

STATE OF INDIANA) BEFORE THE BOARD OF COMMISSIONERS
) SS: OF THE COUNTY OF WARREN
 COUNTY OF WARREN)

IN RE: THE VACATION OF A
 CERTAIN ALLEY IN THE
 UNINCORPORATED TOWN
 OF KRAMER

ORDINANCE TO VACATE ALLEY

Comes now the petitioners, Terrell Smith and Charlene Smith, husband and wife, and Herbert L. Larson and Janice Larson, husband and wife, in person and by John A. Rader, their attorney, on this 19TH day of April, 2004, at 10:00 o'clock A.M., the date and time having heretofore been set for the hearing of the Petition to Vacate Alley, which petition was filed before the Board of Commissioners of the County of Warren less than thirty (30) days prior to said hearing date.

Notice of the date and time set for the hearing on the Petition to Vacate Alley was given by publication in the Review-Republican, a newspaper printed and published in Williamsport, Warren County, Indiana, on April 8, 2004, more than ten (10) days prior to the hearing date, as evidenced by the proof of publication filed herewith.

Notice of the date and time set for the hearing on the Petition to Vacate Alley was not required to be given by United States certified mail, return receipt requested, to any other owners land which abut the road to be vacated because all of such land is owned by your petitioners.

No remonstrance or objection to said proposed vacation has been filed by any person on the grounds permitted by I. C. 36-7-3-13.

The Board of Commissioners of the County of Warren, having heard the merits of the petition and being duly advised, finds and holds as follows:

1. That the petition is pending before The Board of Commissioners of the County of Warren and all notices thereon have conformed to the requirements of I. C. 36-7-3-12 and 5-3-1, and said petition should be granted.
2. That Terrell Smith and Charlene Smith, husband and wife, are the owners of the following described real estate, situated in Warren County, Indiana, to-wit:

Lots numbered sixteen (16) and eighteen (18) in the Unincorporated Town of Kramer, Indiana.
3. That Herbert L. Larson and Janice Larson, husband and wife, are the owners of the following described real estate, situated in Warren County, Indiana, to-wit:

Lots numbered nineteen (19) and twenty-one (21) in the Unincorporated Town of Kramer, Indiana.

4. That petitioners desire to vacate the alley contained within the real estate described in paragraphs 2 and 3 above, which road is more particularly described as follows, to-wit:

Beginning at the northwest corner of Lot number nineteen (19) in George Cameron's 1st Addition, thence South one hundred twenty-eight (128) feet along the West line of Lots nineteen (19) and twenty-one (21) to the southwest corner of Lot twenty-one (21); thence West twelve (12) feet to the southeast corner of Lot sixteen (16); thence North one hundred twenty-eight (128) feet along the East line of Lots sixteen (16) and eighteen (18) to the northeast corner of Lot eighteen (18); thence East twelve (12) feet to the place of beginning situated in the Unincorporated Town of Kramer, Warren County, Indiana.

5. That said alley lies within the Unincorporated Town of Kramer, Indiana.

6. That the vacation of said alley will not hinder the growth or orderly development of the Unincorporated Town of Kramer or the neighborhood in which it is located or to which it is contiguous.

7. That said proposed vacation will not leave the citizens of said town without ingress or egress.

8. That said vacation will not cut off the public's access to any church, school or other public buildings or lots.

9. That the vacation of said alley will not render access to the public or any adjacent landowner difficult or inconvenient.

10. That the vacation will not hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous because said alley has never been opened to or used by pedestrian or vehicular traffic.

11. That petitioners are the only ones affected by the proposed vacation.

12. That said above described alley should be vacated.

13. That all costs of publication and recording shall be assessed against and paid by petitioners herein.

WHEREFORE, IT IS CONSIDERED AND ORDERED that the following described alley shall be and it is hereby vacated and title to it is vested and confirmed in Terrell Smith and Charlene Smith, husband and wife, and Herbert L. Larson and Janice Larson, husband and wife,:

Beginning at the northwest corner of Lot number nineteen (19) in George Cameron's 1st Addition, thence South one hundred twenty-eight (128) feet along the West line of Lots nineteen (19) and twenty-one (21) to the southwest corner of Lot twenty-one (21); thence West twelve (12) feet to the southeast corner of Lot sixteen (16); thence North one hundred twenty-eight (128) feet along the East line of Lots sixteen (16) and eighteen (18) to the northeast corner of Lot eighteen (18); thence East twelve (12) feet to the place of beginning situated in the Unincorporated Town of Kramer, Warren County, Indiana.

IT IS FURTHER ORDERED that The Board of Commissioners shall furnish a copy of this ordinance to the Warren County Recorder for recording and to the Warren County Auditor.

IN WITNESS WHEREOF, Board of Commissioners of the County of Warren, have on this 19th day of April, 2004, approved this ordinance.

THE BOARD OF COMMISSIONERS
OF THE COUNTY OF WARREN

Richard Dobbels
Richard Dobbels

Tom Hetrick
Tom Hetrick

James E. Lanham
James E. Lanham

Attest:

Carolyn Weston
Carolyn Weston, Auditor

Duly Entered for Taxation

APR 19 2004
Gail Aliman Deputy
Auditor Warren County