

NK
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2001R-007234

WARRICK COUNTY RECORDER
RECORDED ON

WARRICK COUNTY, INDIANA
ORDINANCE NO. 7001 - 13

06-15-2001 11:00 AM

AN ORDINANCE TO VACATE PART OF
A PUBLIC RIGHT-OF-WAY OF BOSTON DRIVE IN
HERITAGE PLACE 3RD ADDITION

BETTY NIEMEYER
RECORDER OF DEEDS

REC FEE: 0.00
COPY FEE:
PAGES: 4

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS FOR
WARRICK COUNTY, INDIANA, as follows, to wit:

Section 1. It is in the best interest of Warrick County, that a portion of
Heritage Place 3rd Addition, a dedicated public right-of-way, located in Warrick
County, Indiana, being more particularly described as follows:

A part of a right-of-way of Boston Drive in Heritage Place 3rd Addition.
As recorded in Plat File #1 Card #2 in the office of the recorder of
Warrick County Indiana, and being more particularly described as
follows:

A part of the Southwest Quarter of Section Twenty-Five (25), Township
Six (6) South, Range Nine (9) West, also being a part of Heritage
Place 3rd Addition as recorded in Plat File #1 Card #258 in the office
of the recorder of Warrick County, Warrick County, Indiana and being
more particulatly described as follows:

Commencing at the Northwest Corner of Lot #12 of Heritage Place 3rd
Addition, said point being the POINT OF BEGINNING; thence North 11
degrees 29 minutes 28 seconds West, a distance of 35.65 feet; thence
North 0 degrees 10 minutes 00 seconds West, a distance of 15.00 feet;
thence North 89 degrees 05 minutes 03 seconds East, a distance of
192.00 feet to the point of curvature of a non-tangent curve, concave
to the Southeast, having a radius of 75.00 feet, a central angle of 90
degrees 44 minutes 59 seconds, and a chord of 106.76 feet bearing
South 44 degrees 27 minutes 32 seconds West; thence Southwest along
said curve, a distance of 118.79 feet to the point of curvature of a
non-tangent curve, concave to the Southwest, having a radius of 24.95
feet, a central angle of 89 degrees 15 minutes 39 seconds, and a chord
of 35.06 feet bearing North 45 degrees 32 minutes 10 seconds West;
thence Northwest along said curve, a distance of 38.87 feet; thence
South 89 degrees 05 minutes 01 second West, a distance of 85.05 feet
to the POINT OF BEGINNING; said described tract containing 0.1616 acre more or
less.

be and the same is hereby vacated.

Section 2. This Ordinance shall be in full force and effect from and after it's
passage by the Board of County Commissioners of Warrick County, Indiana.

Approved this 13th day of June, 2001.

FILED

MAY 08 2001

Richard W. Sixsmith
WARRICK CO. AUDITOR

Jack Pike
Warrick County Commissioner

ATTEST:

Don Williams
Warrick County Commissioner

Richard A. Kipmiller
Auditor

EXHIBIT "A"
LEGAL DESCRIPTION

A part of the Southwest Quarter of Section Twenty-Five (25), Township Six (6) South, Range Nine (9) West, also being a part of Heritage Place 3rd Addition as recorded in Plat File #1 Card #258 in the office of the recorder of Warrick County, Warrick County, Indiana and being more particulatly described as follows:

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(herrwl.dsc)

Prepared By:

UTILITIES CONSULTING CO., INC.
106 State Street
Newburgh, In 47630
Ph (812) 853-2796
Fax (812) 853-2542
August 23, 2000

Date:

