

ORDINANCE NO. 199-36

AN ORDINANCE VACATING PUBLIC WAY

WHEREAS, Katherine J. Webb, and James L. Nichols, Jr. and Andrea J. Nichols, Husband and Wife, filed with the Commissioners of Warrick County, Indiana, their Petition For Vacation Of Public Way, said public way being more particularly described in the Petition as follows:

A fifty (50) foot easement, being a part of Monticello Drive in the replat of Colonial Hills "Section B", a subdivision of Warrick County, as per plat thereof, recorded in Plat File 1, Card 169, in the Office of the Recorder of Warrick County, Indiana, hereinafter called SUBDIVISION, and more particularly described as follows, to wit:

Beginning at a point on the Northwest corner of Lot Forty Eight (48) in said Subdivision, thence running East along the North line of said Lot Forty Eight (48) a distance of One Hundred Forty (140.0) feet, thence in a northerly direction a distance of Fifty (50.00) feet to a point which is the extension of the South line of Lot Forty-Nine (49) in said Subdivision, thence West along the South line of Lot Forty-Nine (49) a distance of One Hundred Forty (140.0) feet, thence in a southerly direction, a distance of Fifty (50.00) feet to the place of beginning. Also including, the Northeast corner of Lot Forty-Eight (48) as subtended by an arc having a twenty (20) foot radius and the Southeast corner of Lot Forty Nine (49) as subtended by an arc having a twenty (20) foot radius,

WHEREAS, Notice Of Public Hearing On Petition For Vacation of Public Way was duly published in accordance with West's A.I.C. §5-3-1, as evidenced by the Affidavits Of Publication filed with the Commissioners of Warrick County, Indiana,

WHEREAS, the public way proposed to be vacated was abutted by property owned by Katherine J. Webb, James L. Nichols, Jr., and Andrea J. Nichols, Husband and Wife, and Off The Wall Sports, LLC, and notice of the time and place of the hearing was given to said property owners by certified mail,

WHEREAS, the vacation of the public way will not hinder the growth or orderly development of the neighborhood,

WHEREAS, the vacation will not make access to any of the properties in the neighborhood difficult or inconvenient,

WHEREAS, there are no churches and schools, or other public buildings or places, in the neighborhood, access to which would be hindered by the vacation,

WHEREAS, the vacation will not hinder the use of any public way in the neighborhood or any contiguous neighborhood,

NOW BE IT ORDAINED by the Commissioners of Warrick County, Indiana, as follows:

Section 1.

That the following described public way, to wit:

A fifty (50) foot easement, being a part of Monticello Drive in the replat of Colonial Hills "Section B", a subdivision of Warrick County, as per plat thereof, recorded in Plat File 1, Card 169, in the Office of the Recorder of Warrick County, Indiana, hereinafter called SUBDIVISION, and more particularly described as follows, to wit:

Beginning at a point on the Northwest corner of Lot Forty Eight (48) in said Subdivision, thence running East along the North line of said Lot Forty Eight (48) a distance of One Hundred Forty (140.0) feet, thence in a northerly direction a distance of Fifty (50.00) feet to a point which is the extension of the South line of Lot Forty-Nine (49) in said Subdivision , thence West along the South line of Lot Forty-Nine (49) a distance of One Hundred Forty (140.0) feet, thence in a southerly direction, a distance of Fifty (50.00) feet to the place of beginning. Also including, the Northeast corner of Lot Forty-Eight (48) as subtended by an arc having a twenty (20) foot radius and the Southeast corner of Lot Forty Nine (49) as subtended by an arc having a twenty (20) foot radius,

is hereby vacated pursuant to the authority granted the Commisseions of Warrick County, Indiana under West's A.I.C. §36-7-3-12.

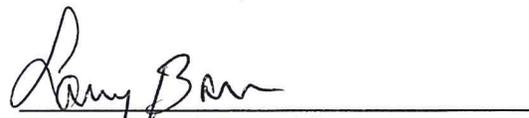
Section 2.

Any and all ordinances and parts of ordinances in conflict herewith are hereby repealed insofar as the conflicting portions thereof are concerned.

PASSED AND ADOPTED by the Commissioners of Warrick County, Indiana on this 25th day of October, 1999.

COMMISSIONERS OF WARRICK
COUNTY, INDIANA

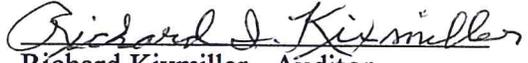

W. David Rector, President


Larry Barr, Vice President



Jack Pike, Member

ATTEST:


Richard Kixmiller, Auditor