

2. Plaintiff is the owner, in fee simple, of Lots Nos. 1, 2, 3, 4, 5, 6, 9, 10, 11, 12 and 13 in Block No. 1 in Rodman's Subdivision Out of Lot 59 in Spencer & McLaughlin's Addition to the City of Lebanon, Boone County, Indiana, Which is all of the real estate in Block No. 1 of such Addition hereinbefore set out excepting Lot No. 14, and is all located between South Meridian Street and South East Street, bounded on the south by East Noble Street and on the north by East Walnut Street.

4. That East Ash Street, in part, has heretofore been vacated within said block between South Meridan and South East Streets bounded on the south by East Noble Street and on the north by East Walnut Street.

3. That Lot no. 14 in Block No.1 in Rodman;s Subdivision Out of Lot 59 in Spencer & McLaughlin;s Addition to the City of Lebanon, Boone County, Indiand, is owned by Robert W. and Mary E Witt, husband and wife, who likewise desire that which is prayed for in this Complaint and Petition.

5. That none of the street and alleys in said real estate as platted have been improved, built upon or used as streets or alleyswith the exception noted below; that in its building program said petitioner has built upon some of said streets and alleys and may propose to build on others.

That the alley located between Lots 1 and 2 on the east and Lots 13 and 14 on the west, all in said Addition, City and State, has been opened, is not improved and has only an occasional use by persons other than employees agents and other persons connected with or coming to the property of the Petitioner.

6. That for the health, welfare and safety of the children attending the STokes Elementary School, belonging to the Petitioner herein, and for possible future expansion and improvement of the property of the Petitioner it is advisable and necessary that the street and alleys in said above described real estate be vacated; that the vacation thereof will relieve the City of Lebanon of the necessity of opening improveng or maintaining in the future and will be of public benefit and that such vacation will result in no danger or loss to any person or persons in or about the vicinity.

WHEREFORE, Petitioner prays that a hearing be had hereon and that on hearing this Court vacate all the street and alleys in Block No. 1 in Rodman's Subdivision Out of Lot 59 in Spencer & McLaughlin's Addition to the City of Lebanon, Boone County, Indiana being also all the streets and alleys between South East street on the east, South Meridan Street on the west, East Noble Street on the south and East Walnut Street on the north, in the City of Lebanon, Boone County, I,ndiana, and for all other proper relief in the premises.

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BY David S. Richey