

ORDINANCE NO. 2010- 3

SHORT TITLE: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MONROE, COUNTY OF ADAMS, STATE OF INDIANA, WHICH VACATES A PORTION OF ONE ALLEYWAY, LOCATED IN THE INCORPORATED TOWN OF MONROE, ADAMS COUNTY, INDIANA.

WHEREAS, I.C. 36-9-1-7 identifies that platted alleyways are public ways; and

WHEREAS, the Town Council of the Town of Monroe, Adams County, Indiana, an incorporated community, is the unit empowered to vacate public ways within the its town limits; and

WHEREAS, pursuant to I.C. 36-7-3-12 adjoining owners and interested parties of lots within the Town of Monroe, Adams County, Indiana, have petitioned the Town Council of the Town of Monroe, County of Adams, State of Indiana, to vacate a portion of a public alleyway within the Town of Monroe, Adams County, Indiana; and

WHEREAS, the Town of Monroe gave notice in accordance with I.C. 5-3-1 of a hearing on said Petition as required under I.C. 36-7-3-12(c), and

WHEREAS, at the hearing no person opposed the vacation of the public way as petitioned;

NOW, THEREFORE BE IT ORDAINED by the Town Council of the Town of Monroe, County of Adams, State of Indiana, as follows:

1. Purpose. The purpose of this ordinance is to vacate a portion of a public way within the incorporated Town of Monroe, Adams County, Indiana
2. Vacation. After due notice, and having held a hearing and having received no objections, the Members of the Town Council of the Town of Monroe, County of Adams, State of Indiana, hereby vacate that portion of the alleyway described as

follows:

First Tract: A portion of 16.5 foot Alley that lies between Inlots Numbered Forty-six (46) to Fifty (50) and Inlots Numbered Sixty-six (66) to Seventy (70) in the Original Plat of the Town of Monroe, Adams County, Indiana, more particularly described as follows:

Beginning at the Southwest corner of Inlot Number Forty-eight (48) in the Original Plat of the Town of Monroe, Adams County, Indiana; thence Easterly, a distance of 180.00 feet along the North right-of-way line of a 16.5 foot alley to the Southeast corner of said Inlot Number Forty-six (46); thence Southerly, a distance of 8.25 feet to the centerline of said 16.5 foot alley; thence Westerly, a distance of 60.00 feet along said centerline; thence Southerly, a distance of 8.25 feet to the Northwest corner of said Inlot Number Sixty-six (66) said point also being on the South right-of-way line of a 16.5 foot alley; thence Westerly, a distance of 120.00 feet along said South right-of-way line to the Northwest corner of Inlot Number Sixty-eight (68) in the Original Plat of the Town of Monroe, Adams County, Indiana; thence Northerly, a distance of 16.50 feet to the Point of Beginning. **Containing 0.057 Acres, more or less.** Subject to easements of record.

Second Tract: A portion of 16.5 foot Alley that lies between Inlots Numbered Forty-six (46) to Fifty (50) and Inlots Numbered Sixty-six (66) to Seventy (70) in the Original Plat of the Town of Monroe, Adams County, Indiana, more particularly described as follows:

Beginning at the Northeast corner of said Inlot Number Sixty-six (66); thence Westerly, a distance of 60.00 feet along the South right-of-way line of a 16.5 foot alley to the Northwest corner of said Inlot Number Sixty-six (66); thence Northerly, a distance of 8.25 feet to the centerline of said 16.5 foot alley; thence Easterly, a distance of 60.00 feet along said centerline; thence Southerly, a distance of 8.25 feet to the Point of Beginning. **Containing 0.011 Acres, more or less.** Subject to easements of record.

Said tracts are further described in "Exhibit A" as **Tract 2** and **Tract 3**, which Exhibit A is attached hereto, made a part hereof and incorporated herein by reference, which public way is located within the incorporated town of Monroe, Adams County, Indiana. Said vacated alleyway shall now be transferred in fee simple as follows: Tract 2 shall be transferred to the current owner of Lots 46, 47, 48 to the north of the alleyway and Lots 67 and 68 to the south of the alleyway; Tract 3 shall be transferred to the current owner of Lot 66; all in the Town of Monroe, Adams County, Indiana.

**TOWN COUNCIL OF
TOWN OF MONROE
County of Adams,
State of Indiana**

ABSTAINED

C. Allen Lehman

Debra S. Burkhart
Debra S. Burkhart

Michael J. Geels
Michael J. Geels

ATTEST:

Rachel A. Burkhart
Rachel A. Burkhart, Clerk-Treasurer
Town of Monroe