

ORDINANCE NO. 03-18

AN ORDINANCE VACATING AN ALLEY

WHEREAS, the Lebanon City Board of Works & Safety has recommended to the Common Council of the City of Lebanon, Indiana, that a platted but unused alley should be vacated by appropriate action herein: and,

WHEREAS, the Lebanon City Board of Works & Safety has held a public hearing upon said issue and the Common Council of the City of Lebanon, Indiana, being otherwise duly advised; and,

WHEREAS, the alley sought to be vacated has never been used as a right-of-way in the City of Lebanon, and reasons for maintaining said alley no longer exist;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LEBANON, INDIANA, AS FOLLOWS:

1. That alley platted located adjacent to Lots Nos. 5 and part Lot No. 6 of Grove's Subdivision as part of Out Lot No. 5 in the Original Plat of Lebanon, Indiana, Plat Book 4, Page 4, is hereby vacated as a public alley.

2. That the said alley consists of a 16 ½' wide strip as described herein, following its vacation as a public alley, shall become part and parcel of the adjoining lots so that the south one-half (1/2) of said vacated alley consisting of eight feet-three inches (8'3") in width shall revert to the owners of Part Lot No. 6, Grove's Subdivision of a part of Out Lot No. 5 in the Original Plat of Lebanon, Indiana, as per Plat Book 4, Page 4, Recorder's Office, Boone County, Indiana, and the north one-half (1/2) of said vacated alley consisting of eight feet-three inches (8'3") in width shall revert to the owners of Lot No. 5, Grove's Subdivision of a part of Out Lot No. 5 in the Original Plat of Lebanon, Indiana, as per Plat Book 4, Page 4, Recorder's Office,

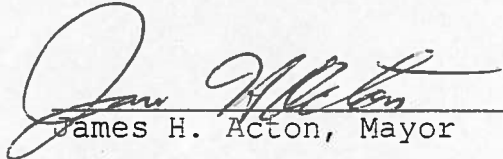
Boone County, Indiana, and said title thereto should be now quieted forever.

3. A copy of this Ordinance vacating an alley shall be furnished to the Boone County Recorder for recording and a copy shall also be furnished to the Boone County Auditor as required by law.

4. That easements for utilities, if any, running to the City of Lebanon across, over, under, or through the vacated alley shall remain in force in favor of said City of Lebanon, Indiana.

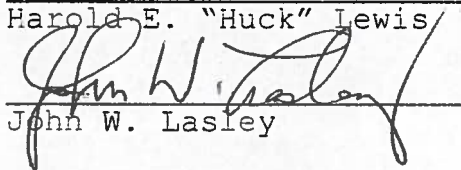
All of which is considered and passed by the Common Council of the City of Lebanon this 13 day of October, 2003.

CONSIDERED AND PASSED BY THE COMMON COUNCIL OF THE CITY OF LEBANON, INDIANA, THIS 13 DAY OF October, 2003.


James H. Acton, Mayor

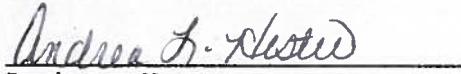
COMMON COUNCIL OF THE CITY OF
LEBANON, INDIANA

Harold E. "Huck" Lewis

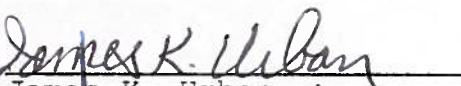


John W. Lasley

Carl J. Rady



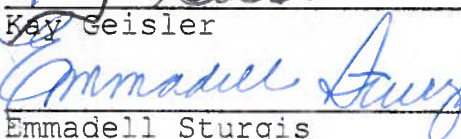
Andrea Hester



James K. Urban



Kay Geisler



Emmadell Sturgis

SOUTH WORTH

Attest:

E. Elaine Kinsler
Elaine Kinsler
Clerk/Treasurer

• 25% Cotton Fiber •
COTTON

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO	1213
CONNECTION TEL	94824652
SUB-ADDRESS	
CONNECTION ID	REPORTER
ST. TIME	10/14 11:50
USAGE T	00'58
PGS.	4
RESULT	OK



**From the Office of:
J. Elaine Kinsler, IAMC
Clerk Treasurer
City of Lebanon
201 E. Main Street
Lebanon, In 46052**

October 14, 2003

The Lebanon Reporter
Lebanon, Indiana

Re: Legal Notice - Ord #03-18 - Vacating an Alley

If you would, please publish the enclosed legal notice:
October 17, 2003 & October 24, 2003

Thanks,

A handwritten signature in cursive script that reads "Elaine".



**From the Office of:
J. Elaine Kinsler, IAMC
Clerk Treasurer
City of Lebanon
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The Lebanon Reporter
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October 17, 2003 & October 24, 2003

Thanks,

A handwritten signature in cursive script that reads "Elaine".

Attorneys at Law

GIDDINGS, WHITSITT & McCLURE, P.C.

121 North Meridian Street
P.O. Box 663
Lebanon, Indiana 46052

Lawrence D. Giddings
Thomas A. Whitsitt
J. David McClure - Civil & Domestic Mediation
Dennis A. Williams

(765) 482-6632
(317) 687-0390
Fax: (765) 482-9633

August 21, 2003

Honorable James Acton
Mayor, City of Lebanon
Hand-delivery

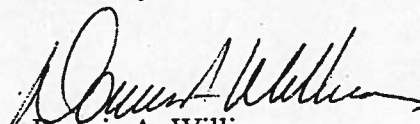
Dear Mayor Acton:

My clients, David and Diana Yount, request to be placed on the Board of Works agenda for Monday, August 25, 2003, regarding vacating an alley adjacent to their property at 510 North Jameson Street, Lebanon. Attached is a copy of the survey which shows the existing platted alley adjacent to their property, which dead-ends at the Prairie Creek open drain.

