

ORDINANCE NO. 2019-0826 A

VACATION OF STREET IN  
MARSHFIELD, WARREN COUNTY, INDIANA

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

WHEREAS, the Town of Marshfield currently has a street which the Petitioners, Floyd Gregg and Chase Gregg (for Gregg Escavating and Hauling, LLC), are petitioning to vacate, to-wit:

A part of Illinois Street, in Marshfield, Warren County, Indiana, described as part of Illinois Street in the Town of Marshfield, sixty-six (66) feet in width and running North and South, from a point of beginning at the Northwest corner of Lot 4, block 3 of the Original Plat of the Town of Marshfield, thence westerly sixty-six (66) feet to the Northeast Corner of Lot 1, Block 4 of the Original Plat of the Town of Marshfield, thence southerly along the west right-of way line of Illinois Street, to the Southeast Corner of Lot 8, Block 4 of the Original Plat of the Town of Marshfield, thence easterly sixty-six (66) feet to the Southwest Corner of Lot 5, Block 3 of the Original Plat of the Town Marshfield, thence, northerly along the east right of way line of Illinois Street to the point of beginning, affecting the following parcel numbers:

- Parcel No. 86-13-20-410-113.000-013 (Petitioners)
- 86-13-20-410-114.000-013 (Petitioners)
- 86-13-20-410-119.000-013 (Petitioners)
- 86-13-20-410-118.000-013 (Curtis W. Hobaugh)
- 86-13-20-410-115.000-013 (Curtis W. Hobaugh)

WHEREAS, Floyd Gregg and Chase Gregg (for Gregg Escavating and Hauling, LLC), are the owners of real estate adjacent to said street and alley, and have filed a Petition for the vacation of the street and alley; and

WHEREAS, Curtis W. Hobaugh, are the owners of real estate adjacent to said street; 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. A part of Illinois Street, in Marshfield, Warren County, Indiana, described as part of Illinois Street in the Town of Marshfield, sixty-six (66) feet in width and running North and South, from a point of beginning at the Northwest corner of Lot 4, block 3 of the Original Plat of the Town of Marshfield, thence westerly sixty-six (66) feet to the Northeast Corner of Lot 1, Block 4 of the Original Plat of the Town of Marshfield, thence southerly along the west right-of way line of Illinois Street, to the Southeast Corner of Lot 8, Block 4 of the Original Plat of the Town of Marshfield, thence easterly sixty-six (66) feet to the Southwest Corner of Lot 5, Block 3 of the Original Plat of the Town Marshfield, thence, northerly along the east right of way line of Illinois Street to the point of beginning, affecting the following parcel numbers:

Parcel No.	86-13-20-410-113.000-013 (Petitioners)
	86-13-20-410-114.000-013 (Petitioners)
	86-13-20-410-119.000-013 (Petitioners)
	86-13-20-410-118.000-013 (Curtis W. Hobaugh)
	86-13-20-410-115.000-013 (Curtis W. Hobaugh)

is vacated, subject to the reservation of easements as subsequently described, and that the vacated street shall be become a part of the above-named parcel numbers.

2. That Warren County and the Town of Marshfield reserve to themselves an easement extending the length and breadth of said street for the construction, maintenance, and operation or reconstruction of utilities in, through, over or under the same.

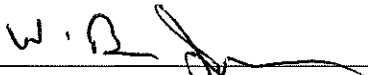
3. That an easement for ingress and egress is reserved to the owner of adjacent real estate, Parcel #86-13-20-410-118.000-013 and #86-13-20-410-115.000-013, to run with the land.

4. That the vacation of said street 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 or the Town of Marshfield, their 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.

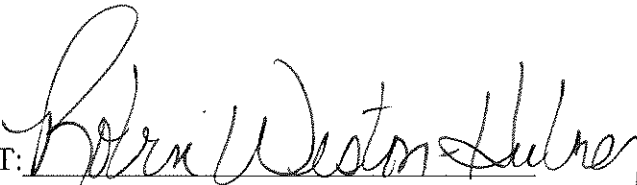
*ALL OF WHICH IS ORDAINED* this 26<sup>th</sup> day of August, 2019.

BOARD OF COMMISSIONERS OF  
WARREN COUNTY

  
\_\_\_\_\_  
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