

STATE OF INDIANA        }  
                                      }  
COUNTY OF WARRICK    }

BEFORE THE BOARD OF COMMISSIONERS  
OF  
WARRICK COUNTY, INDIANA

IN THE MATTER OF THE PETITION TO VACATE THE WESTERN TEN (10) FOOT PORTION OF A TWENTY (20) FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ON LOT 31 OF ROLLING HILLS MANOR NO. 2 SEC. B SUBDIVISION AS RECORDED IN PLAT FILE 1 CARD 419 IN THE OFFICE OF THE WARRICK COUNTY RECORDER , WARRICK COUNTY, INDIANA.

VACATION NO. 2007- 27

AN ORDINANCE TO VACATE

TO VACATE THE WESTERN TEN (10) FOOT PORTION OF A TWENTY (20) FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ON LOT 31 OF ROLLING HILLS MANOR NO. 2 SEC. B SUBDIVISION AS RECORDED IN PLAT FILE 1 CARD 419 IN THE OFFICE OF THE WARRICK COUNTY RECORDER , WARRICK COUNTY, INDIANA.

Be it ordained by the Board of County Commissioners of Warrick County, Indiana, as follows:

1. Pursuant to IC 36-7-3-12 & 16, a petition was presented to the Board of County Commissioners of Warrick County, IN., requesting TO VACATE THE WESTERN TEN (10) FOOT PORTION OF A TWENTY (20) FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ON LOT 31 OF ROLLING HILLS MANOR NO. 2 SEC. B SUBDIVISION AS RECORDED IN PLAT FILE 1 CARD 419 IN THE OFFICE OF THE WARRICK COUNTY RECORDER , WARRICK COUNTY, INDIANA, to be vacated.
2. That after due and proper notice, a public hearing was held by the Board of County Commissioners of Warrick County, Indiana, at which time all interested were permitted to address said Board.
3. That the Board of County Commissioners of Warrick County, Indiana, after due investigation and consideration, have determined that THE WESTERN TEN (10) FOOT PORTION OF A TWENTY (20) FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ON LOT 31 OF ROLLING HILLS MANOR NO. 2 SEC. B SUBDIVISION AS RECORDED IN PLAT FILE 1 CARD 419 IN THE

OFFICE OF THE WARRICK COUNTY RECORDER , WARRICK COUNTY, INDIANA, is not being used and in not necessary, nor required and that it is in the public's interest to vacate said WESTERN TEN (10) FOOT PORTION OF A TWENTY (20) FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ON LOT 31 OF ROLLING HILLS MANOR NO. 2 SEC. B SUBDIVISION AS RECORDED IN PLAT FILE 1 CARD 419 IN THE OFFICE OF THE WARRICK COUNTY RECORDER , WARRICK COUNTY, INDIANA.

4. The Legal Description of said easement is as follows:

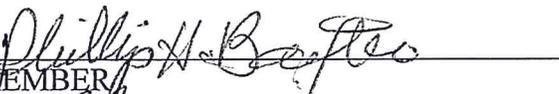
Commencing at the Southeast corner of Lot 31 of Rolling Hills Manor NO. 2 Sec. B thence North 75 degrees 59 minutes 30 seconds West 20 feet to the point of beginning; thence North 04 degrees 15 minutes 00 seconds East 170 feet; thence North 89 degrees 38 seconds East 10 feet; thence South 04 degrees 15 minutes 00 seconds West 173 feet; thence North 75 degrees 59 minutes 30 seconds West 10 feet to the Point of Beginning.

5. The County Auditor shall furnish a copy of the Ordinance to the County Recorder.

PASSED THIS 26<sup>th</sup> DAY OF September, 2007.