WARRICK COUNTY RECORDER
RECORDED ON

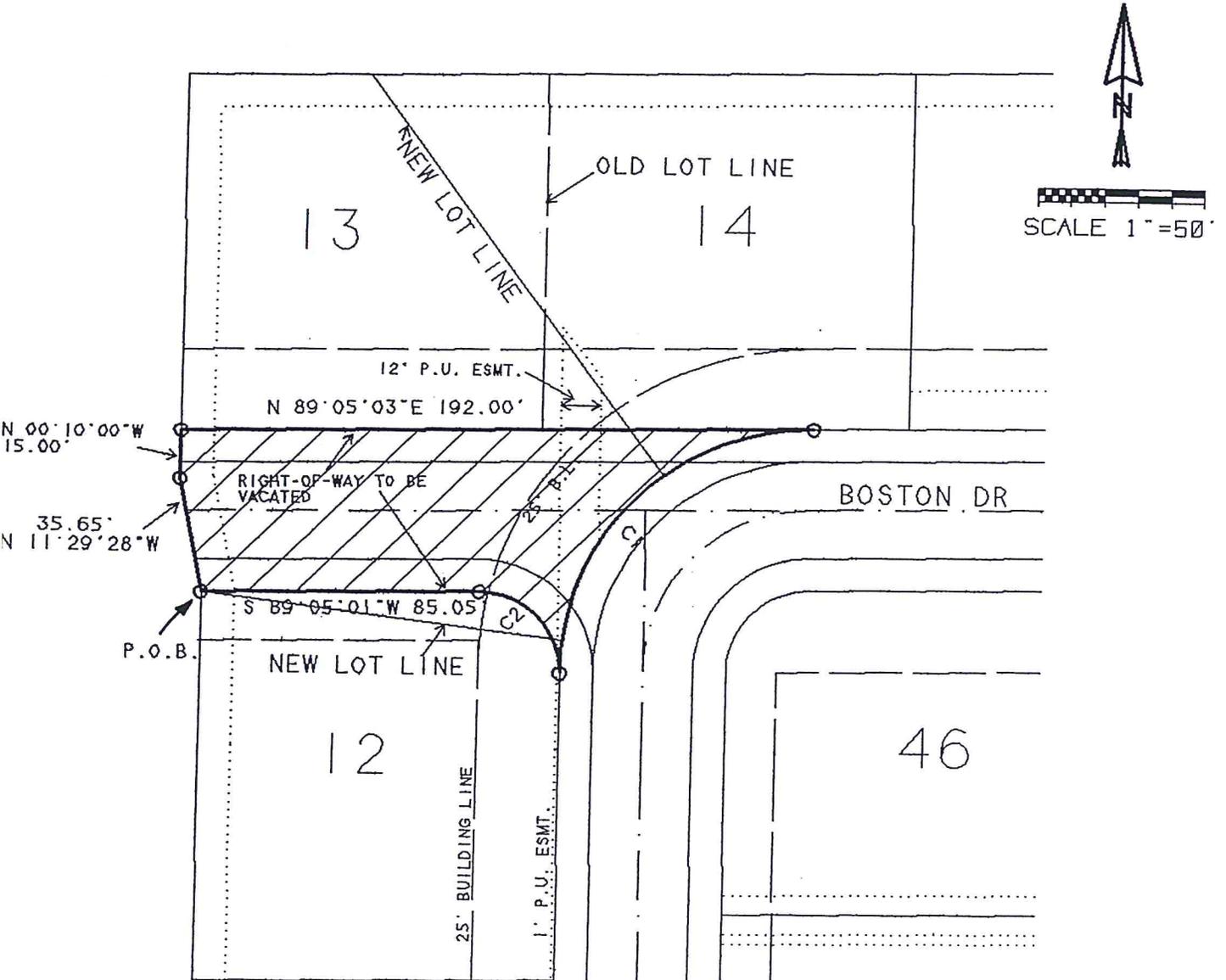
06-15-2001 11:00 AM

BETTY NIEMEYER
RECORDER OF DEEDS

REC FEE: 0.00
COPY FEE:
PAGES: 4

EXHIBIT "B"

A VACATION OF A RIGHT-OF-WAY IN HERITAGE PLACE
3rd ADDITION AS RECORDED IN PLAT FILE #1 CARD
#258 IN THE OFFICE OF THE RECORDER OF WARRICK
COUNTY, WARRICK COUNTY, INDIANA.



CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 1	90°44'59"	75.00'	118.79'	75.99'	106.76'	S 44°27'32"W
C 2	89°15'39"	24.95'	38.87'	24.63'	35.06'	N 45°32'10"W

WARRICK COUNTY, INDIANA
ORDINANCE NO. 2001 - 13

AN ORDINANCE TO VACATE PART OF
A PUBLIC RIGHT-OF-WAY OF BOSTON DRIVE IN
HERITAGE PLACE 3RD ADDITION

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS FOR
WARRICK COUNTY, INDIANA, as follows, to wit:

Section 1. It is in the best interest of Warrick County, that a portion of Heritage Place 3rd Addition, a dedicated public right-of-way, located in Warrick County, Indiana, being more particularly described as follows:

A part of a right-of-way of Boston Drive in Heritage Place 3rd Addition. As recorded in Plat File #1 Card #2 in the office of the recorder of Warrick County Indiana, and being more particularly described as follows:

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be and the same is hereby vacated.

Section 2. This Ordinance shall be in full force and effect from and after it's passage by the Board of County Commissioners of Warrick County, Indiana.

Approved this 13th day of June, 2001.

