Ordinance No. CC-2017-02

AN ORDINANCE TO VACATE PUBLIC WAYS WITHIN WARRICK COUNTY, INDIANA:

BE IT ORDAINED by the Board of Commissioners of Warrick County, Indiana, as follows, to-wit:

Section I. A verified petition was presented to the Board of Commissioners of Warrick County requesting that the aforesaid Public Way be vacated.

Section II. That after due and proper notice a timely public hearing was convened by the Board of Commissioners, at which time all interested persons were permitted to address regarding said vacation.

Section III. That the Board of Commissioners of Warrick County, after due investigation and consideration has determined that the nature and extent of public use and the public interest to be observed is such as to warrant the vacation of that part of the public way or public place described as follows, and further described with the drawing hereto attached, which is made a part of this Ordinance.

**Portion of Drainage Easement to be Vacated**

Part of Lots 1, 2 and 6 in Warrick Trail Apartment Homes P.U.D., as per plat thereof, recorded in Document Number 2016R-003186 in the office of the Recorder of Warrick County, Indiana which is a part of the Southwest Quarter of Section 21, Township 6 South, Range 9 West in Ohio Township, Warrick County, Indiana, being more particularly described as follows:

Commencing at the northeast corner of Lot 1 in said Warrick Trail Apartment Homes P.U.D; thence along the east line thereof, South 00 degrees 20 minutes 10 seconds East 20.00 feet to the point of beginning; thence continue South 00 degrees 20 minutes 10 seconds West a distance of 15.00 feet; thence North 89 degrees 21 minutes 55 seconds West a distance of 1100.78 feet; thence North 13 degrees 05 minutes 57 seconds West a distance of 5.15 feet; thence North 89 degrees 21 minutes 55 seconds West a distance of 9.30 feet to the point of curvature of a curve to the left having a radius of 145.00 feet and a delta angle of 90 degrees 20 minutes 55 seconds from which the long chord bears South 45 degrees 27 minutes 38 seconds West a distance of 205.68 feet; thence along the arc of said curve a distance of 228.65 feet; thence South 00 degrees 17 minutes 11 seconds West a distance of 175.50 feet to the point of curvature of a curve to the left having a radius of 10.00 feet and a delta angle of 89 degrees 57 minutes 01 seconds from which the long chord bears South 44 degrees 41 minutes 20 seconds East a distance of 14.14 feet; thence along the arc of said curve a distance of 15.70 feet; thence South 00 degrees 20 minutes 10 seconds West a distance of 30.00 feet to the point of curvature of a non-tangent curve to the right having a radius of 40.00 feet and a delta angle of 29 degrees 57 minutes 01 seconds from which the long chord bears North 74 degrees 41 minutes 20 seconds West a distance of 20.67 feet; thence along the arc of said curve a distance of 20.91 feet; thence North 00 degrees 17 minutes 11 seconds East a distance of 210.14 to the point of curvature of a curve to the right having a radius of 155.00 feet and a delta angle of 90 degrees 20 minutes 55 seconds from which the long chord bears North 45 degrees 27 minutes 38 seconds East a distance of 219.87 feet; thence along the arc of said curve a distance of 244.42 feet; thence South 89 degrees 21 minutes 55 seconds East a distance of 1111.23 feet to the point of beginning containing 0.49 Acres (21,426 sqft.)

**See Exhibit "A" for Area to be Vacated**

Therefore, the Board of Commissioners of Warrick County, Indiana, does hereby find that the portion of the above described Drainage Easement is no longer required for public use and the public interest will be served by such vacation, and the Board of Commissioners of Warrick County does hereby vacate the portion of Drainage Easement described in Section III above subject to the terms and conditions as stated in this Ordinance.

**Board of Commissioners for Warrick County**

Malcolm Weisheit
President

Robert H. Johnson

Dan Saylor
Vice-President

Attest:
Deborah K. Stevens
County Auditor

**Tax Parcel No's: 87-12-21-306-001.000-019; 87-12-21-306-002.000-019; 87-12-21-306-006.000-019**

THIS INSTRUMENT WAS PREPARED BY Bret A. Sermersheim of Morley and Associates, Inc. 4800 Rosebud Lane Newburgh, IN 47630
I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW,
Bret Sermersheim (signature) Bret Sermersheim (printed name).