

ORDINANCE NO. 92-7

AN ORDINANCE VACATING AN ALLEY

WHEREAS, the Lebanon City Plan Commission and the Lebanon City Council have been approached by the Lebanon Wesleyan Church, Central Indiana Diocese, by and through its legal representative, who have petitioned for a vacation of a certain alley located in Lebanon, Boone County, Indiana, more particularly described as follows:

Beginning at the southwest corner of Lot 12 located in Kenworthy's Addition to the town of Lebanon, then running north along the entire east boundary of Lot 12 for approximately 80 feet; then running east for 12 feet to the northwest corner of Lot 11 in Kenworthy's Addition to the City of Lebanon; then running south along the entire west boundary of Lot 11 and the entire west boundary of Lot 10 in Kenworthy's Addition to the City of Lebanon for approximately 80 feet to the southwest corner of Lot 10; then running west for 12 feet to the point of beginning, located in Lebanon, Boone County, Indiana;

and

WHEREAS, the Lebanon City Plan Commission has conducted a hearing on the proposed alley vacation and has recommended its approval to the legislative body; and

WHEREAS, the Lebanon City Council has conducted a public hearing on said proposed alley vacation and has deemed it appropriate that said alley vacation be granted subject to reservation in the City of Lebanon of an easement for the maintenance of certain sanitary sewers running beneath said alley.

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

Section 1. That a certain alley located in the City of Lebanon, County of Boone, State of Indiana, hereafter described as follows:

Beginning at the southwest corner of Lot 12 located in Kenworthy's Addition to the town of Lebanon, then running north along the entire east boundary of Lot 12 for approximately 80 feet; then running east for 12 feet to the northwest corner of Lot 11 in Kenworthy's Addition to the City of Lebanon; then running south along the entire west boundary of Lot 11 and the entire west boundary of Lot 10 in Kenworthy's Addition to the City of Lebanon for approximately 80 feet to the

southwest corner of Lot 10; then running west for 12 feet to the point of beginning, located in Lebanon, Boone County, Indiana;

be vacated to the Lebanon Wesleyan Church, Central Indiana Diocese.

Section 2. Be it further declared that the City of Lebanon, Boone County, Indiana, specifically reserves the right of ingress to and egress from the alley described above for the purpose of maintaining, repairing and keeping the sanitary sewer running beneath said alley in usable condition at all reasonable times.

Section 3. Be it further declared that the foregoing alley vacation is approved expressly on the condition that the Lebanon Wesleyan Church, Central Indiana Diocese, be responsible for any damage caused by the City of Lebanon in maintaining the sanitary sewer underneath said alley.

Dated this 14th day of December, 1992.

PRESIDING OFFICER:

James H. Acton
JAMES H. ACTON

COUNCILPERSONS:

Jack Bland
JACK BLAND

Eric D. Hungate
ERIC D. HUNGATE

Douglas W. Campbell
DOUGLAS W. CAMPBELL

Anne Good
ANNE GOOD

John W. Lasley
JOHN W. LASLEY

David L. Leuck
DAVID L. LEUCK

James K. Urban
JAMES URBAN

ATTEST:

Laurie Gross
LAURIE GROSS, Clerk-Treasurer

Presented by me to the Mayor of the City of Lebanon, Indiana,
on the 14th day of December, 1992.

Laurie A. Gross
LAURIE GROSS, Clerk-Treasurer

APPROVED AND SIGNED by me this 14th day of December,
1992.

JAMES H. ACTON, Mayor
City of Lebanon