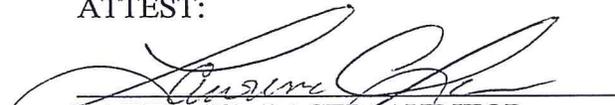
BOARD OF COUNTY COMMISSIONERS

  
\_\_\_\_\_  
PRESIDENT

  
\_\_\_\_\_  
MEMBER

  
\_\_\_\_\_  
MEMBER

ATTEST:

  
\_\_\_\_\_  
LAWRENCE LACER, AUDITOR



WARRICK COUNTY AUDITOR'S OFFICE  
WARRICK COUNTY JUDICIAL BUILDING  
ONE COUNTY SQUARE, SUITE 240  
BOONVILLE, INDIANA 47601  
(812) 897-6110 \* FAX (812) 897-6401  
auditor@warrickcounty.gov

Aug. 30, 2007

Vacation Petition Checklist

Contact Person: Cathy Hinkle Phone: 853-9073

Petitioner's Name (s): Mark A. Hinkle and Cathy J. Hinkle

Petition to Vacate: PU & DE LOT 31 Rolling Hills Manor  
#2 SEC B. Sub

Scheduled for Public Hearing on the 26<sup>th</sup> day of Sept., 2007.  
Ⓢ Must be scheduled 2<sup>nd</sup> or 4<sup>th</sup> Wednesday Area Plan Commission Session

**Documents to be prepared and provided by the Petitioner:**

- Publication Notice - Must be signed by Auditor  
(Must be published for a total of 10 days prior to scheduled APC Meeting)  
Warrick Publishing - 204 W. Locust Street, Boonville, Indiana
- Petition to Vacate including Legal Description
- List of Adjoining Property Owners
- Plat Map of Subdivision

**Return to the Auditor's office prior to the scheduled meeting:**

- \_\_\_\_\_ Original Certified Mail Returned Receipts (green cards) from Adjoining Property Owners
- \_\_\_\_\_ Letter(s) from Utility Company Allowing Utility Easement Vacation
- \_\_\_\_\_ Proof of Publication
- \_\_\_\_\_ Six (6) copies of all information to be presented before the Commissioners

Notes: \_\_\_\_\_

Auditor's Office contact: Sonya Addington (812) 897-6113 ext. 2217

STATE OF INDIANA        }  
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BEFORE THE BOARD OF COMMISSIONERS  
OF  
WARRICK COUNTY, INDIANA

IN THE MATTER OF THE PETITION TO VACATE THE WESTERN TEN (10) FOOT PORTION OF A TWENTY (20) FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ON LOT 31 OF ROLLING HILLS MANOR NO. 2 SEC. B SUBDIVISION AS RECORDED IN PLAT FILE 1 CARD 419 IN THE OFFICE OF THE WARRICK COUNTY RECORDER , WARRICK COUNTY, INDIANA.

VACATION NO. 2007 - \_\_\_\_\_

**NOTICE OF PUBLIC HEARING BY THE WARRICK COUNTY COMMISSIONERS**

A Petition has been filed to Vacate THE WESTERN TEN (10) FOOT PORTION OF A TWENTY (20) FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ON LOT 31 OF ROLLING HILLS MANOR NO. 2 SEC. B SUBDIVISION AS RECORDED IN PLAT FILE 1 CARD 419 IN THE OFFICE OF THE WARRICK COUNTY RECORDER , WARRICK COUNTY, INDIANA.

The hearing on said petition will be heard by the Warrick County Commissioners on Sept. 26, 2007, at 4:00 P.M., Historic Court House, Commissioners Meeting Room, 3<sup>rd</sup> Floor, Boonville, Indiana.

  
Lawrence Lacer, AUDITOR 1st Deputy

BOARD OF COUNTY COMMISSIONERS  
WARRICK COUNTY, INDIANA

PUBLISH ONCE IN STANDARD

STATE OF INDIANA        }  
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COUNTY OF WARRICK    }

BEFORE THE BOARD OF COMMISSIONERS  
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WARRICK COUNTY, INDIANA

IN THE MATTER OF THE PETITION TO VACATE THE WESTERN TEN (10) FOOT PORTION OF A TWENTY (20) FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ON LOT 31 OF ROLLING HILLS MANOR NO. 2 SEC. B SUBDIVISION AS RECORDED IN PLAT FILE 1 CARD 419 IN THE OFFICE OF THE WARRICK COUNTY RECORDER , WARRICK COUNTY, INDIANA.

