

COMMISSIONERS ORDINANCE NO. 2026-16

**AN ORDINANCE OF THE CASS COUNTY COMMISSIONERS
VACATING AN ALLEY**

WHEREAS, there is an alley located between Cover Street and Lawn Street in Cass County, Indiana.

WHEREAS, the alley is neither paved nor utilized to a significant extent.

WHEREAS, there are structures constructed by multiple adjacent property owners which cross over into the alley.

WHEREAS, the structures in the alley prevent the alley from properly connecting Cover and Lawn Streets to each other.

WHEREAS, there has been a request made by resident Roger R. Spencer, Jr. abutting the alley to vacate the alley.

WHEREAS, Mr. Spencer, a Commissioner, has recused himself from having any vote on the matter.

WHEREAS, notice has been sent out to the abutting land owners with an opportunity to be heard at a public meeting on this matter.

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of Cass County, Indiana as follows:

1. The Cass County Commissioners hereby vacate the 15 foot wide alley beginning at the northeast corner of lot 162 in the Unger Addition subdivision thence east 15' thence south 287.5' thence west 15' thence north 287.5' to place of beginning.
2. Further, this is the alley between lots 162 (Parcel 10) through 168 (Parcel 17) and lots 105 through 99 (Parcels 9, 8, 7, 6, 5, 4, and 2) and which previously connected Lawn Street and Cover Street here in Cass County, Indiana.
3. Half of the alley shall be apportioned to the properties abutting each side, 7.5 feet to the properties on the western side of the alley, and 7.5 feet to the properties on the eastern side of the alley.
4. Lots 162 through 168 shall have their eastern property lines extended 7.5 feet to the east, and shall otherwise remain the same. Likewise, lots 105 through 99 shall have their western property lines extended 7.5 feet to the west, and shall otherwise remain the same.
5. That the new description of the alley shall be a vacated the 15 foot wide alley beginning at the northeast corner of lot 162 in the Unger Addition

subdivision thence east 15' thence south 287.5' thence west 15' thence north 287.5' to place of beginning.

This Ordinance shall be in full force and effect from and after its adoption by the Cass County Board of Commissioners.

DULY PASSED AND RESOLVED this _____ day of _____ 2026,
by the Commissioners.

CASS COUNTY COMMISSIONERS:

Ruth Baker, President

Mike Deitrich, Vice President

ATTEST:

Alicia Pifer, Auditor