

ORDINANCE NO. 14

COMMISSIONERS BILL NO. 11

(2013)

"An Ordinance vacating an alley in Freetown, Pershing Township, Indiana."

WHEREAS, the Jackson County Plan Commission, after proper notice conducted a public hearing on May 21, 2013, on a Petition for Vacation filed by Larry & Laura Sullivan, 4477 W. Third Street, Freetown, IN 47235, concerning vacating an alley in Pershing Township, Jackson County, Indiana; and

WHEREAS, the Jackson County Plan Commission gave a favorable recommendation of approval of said petition by a vote of six (6) yes and zero (0) no, with three (3) members absent; and

WHEREAS, the Board of Commissioners have determined that said petition should be approved.

NOW, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF JACKSON, INDIANA:

Section 1: The following described public way in Pershing Township be, the same is hereby vacated, to-wit:

See Attached Exhibit A.

The lands that are contained in the aforesaid shall revert to the lawful owners thereof by operation of the law.

Section 2: Should any section, paragraph, clause or phrase of this ordinance be declared unconstitutional or invalid, the remainder of said ordinance shall continue in full force and effect.

Section 3: All prior ordinances or parts thereof inconsistent with any provision of this ordinance are hereby repealed.

Section 4: This ordinance shall be effective and in full force from and after its passage all as by law provided.

ADOPTED by the Board of Commissioners this _____ day of June, 2013.

Jerry Hounshel, President

Matt Reedy, Commissioner

Thomas Joray, Commissioner

ATTEST:

Kathy Hohenstreiter, 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. Susan D. Bevers.

This instrument was prepared by Susan D. Bevers, Attorney at Law, Seymour, Indiana 47274.

Exhibit A

A 0.027 acre tract being a portion of a platted alley lying west of Lot Number One (1), in Block Four (4), of Homestead Addition to the Town of Freeport, now Freetown, the plat of said Homestead addition being recorded in Plat Record 4, Page 35, in the Office of the Recorder of Jackson County, Indiana and lying in the northwest quarter of Section 7, Township 6 North, Range 4 East, Second Principal Meridian, Pershing Township, Jackson County, Indiana, more particularly described as follows:

Commencing at a 5/8" capped rebar stamped "MRI LS29600018", found in place, at the southwest corner of Lot Number One (1), in Block Five (5), of said Homestead Addition to the Town of Freeport, now Freetown; thence North 01 degrees 31 minutes 22 seconds West, an assumed bearing, along the west line of said Lot Number One (1), a distance of 119.00 feet to a 5/8" capped rebar stamped "MRI LS29600018", found in place, at the northwest corner of said Lot Number One (1) in Block Five (5), of said Homestead Addition and said found rebar also lying on the southern right-of-way line of Third Street; thence South 88 degrees 39 minutes 24 seconds West along the southern right-of-way line of said Third Street, a distance of 311.50 feet to the northwest corner of Lot Number One (1) in Block Five (4), of said Homestead Addition and being **the point of beginning of this description**; thence continuing South 88 degrees 39 minutes 24 seconds West along the southern right-of-way line of said Third Street, a distance of 10.00 feet to the west line of a platted alley in said Homestead Addition; thence South 01 degrees 31 minutes 22 seconds East along the west line of said platted alley, a distance of 119.00 feet; thence North 88 degrees 39 minutes 24 seconds East, a distance of 10.00 feet to the southwest corner of Lot Number One (1) in Block Five (4), of said Homestead Addition; thence North 01 degrees 31 minutes 22 seconds West along the west line of said Lot Number One (1), a distance of 119.00 feet to the point of beginning and containing 0.027 acres, more or less.

The above described 0.027 acres tract is subject to all legal highways, easements, liens and incumbrances a complete title search may reveal.