

Ordinance No. \_\_\_\_\_

Introduced April 18, 2023

AN ORDINANCE OF THE COUNCIL OF THE CITY OF WHEELING VACATING AND ABANDONING PARCELS TO THE WEST SIDE OF WATER STREET, WHICH WERE UNNAMED LOTS 1,2,3,4,5,6,7 AND 8 ON THE PLAT OF EOFF AND CHAPLINE'S ADDITION AND AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH QUITCLAIM DEEDS TO IMPLEMENT THIS ABANDONMENT.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHEELING:

WHEREAS, the Council of the City of Wheeling finds that such right of way more commonly known as a lots 1,2,3,4,5,6,7 and 8 to the West of Water Street on the Plat of Eoff and Chapline's Addition recorded in Deed Book 15 at Page 138 of the records in the Office of the Clerk of the County Commission of Ohio County, West Virginia, does not serve as an important or necessary public thoroughfare and represents a needless source of potential expense and liability to the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHEELING:

Section 1. The right of way more commonly known as a lots 1,2,3,4,5,6,7 and 8 to the West of Water Street on the Plat of Eoff and Chapline's Addition is hereby vacated, abandoned and closed as a public right-of-way, subject to all of the rights of municipally and privately owned and operated utilities and easements in, over and under said property presently existing or required in the future. In addition, any party acquiring a portion of this abandoned right-of-way will be responsible for the removal of any structure on the property if access is needed to any one or more of the utilities, that no new structure will be built on such property hereby abandoned, which would interfere with the access to any such existing utilities, without the written approval of the City of Wheeling.

Section 2. The City Manager is hereby authorized to execute such quitclaim deeds as shall be necessary to implement the provisions of this ordinance, subject to the provisions set forth herein above, to convey the above portion of said right-of-way to the adjacent property owners.

Section 3. This ordinance shall be effective from and after the date of its adoption.

By the Administration.