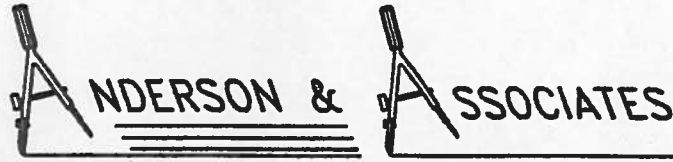
Mr. and Mrs. Yount and myself will be present at the Board of Works meeting to make our presentation.

Please contact me should you have any questions. Thank you for your attention to this matter.

Sincerely,


Dennis A. Williams

DAW/kjv
Encl.



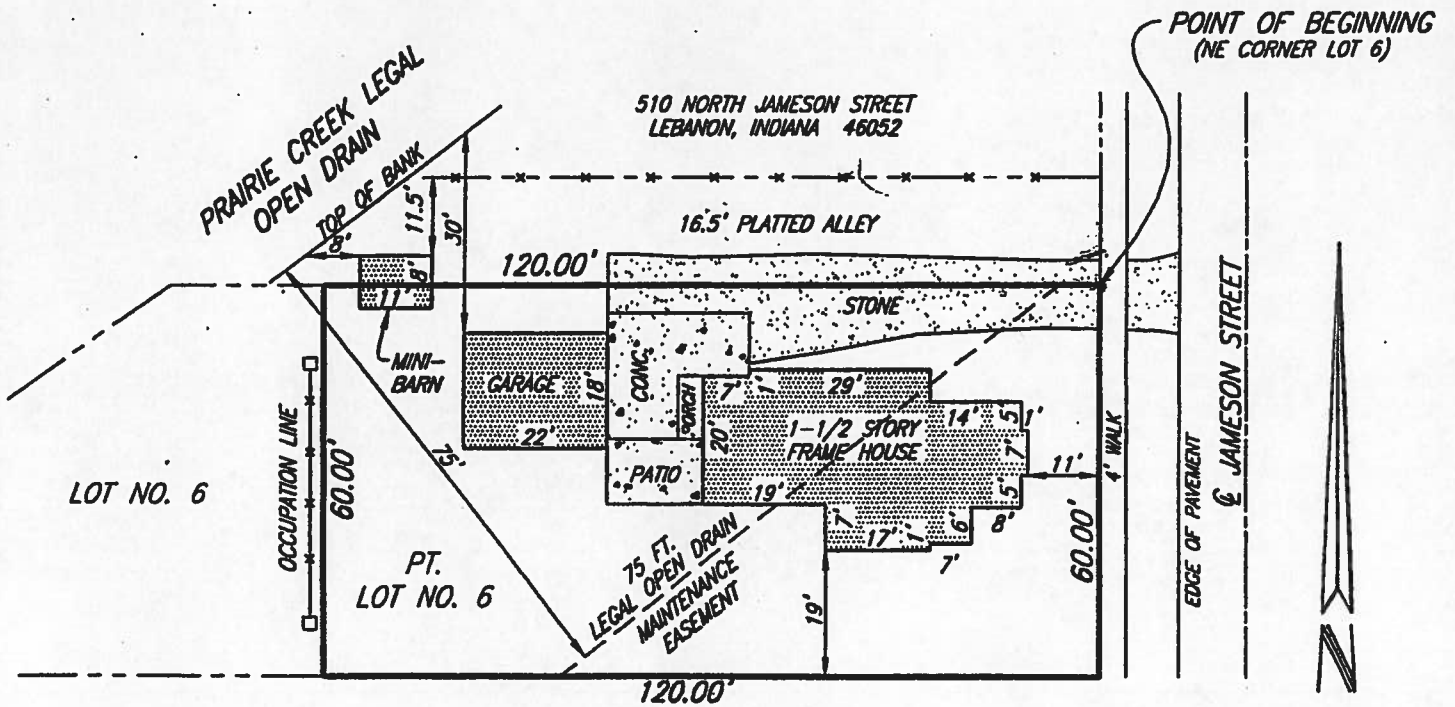
SURVEYORS LOCATION REPORT

THIS REPORT IS BASED ON LIMITED ACCURACY AND THEREFORE NO DATA HEREIN SHOULD BE USED FOR CONSTRUCTION OR ESTABLISHING BOUNDARY OF FENCE LINES.

PROPERTY ADDRESS: 510 North Jameson Street Lebanon, Indiana 46052

PROPERTY DESCRIPTION: Commencing at the northeast corner of Lot No. 6 in Grove's Subdivision of part of Out Lot No. 5 in the Original Plat of Lebanon, Boone County, Indiana, and run thence west 120 feet, thence south 60 feet, thence east 120 feet, thence north 60 feet to the place of beginning..

(Instrument No. 9700787)



PT. LOT NO. 6,
GROVE'S SUBDIVISION OF PT. OUT LOT NO. 5
ORIGINAL PLAT CITY OF LEBANON
BOONE COUNTY, INDIANA

