

Filed - Park Dept

CONTRACT FOR CONCESSIONS AT LEBANON MEMORIAL PARK FOR THE YEAR 1958

This contract and agreement made and entered into by and between the MEMORIAL PARK BOARD OF LEBANON, INDIANA, hereinafter known as the PARTY OF THE FIRST PART, and BROWN-DOLSON POST NO. 113, THE AMERICAN LEGION, LEBANON, INDIANA, to be known as PARTY OF THE SECOND PART;

WHEREAS: The party of the first part rents and leases to the party of the second part, for the year 1958, beginning January 1, 1958 and ending December 31, 1958, the use of said park for refreshment stand or stands, then situated in said park, or may be used therein by party of the second part, relative to the refreshment stands and concessions for and in consideration of THREE HUNDRED DOLLARS (\$300.00) cash in hand, receipt thereof is hereby acknowledged, and;

WHEREAS: Said party of the second part agrees to take good care of said premises and not to commit any waste or damage thereto or to permit any waste or damage to be committed to said premises by others and at all times to use said premises for lawful purposes and in lawful and law-abiding manner, and ;

WHEREAS: Said party of the second part agrees not to sell beer or liquor or to permit the sale of same on said premises, and;

WHEREAS: It is a condition of this contract as set out, the party of the first part shall have the right to declare this lease forfeited and shall have the right to demand possession of all premiees, and;

WHEREAS: The party of the second part agrees to surrender possession on or about December 31, 1958 and peacefully and without notice, in as good condition as it was at the execution of this contract, reasonable wear and tear and unavoidable accidents excepted, and;

WHEREAS: Said party of the second part agrees to pay all electric energy used in the aforementioned concessions;

In witness whereof, said parties hereunto set their hands and seal this 28th day of December, 1957.

MEMORIAL PARK BOARD OF LEBANON, IND.

BROWN-DOLSON POST NO. 113
THE AMERICAN LEGION

(SIGNED) J. CLYDE ARMSTRONG MEMBER
THOS. J. BURRIN MEMBER
WILL R. DAVIES MEMBER

WILLIAM H. SLOAN COMMANDER
RICHARD J. CADGER ADJUTANT
VICTOR BROWN EXECUTIVE COMMITTEE MEMBER

STATE OF INDIANA :

IN THE BOONE CIRCUIT COURT

COUNTY OF BOONE : SS:

SEPTEMBER TERM, 1957

*Filed -
Vacation of alleys & streets*

ROBERT H. KINKAID ET AL

VS.

CITY OF LEBANON

NO. 20276

Comes now the petitioners herein and file their petition for the vacation of Prairie Creek Avenue, which petition is in the words and figures following, to-wit: (H.I.).

And comes now the defendant, the City of Lebanon, Boone County, Indiana, and files its answer in two paragraphs to plaintiff's petition herein, which answer in two paragraphs is in the words and figures following, to-wit: (H.I.).

And this cause now being at issue on plaintiffs' petition and defendant's answer thereto, this cause is now heard by the Judge of the Boone Circuit Court without the intervention of a jury.

And now the petitioners introduce evidence and rest, and the defendants introduce evidence and rest, and the court hears argument of counsel in said cause.

And the court having heard the evidence and being advised in the premises finds that Prairie Creek Avenue as described in the petition filed herein lies west of North Meridian Street and east of North Lebanon Street running in a general east-west direction between North Meridian Street and North Lebanon Street, all in the City of Lebanon, Boone County, Indiana; that said Prairie Creek Avenue should be generally described as beginning at the southwest corner of Lot 34 in Trips Addition to Lebanon, Boone County, Indiana, and running thence east along the south side of Lot 34 in Trips Addition continuing along the south side of Lots 33, 32, 31, 30, 29 and 10 to the southeast corner of Lot 10, thence in a southerly direction to the northeast corner of Lot 9, in Trips Addition, thence along the north side of Lot 9 in a westerly direction and continuing said westerly course along the north side of a certain alley which lies between Prairie Creek Avenue and Lots 6, 5, 4, 3 in Trips Addition; thence continue westerly along the north side of Lots 2 and 1 in Trips Addition to the northwest corner of Lot 1 in Trips Addition, thence in a northerly direction to the southwest corner of Lot 34 in Trips Addition being the point of beginning and that said Prairie Creek Avenue is platted as being 50 feet in width and is generally described aforesaid and further finds that said Prairie Creek Avenue has never been used by the public as and for a street or avenue for the reason that said Prairie Creek Avenue constitutes the same general described area as Prairie Creek between North Meridian and North Lebanon Streets in the city of