VACATION NO. 2007- \_\_\_\_\_

**PETITION**

TO THE HONORABLE BOARD OF COUNTY COMMISSIONERS OF WARRICK COUNTY, INDIANA:

The undersigned Petitioners to your honorable board represent as follows:

1. That said petitioners are the owners of LOT 31 OF ROLLING HILLS MANOR NO. 2 SEC. B SUBDIVISION AS RECORDED IN PLAT FILE 1 CARD 419 IN THE OFFICE OF THE WARRICK COUNTY RECORDER , WARRICK COUNTY, INDIANA.
2. That the Petitioners respectfully petitions that the Board of County Commissioners of Warrick County, Indiana, proceed as authorized b law to vacate VACATE THE WESTERN TEN (10) FOOT PORTION OF A TWENTY (20) FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ON LOT 31 OF ROLLING HILLS MANOR NO. 2 SEC. B SUBDIVISION AS RECORDED IN PLAT FILE 1 CARD 419 IN THE OFFICE OF THE WARRICK COUNTY RECORDER , WARRICK COUNTY, INDIANA.
3. That the present time the WESTERN TEN (10) FOOT PORTION OF A TWENTY (20) FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ON LOT 31 OF ROLLING HILLS MANOR NO. 2 SEC. B SUBDIVISION AS RECORDED IN PLAT FILE 1 CARD 419 IN THE OFFICE OF THE WARRICK COUNTY RECORDER , WARRICK COUNTY, INDIANA, is not being used and is not necessary, nor required.
4. The said LOT 31 OF ROLLING HILLS MANOR NO. 2 SEC. B SUBDIVISION AS RECORDED IN PLAT FILE 1 CARD 419 IN THE OFFICE OF THE

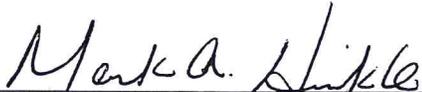
WARRICK COUNTY RECORDER , WARRICK COUNTY, INDIANA, is owned by the Petitioners listed below:

Mark A. Hinkle and Cathy J. Hinkle 2122 Englewood Dr., Newburgh, IN. 47630

5. That the vacation of the WESTERN TEN (10) FOOT PORTION OF A TWENTY (20) FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ON LOT 31 OF ROLLING HILLS MANOR NO. 2 SEC. B SUBDIVISION AS RECORDED IN PLAT FILE 1 CARD 419 IN THE OFFICE OF THE WARRICK COUNTY RECORDER , WARRICK COUNTY, INDIANA, does not affect any other owner in the area and would be of benefit to the petitioners.
6. That the general location of said Vacation of the WESTERN TEN (10) FOOT PORTION OF A TWENTY (20) FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ON LOT 31 OF ROLLING HILLS MANOR NO. 2 SEC. B SUBDIVISION AS RECORDED IN PLAT FILE 1 CARD 419 IN THE OFFICE OF THE WARRICK COUNTY RECORDER , WARRICK COUNTY, INDIANA, to be vacated is shown upon and marked on the attached exhibit "A".

WHEREFORE, Petitioners respectfully prays that the Board of County Commissioners of Warrick County, Indiana, take all necessary steps to properly vacate said WESTERN TEN (10) FOOT PORTION OF A TWENTY (20) FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT ON LOT 31 OF ROLLING HILLS MANOR NO. 2 SEC. B SUBDIVISION AS RECORDED IN PLAT FILE 1 CARD 419 IN THE OFFICE OF THE WARRICK COUNTY RECORDER , WARRICK COUNTY, INDIANA, in the manner as by law now provided.

Respectfully submitted:



Mark A. Hinkle



Cathy J. Hinkle

Adjoining Property Owners to 2122 Eaglewood Drive

- Lot 30            W. David Rector  
                    2144 Eaglewood Drive  
                    Newburgh, In 47630
- Lot 16&17       Donna L. Scales Trust  
                    2155 Eaglewood Drive  
                    Newburgh, In 47630
- Lot 32            Gregory S. and Jennifer D. Simoneaux  
                    2100 Eaglewood Drive  
                    Newburgh, In 47630
- Lot 15            Marshall A. and Patricia A. Cox  
                    2111 Eaglewood Drive  
                    Newburgh, In 47630
- Plat #14          Charles S. and Karen S. Ashby  
                    2133 Old Plank Rd  
                    Newburgh, In 47630



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PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.

BOARD OF COUNTY COMMISSIONERS

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PRESIDENT

\_\_\_\_\_  
MEMBER

\_\_\_\_\_  
MEMBER

ATTEST:

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LAWRENCE LACER, AUDITOR