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ORDINANCE NO. 2005-XX

**AN ORDINANCE VACATING A PLATTED EASEMENT
ON LOTS 16 IN REFLECTION RIDGE SUBDIVISION,
PLAT NO. 1245, FLOYD COUNTY, INDIANA**

WHEREAS, petitioners, JCH Builders, LLC ("JCH"), and Reflection Ridge Development, LLC ("RRD"), have filed a petition to be filed for the vacation of a platted drainage and utility easement on real estate owned by JCH described more particularly hereinbelow, which real estate is adjacent to real estate owned by RRD, pursuant to the provisions of IC 36-7-3-12 and 36-7-3-16; and,

WHEREAS, such petitioners have further caused a notice of public hearing on such petition before this Board to be properly published in accordance with Indiana law; and,

WHEREAS, this Board having held such public hearing at the date and time as stated in such published notification; and,

WHEREAS, there are no other adjoining property owners to the portion of the easement proposed to be vacated.

NOW, THEREFORE, BE IT ORDAINED, that the Board of County Commissioners of Floyd County, Indiana, hereby finds all of the following:

1. The proposed vacation will not hinder the growth or orderly development of Floyd County, Indiana.
2. The proposed vacation will not make access to the lands of any aggrieved person by means of public way difficult or inconvenient.
3. The proposed vacation will not hinder the public's access to a church, school, or other public building or place.
4. The proposed vacation will not hinder the use of a public way by the

neighborhood in which the easements are located or to which they are contiguous.


IT IS FURTHER ORDAINED, that the Board of Commissioners of Floyd County, Indiana, does accordingly hereby vacate the northernmost five and one-half (5½) foot wide portion of a seven and one-half (7½) foot wide drainage easement located along the entire length of the southernmost boundary line of certain real property located in Floyd County, Indiana, which is more particularly described as follows:


LOT NO. SIXTEEN (16), REFLECTION RIDGE SUBDIVISION, PLAT NO. 1245 OF THE FLOYD COUNTY, INDIANA RECORDS.

The drawing attached hereto and incorporated herein as Exhibit "A" further depicts the area of the platted easement hereby vacated.

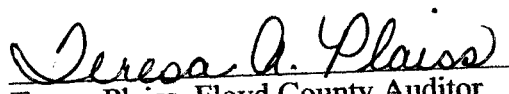
IT IS FURTHER ORDAINED that this vacation shall not deprive a public utility of the use of all or part of the easement hereby vacated to the extent that any such public utility was occupying all or part of such easement at the time that the petition for vacation was filed.

This Ordinance proposed, promulgated, and adopted this 17th day of May, 2005, and shall be of full force and effect as of the date of its passage.


JOHN REISERT, Commissioner


CHARLES FREIBERGER, Commissioner

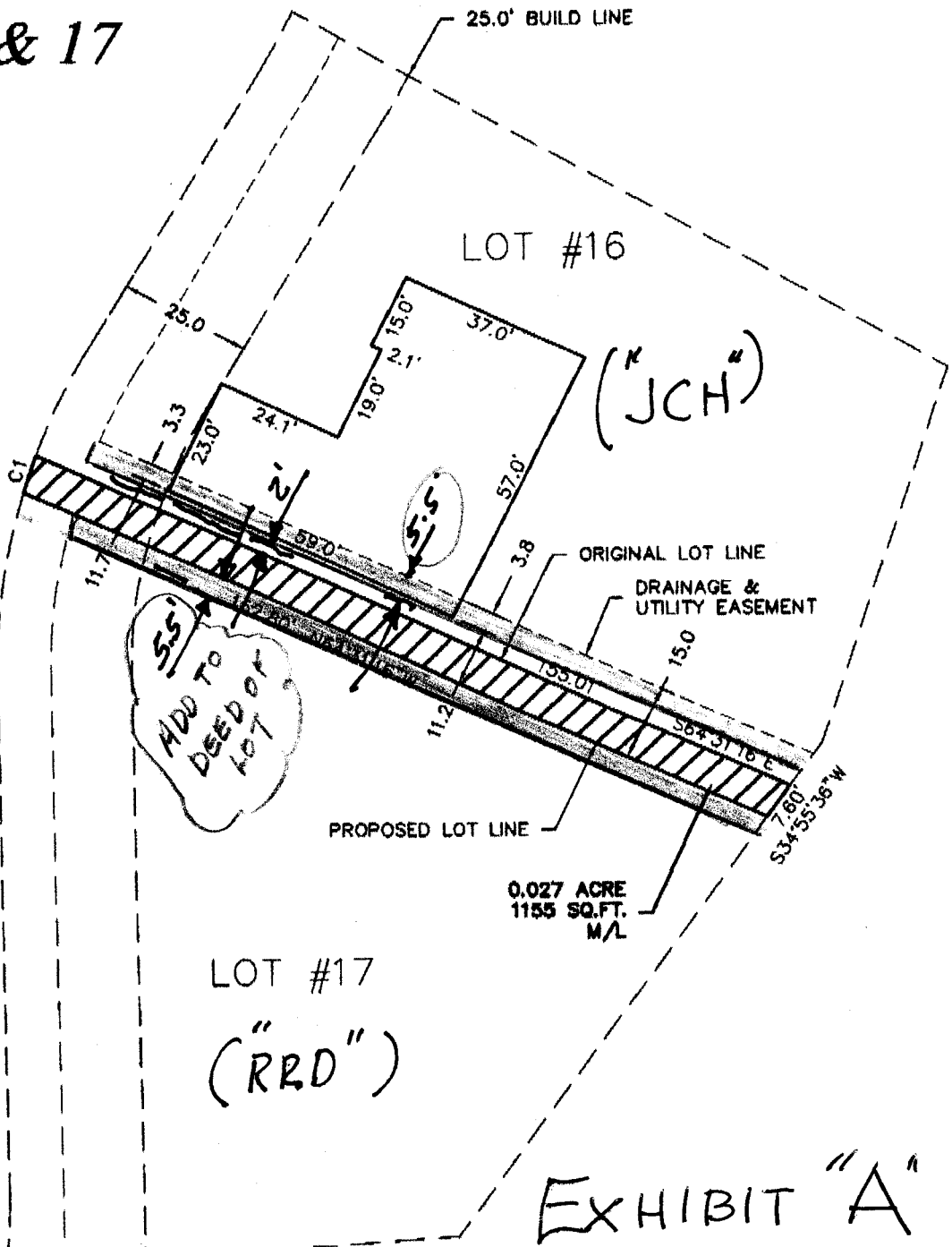
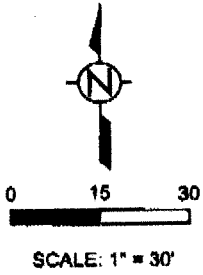
Attested by:


Teresa Plaiss, Floyd County Auditor


STEVE BUSH, Commissioner

REFLECTION RIDGE

LOT #16 & 17



10.0' UTILITY EASEMENT

Date: 4-1-05
 Job No. 04-9313
 Drwn By: DJM
 Field Work:
 Completed: 3-31-05
 Client: BRET SOPHIE
 Township:
 County:
 Prop. Desc.

**LAND SURVEYORS
 PAUL PRIMAVERA
 AND ASSOCIATES
 ENGINEERS**

P.O.Box 123
 Corydon, Indiana 47112
 812-738-4124

NUMBER	CHORD DIR.	RADIUS	ARC	CHORD
C1	N18°09'02"E	125.00	7.56	7.56