

ORDINANCE NO. 2019-0603

VACATION OF ROAD BETWEEN 4462 W. THIRD STREET AND 4438 W. THIRD STREET, WEST LEBANON, WARREN COUNTY, INDIANA

Comes now the Board of Commissioners of Warren County, and makes the following recitals and ordains as follows:

WHEREAS, Warren County currently has a road which the Petitioners, Mark L. Straw and Carolyn L. Orr, and Ryan C. Platt and Aimee S. Platt, are petitioning to vacate, measuring approximately forty (40) feet in width, running North and South, more fully described as follows:

The gravel road lying east of Parcel Numbers 86-13-14-200-012.000-009 (Ryan C. Platt and Aimee S. Platt) and 86-13-14-200-014.003-009 (Ryan C. Platt and Aimee S. Platt) and west of Parcel Number 86-13-14-100-008.000-009 (Mark L. Straw and Carolyn L. Orr), and running from 4462 W. Third Street, West Lebanon, Indiana 47991 on the south end to the railroad right of way on the north end.; and

WHEREAS, Mark L. Straw and Carolyn L. Orr, and Ryan C. Platt and Aimee S. Platt, are the owners of real estate adjacent to said road and have filed a Petition for the vacation of the road; and

WHEREAS, notice of said petition was given, and a hearing was held, pursuant to Indiana Code §36-7-3-12, and at that hearing no person aggrieved by the proposed vacation objected to said petition;

IT IS THEREFORE ORDAINED AS FOLLOWS:

1. That the road situated in an unincorporated area of Warren County, Indiana, measuring approximately forty (40) feet in width, running North and South, more fully described as follows:

The gravel road lying east of Parcel Numbers 86-13-14-200-012.000-009 (Ryan C. Platt and Aimee S. Platt) and 86-13-14-200-014.003-009 (Ryan C. Platt and Aimee S. Platt) and west of Parcel Number 86-13-14-100-008.000-009 (Mark L. Straw and Carolyn L. Orr), and running from 4462 W. Third Street, West Lebanon, Indiana 47991 on the south end to the railroad right of way on the north end.; and

is vacated, subject to the reservation of easements as subsequently described.

2. That Warren County reserves to itself an easement extending the length and breadth of said road for the construction, maintenance, and operation or reconstruction of utilities in, through, over or under the same, if any utility easements currently exist.

3. That the vacation of said road is subject to the rights of all public utilities in said road, and the Petitioners requesting such vacation shall be responsible to the public utilities for any vacating, re-arrangement or relocating costs in the event the same are necessary without any costs to Warren County, its successors or assigns.


4. That all costs incident to the above-mentioned vacation are to be paid by Petitioners.


5. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance are repealed.

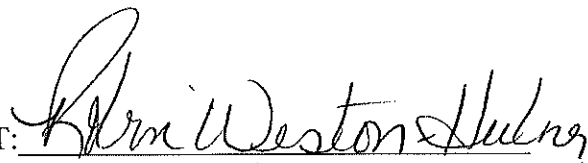
*ALL OF WHICH IS ORDAINED* this 3<sup>rd</sup> day of June, 2019.

WARREN COUNTY COMMISSIONERS

  
\_\_\_\_\_  
W. Brian Jordan

  
\_\_\_\_\_  
Adam Hanthorne

  
\_\_\_\_\_  
Clay Andrews

ATTEST:   
\_\_\_\_\_  
Robin Weston-Hubner, Warren County Auditor

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. Judson G. Barce

This Instrument Prepared by:  
Judson G. Barce, Attorney No. 17229-04  
*BARCE & REDLIN, P.C.*  
103 N. Jackson Ave., P.O. Box 252  
Fowler, IN 47944