FILED

MAY 08 2001

Richard W. Sizemiller
WARRICK CO. AUDITOR

EXHIBIT "A"
LEGAL DESCRIPTION

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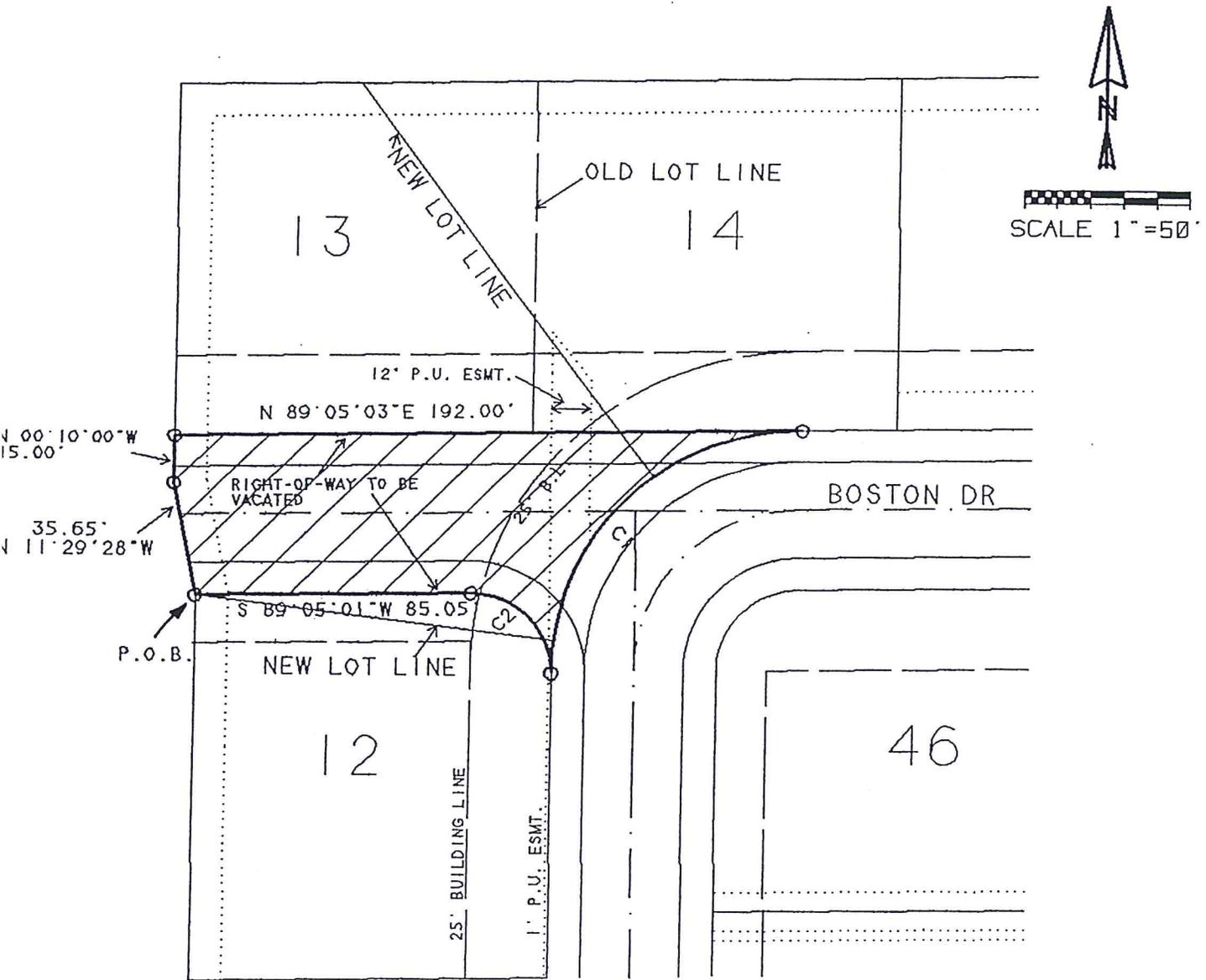
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(herrwl.dsc)

Prepared By: UTILITIES CONSULTING CO., INC.
106 State Street
Newburgh, In 47630
Ph (812) 853-2796
Fax (812) 853-2542
Date: August 23, 2000

EXHIBIT "B"

A VACATION OF A RIGHT-OF-WAY IN HERITAGE PLACE 3rd ADDITION AS RECORDED IN PLAT FILE #1 CARD #258 IN THE OFFICE OF THE RECORDER OF WARRICK COUNTY, WARRICK COUNTY, INDIANA.



CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 1	90° 44' 59"	75.00'	118.79'	75.99'	106.76'	S 44° 27' 32" W
C 2	89° 15' 39"	24.95'	38.87'	24.63'	35.06'	N 45° 32' 10" W

2001-07/11

**NOTICE OF PUBLIC HEARING BY THE
WARRICK COUNTY BOARD OF COMMISSIONERS ON A
PETITION TO VACATE A PORTION OF A PUBLIC RIGHT-OF-WAY**

STATE OF INDIANA)
) SS:
COUNTY OF WARRICK)

FILED

MAY 11 2001

Richard D. Bixmiller

Before the Board of Commissioners of WARRICK CO. AUDITOR
Warrick County, Indiana
Docket No. _____

IN RE THE PETITION OF)
DAYWEY, LLC TO VACATE)
A PORTION OF BOSTON DRIVE -)
HERITAGE PLACE #3 SUBDIVISION)

Notice is hereby given that a petition has been filed to vacate a portion of the right-of-way of Boston Drive in Heritage Place #3 Addition as recorded in Plat File #1 Card #2 in the office of the Recorder of Warrick County, Indiana. The portion of Boston Drive to be vacated is more particularly described as follows:

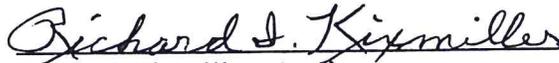
A part of the Southwest Quarter of Section Twenty-Five (25), Township Six (6) South, Range Nine (9) West, also being a part of Heritage Place 3rd Addition as recorded in Plat File #1 Card #258 in the office of the recorder of Warrick County, Warrick County, Indiana and being more particulatly described as follows:

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The hearing on said petition will be heard by the Warrick County Board of Commissioners on the 13th day of JUNE, 2001 at 4:00 p.m. in the

Commissioner's Meeting Room on the second floor of the Warrick County Court House,
Boonville, Indiana.

Dated the 9th day of May, 2001.

A handwritten signature in cursive script that reads "Richard J. Kixmiller". The signature is written in black ink and is positioned above a horizontal line.

Richard Kixmiller, Auditor
Board of Commissioners of
Warrick County, Indiana

**PETITION TO VACATE PART OF PUBLIC
RIGHT OF WAY OF BOSTON DRIVE IN
HERITAGE PLACE 3rd ADDITION**

WHEREAS, the undersigned is the owner of the following described real estate located in Warrick County, Indiana to-wit:

A Vacation of part of a right-of-way of Boston Drive in Heritage Place 3rd Addition. As recorded in Plat File #1 Card #2 in the office of the recorder of Warrick County Indiana.

which property is not located within the corporate limits of any municipality.

WHEREAS, the undersigned desires to vacate a portion of Heritage Place 3rd Addition, which right of way having never been used by any public; which portion being more particularly described in the legal description marked Exhibit "A" attached hereto, made a part hereof and incorporated by reference.

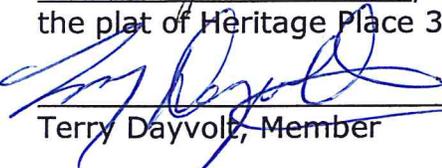
WHEREAS, the Petitioner plans to replat a portion of Lots 12, 13, & 14 of Heritage Place 3rd Addition.

WHEREAS, no improvements have been made in the area of the requested road right of way vacation; and, WHEREAS, the names and addresses of the abutting property owners is as follows:

Daywey LLC
130 South Third St.
P.O Box 566
Boonville, In 47601-0566

NOW THEREFORE, the undersigned petitions the Commissioners of Warrick County, Indiana to vacate that portion of the dedicated right of way of Lots 12, 13, & 14 of Heritage Place 3rd Addition as hereinabove described, and as shown on Exhibit "B".

IN WITNESS WHEREOF, the undersigned, Terry Dayvolt, Member of Daywey, LLC, has affixed his hand and seal this 8th day of May, 20001 to this petition to partially vacate the portion of the plat of Heritage Place 3rd Addition as herein described.



Terry Dayvolt, Member

State of Indiana }
 }
County of Warrick } SS:

Before me, the undersigned a Notary Public in and for said County and State, personally appeared Terry Dayvolt, known to be to be a member of Daywey, LLC who acknowledged the execution of the foregoing petition, and who, having been duly sworn, stated the representations therein contained are true.

Gayle A. W. Peters
Notary Public - Signature

Gayle A. W. Peters
Notary Public - Printed

My Commission Expires:
7/5/2007

Resident of Notary Public:
Warrick County, Indiana.

