

DEC 16 1998

98 DEC 16 AM 11:00

Carol Stefanatos
Auditor Wabash County

SPECIAL ORDINANCE NO. 98-7, 1998
AN ORDINANCE TO VACATE AN ALLEY

DONNA FRIEDERSDORF
WABASH CO. RECORDER

VOL 117 PAGE 368

This matter concerning the Petition of Jeffery J. Whitmer and Nancy J. Whitmer to vacate an alley came on for hearing before the Board of Commissioners of Wabash County, Indiana, on the 23rd day of November, 1998; and,

WHEREAS, the alley to be vacated, hereinafter described, lies entirely within the boundaries of the Original Plat of the Town of Urbana, in Wabash County, Indiana; and

WHEREAS, the Petitioners are the owners of all real estate abutting the east and west sides of that portion of the alley that runs north and south and are the owners of all of the real estate abutting the south side of that portion of the alley that runs east and west; and

WHEREAS, Lois A. Murphy is the owner of all real estate abutting the southeast corner of that portion of the alley that runs north and south; and

WHEREAS, when the Petitioners filed their Petition to Vacate Alley, Clarence E. Milburn was the owner of all real estate abutting the north side of that portion of the alley that runs east and west, but said real estate was, prior to hearing, transferred to Joseph E. Tysinger and Ann Tysinger, husband and wife; and

WHEREAS, notice of a public hearing on this matter was published in the North Manchester News Journal on November 4, 1998, as shown by the proof of publication filed this date with the Board; and,

WHEREAS, notice of a public hearing was mailed to the Clarence E. Milburn and Lois A. Murphy, by certified mail, return receipt requested, proof of which mailing is on file with the Board; and

WHEREAS, Joseph E. Tysinger appeared at said hearing for himself and his wife, Ann Tysinger; and

WHEREAS, the Petitioners have granted Wabash County, Indiana, a perpetual easement for the construction and maintenance of underground utility lines in the alley vacated herein; and

WHEREAS, the Petitioners have granted Joseph E. Tysinger and Ann Tysinger, husband and wife, and their successors and assigns, a perpetual easement over and across a portion of that portion of the alley vacated herein that runs east and west for access to perform maintenance and repairs on improvements located on their real estate which abuts the north side of that portion of the alley.

NOW, THEREFORE, BE IT HEREBY ORDAINED, that the following alley, to-wit:

Begin at a point in the west line of Lot Fifteen (15) in the Original Plat of the Town of Urbana, twenty-five (25) feet north of the southwest corner thereof; then north


One Hundred Five (105) feet on the west lines of Lots Fifteen (15) and Sixteen (16) to the northwest corner of Lot Sixteen (16); then east One Hundred Twenty (120) feet on the north line of Lot Sixteen (16) to the northeast corner of Lot Sixteen (16); then north ten (10) feet; then west One Hundred Thirty (130) feet along the north line of the platted alley and parallel to the north line of Lot Sixteen (16); then south One Hundred Fifteen (115) feet along the west side of the platted alley and parallel to the west lines of Lots Fifteen (15) and Sixteen (16); then east ten (10) feet to the place of beginning,

is hereby vacated.

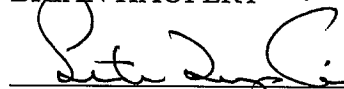
This ordinance shall become final from and after its approval and adoption by the Board of County Commissioners of Wabash County, Indiana.

Passed on the ^{FIRST} ~~third~~ reading this 7 day of DECEMBER, 1998.

DARLE DAWES



BRIAN HAUPERT



LESTER TEMPLIN

ATTEST:



CAROL STEFANATOS, Wabash
County Auditor