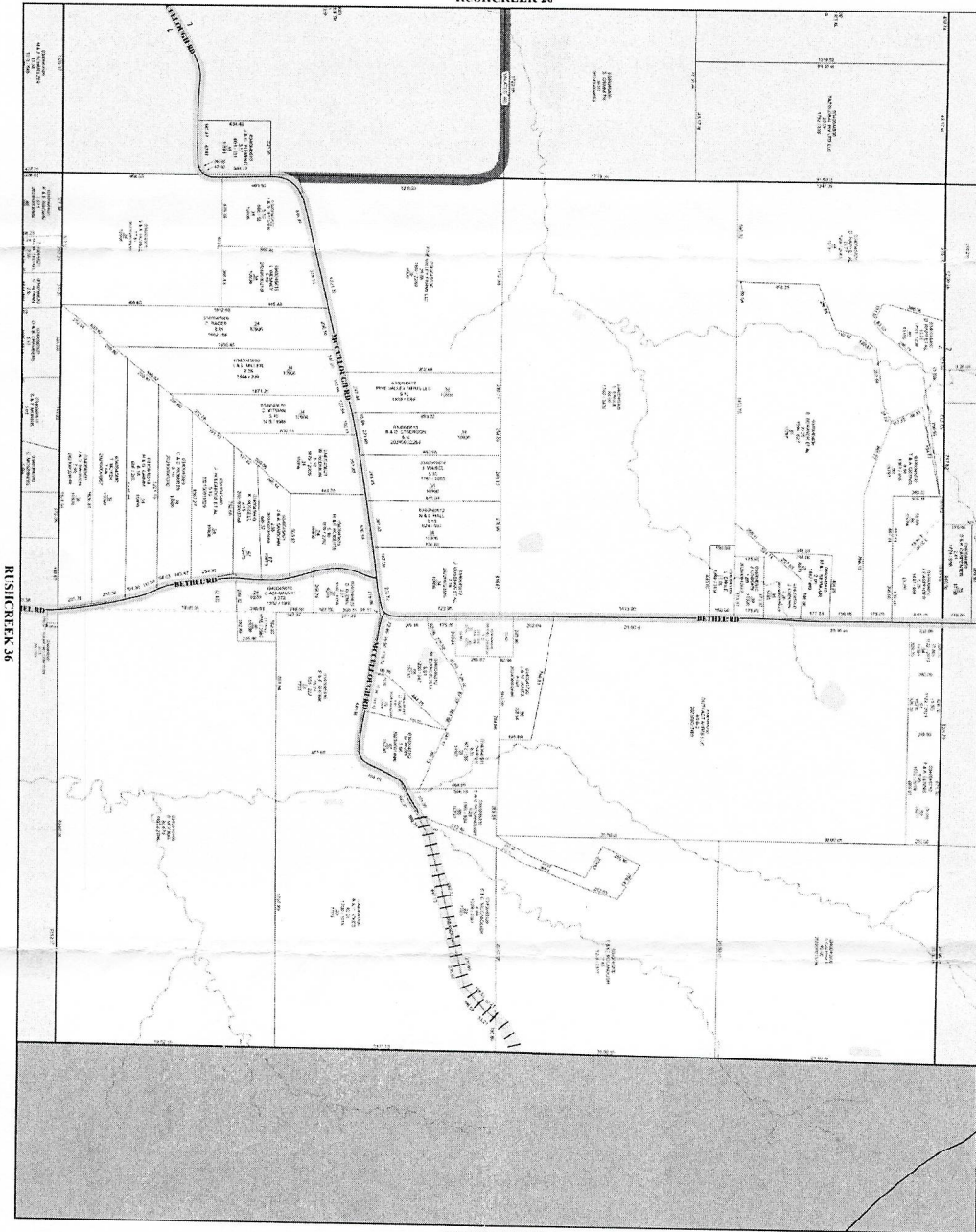
NOV 25 2024 *[Signature]*

Carly J. Brown
County Auditor, Fairfield County, Ohio



EXHIBIT A

RUSHCREEK 26



RUSHCREEK TOWNSHIP

FARFIELD COUNTY, OHIO

SECTION - 25 TOWNSHIP - 16 RANGE - 17



- LEGEND**
- Partitions
 - Roads
 - Railroads
 - Sectional Boundaries
 - Survey Lines
 - Adjoining Towns
 - Water Bodies

PREPARED BY:
FARFIELD COUNTY AUDITOR
 GIS DEPARTMENT

PRINTED 9/15/2024

NOTE: THIS MAP IS A REPRODUCTION OF THE ORIGINAL RECORD MAP AS FILED IN THE PUBLIC RECORDS OF FARFIELD COUNTY, OHIO.

PERRY COUNTY