FILED

MAY 08 2001

Richard D. Sixmillan
WARRICK CO. AUDITOR

ATTEST:

Warrick County Commissioner

Warrick County Commissioner

Warrick County Commissioner

Auditor

WARRICK COUNTY, INDIANA
ORDINANCE NO. _____

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Approved this _____ day of _____, 2001.

FILED

MAY 08 2001

Richard J. Sixmiller
WARRICK CO. AUDITOR

ATTEST:

Warrick County Commissioner

Warrick County Commissioner

Warrick County Commissioner

Auditor

EXHIBIT "A"
LEGAL DESCRIPTION

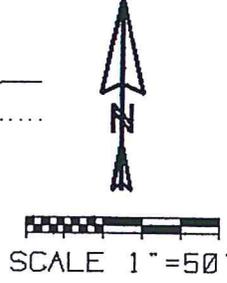
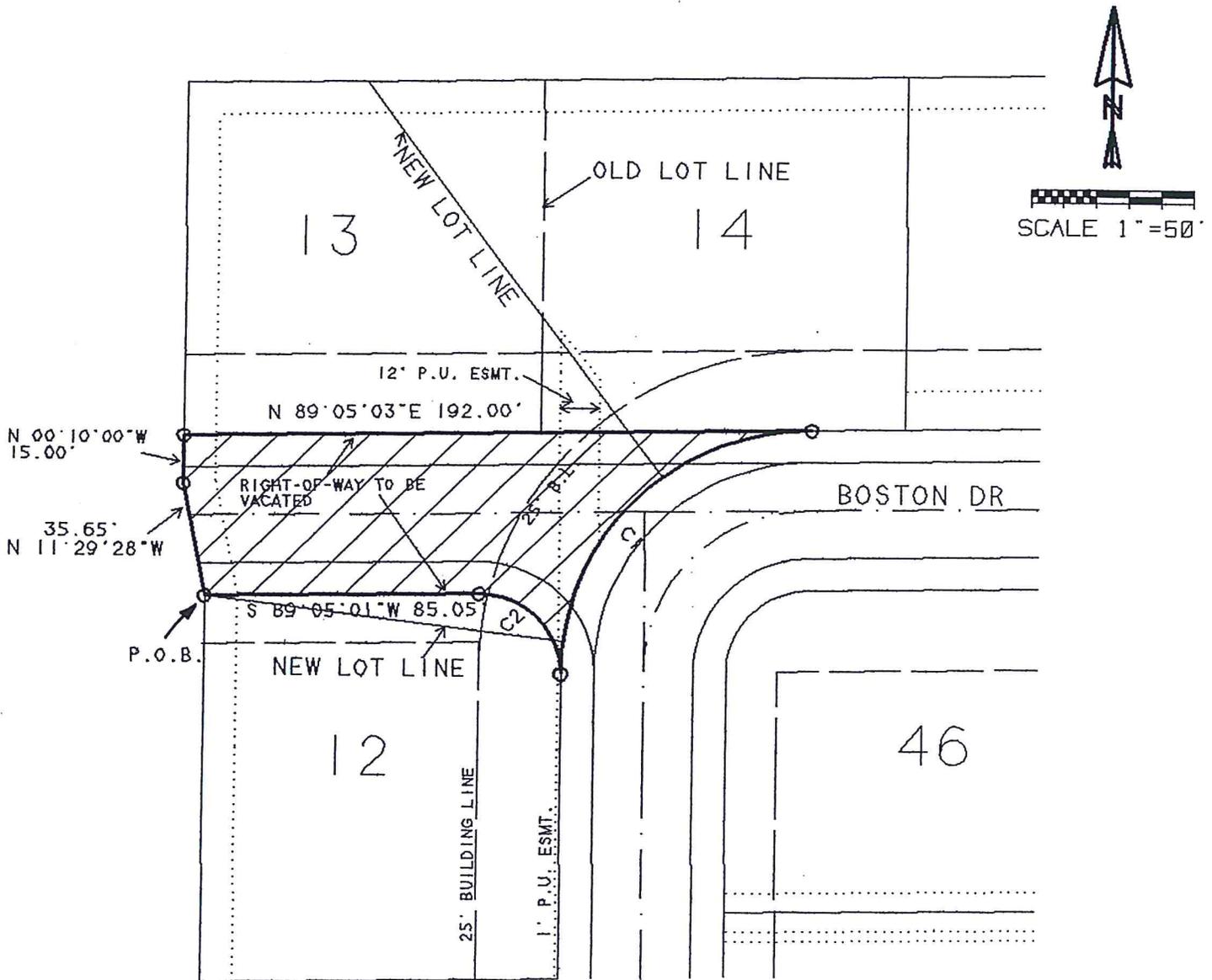
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