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State of Indiana
Board of County Commissioners of
Vermillion County Indiana
ORDINANCE 2013- 010

Petition to Vacate Public Right of Way

Come now the undersigned and respectfully petition the Board of County Commissioners of Vermillion County, Indiana, pursuant to I.C. 36-7-3-12.

The petitioners, Gregg and Kristin Baxter, the owners of the following described real estate in Eugene Township, Vermillion County to-wit:

PERMANENT RIGHT OF WAY PARCEL 1
A part of the Southeast Quarter of Section 30, Township 18 North, Range 9 West, Vermillion County, Indiana, described as follows: Commencing at the Northwest corner of Lot 19 in the Original Plat of the Town of Eugene, Indiana; thence North 4 degrees 00 minutes 00 seconds East 470.25 feet along the Eastern boundary of Main Street to the Southwestern line of the Donna A. Turner et vir. lands; thence Northwesterly 59.20 feet along said Southwestern line to the Western boundary of Main Street and the point of beginning of this description: thence South 4 degrees 00 minutes 00 seconds West 189.00 feet along said Western boundary to the Northeastern boundary of a County Road (F.A.S. Route 935); thence Northwesterly 19.83 feet along said Northeastern boundary; thence North 4 degrees 00 minutes 00 seconds East 157.50 feet; thence North 1 degree 11 minutes 40 seconds West 21.40 feet to the Northeastern line of the owner's land, which is also the Southwestern line of the Donna A. Turner et vir lands; thence Southeasterly 14.39 feet along said Northeastern 1ine' to the point of beginning and containing 0.046 acres, more or less.

1) Petitioners own the above described real estate subject to a Vermillion County public right of way.

2) That the Petitioners wish to vacate the above described public right of way because certain structures owned by Petitioners encroach on said public right of way.
3) That the above described public right of way is not necessary for the maintenance of the adjoining public road.

4) The vacating the public right of way would not hinder the growth or orderly development of the surrounding neighborhood.

5) The vacating the public right of way would not hinder access to the land of any other person, firm, or corporation.

6) The vacating the public right of way will not endanger the public health, safety, morals, comfort, or general welfare.

7) That the above described real estate shall, by operation of law, revert back to the Petitioners.

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Wherefore, petitioners request that the above-described public right of way be vacated and the land upon which public right of way is situated become the property of the Petitioners.

Therefore, the Board of Commissioners of Vermillion County, Indiana, now ordains as follows,

PERMANENT RIGHT OF WAY PARCEL 1
A part of the Southeast Quarter of Section 30, Township 18 North, Range 9 West, Vermillion County, Indiana, described as follows: Commencing at the Northwest corner of Lot 19 in the Original Plat of the Town of Eugene, Indiana; thence North 4 degrees 00 minutes 00 seconds East 470.25 feet along the Eastern boundary of Main Street to the Southwestern line of the Donna A. Turner et vir. lands; thence Northwesterly 59.20 feet along said Southwestern line to the Western boundary of Main Street and the point of beginning of this description: thence South 4 degrees 00 minutes 00 seconds West 189.00 feet along said Western boundary to the Northeastern boundary of a County Road (F.A.S. Route 935); thence Northwesterly 19.83 feet along said Northeastern boundary; thence North 4 degrees 00 minutes 00 seconds East 157.50 feet; thence North 1 degree 11 minutes 40 seconds West 21.40 feet to the Northeastern line of the owner's land, which is also the Southwestern line of the Donna A. Turner et vir lands; thence Southeasterly 14.39 feet along said Northeastern line' to the point of beginning and containing 0.046 acres, more or less.

1) The above described public right of way is hereby vacated and, by operation of law, shall revert back to Petitioners herein.

2) Upon passage of this ordinance, pursuant to I.C. 36-7-3-12 (e), the Clerk of the Board of Commissioners of Vermillion County, Indiana shall furnish a duly signed copy of this vacation ordinance to the Petitioner. The Petitioner shall file this ordinance with the Auditor and Recorder. The Assessor may also require a form be filed.

Passed by the Board of County Commissioners of Vermillion County, Indiana, on the 17th day of December 2013.

Commissioner
Tim Wilson

Commissioner
Harry Crossley

Commissioner
Russell Hall

Attest:
Phyllis Orman, Auditor