

ORDINANCE NO. 93- 15ORDINANCE TO VACATE A PORTION OF COULSON STREET

BE IT ORDAINED by the Common Council of the City of Lebanon, Indiana, in regular meeting assembled that:

Section 1. That portion of Coulson Street located in the City of Lebanon, Indiana, and described as follows, to-wit:

A part of the West Fairview Addition to the City of Lebanon, Indiana, as recorded in Plat Book 2, page 115 in the Office of the Recorder of Boone County, Indiana, said part being more particularly described as follows:

Beginning at the southeast corner of Lot 228 in said West Fairview Addition; thence northerly along said westerly right-of-way line a distance of 201.65 feet to the northeast corner of Lot 232 in said subdivision; thence easterly a distance of 50 feet to the northwest corner of Lot 219 in said subdivision and being on the easterly right of way of said street; thence southerly along said easterly right-of-way line a distance of 201.65 feet to the southwest corner of Lot 223 in said subdivision; thence westerly a distance of 50 feet to the point of beginning.

Containing 0.231 acres, more or less. Subject to all legal highways, rights of ways, easements and restrictions of record,

is hereby vacated and shall no longer be a public way.

Section 2. The aforementioned vacated street shall become a part and parcel of the abutting Lots Nos. 228, 229, 230, 231, 232, 219, 220, 221, 222 and 223 in West Fairview Addition to the City of Lebanon, Boone County, Indiana, in proportionate shares.

Section 3. The City shall retain an easement for sewage, water, electric or other utility services within the vacated street.

Section 4. The Clerk shall furnish a copy of this Ordinance to the Boone County Recorder for recording and to the Boone County Auditor.

Section 5. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

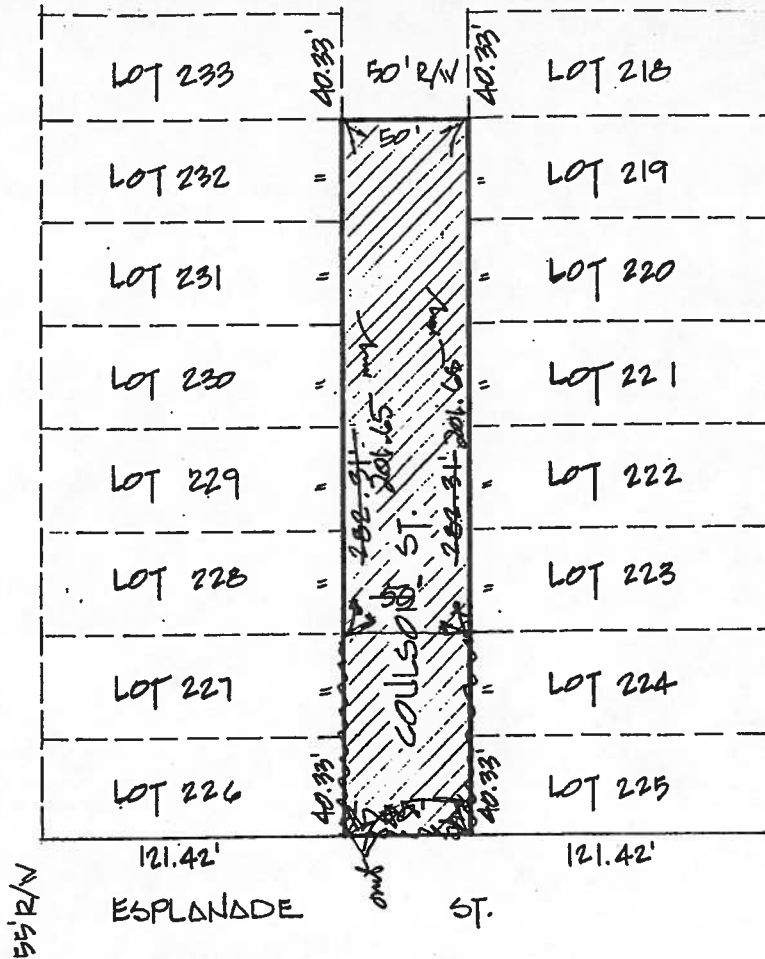
CITY COUNCIL FOR THE
CITY OF LEBANON,

By James Acton
James Acton, Mayor

Attest:

Ernie D. Gray
Clerk

This instrument prepared by Hollis Roy Martin, Attorney at Law.



LEGAL DESCRIPTION FOR COULSON STREET VACATION

A part of the West Fairview Addition to the City of Lebanon, Indiana, as recorded in Plat Book 2, Page 115 in the Office of the Recorder of Boone County, Indiana, said part being more particularly described as follows:

BEGINNING at the southeast corner of Lot 226 in said West Fairview Addition; thence northerly along said westerly right-of-way line a distance of ~~282.31~~ ^{201.65} feet to the northeast corner of Lot 232 in said subdivision; thence easterly a distance of 50 feet to the northwest corner of Lot 219 in said subdivision and being on the easterly right-of-way of said street; thence southerly along said easterly right-of-way line a distance of ~~282.51~~ ^{201.65} feet to the southwest corner of Lot 226 in said subdivision; thence westerly a distance of 50 feet to the point of beginning.

Containing ~~0.324~~ ^{0.231} acres, more or less. Subject to all legal highways, rights-of-ways, easements and restrictions of record.

CERTIFIED: AUGUST 23, 1993

Ronald L. Nolan

RONALD L. NOLAN
REGISTERED LAND SURVEYOR
#S0439



JOB NO. 1348

SAMUEL L. MOORE & ASSOCIATES, INC. Consulting Engineers	COULSON ST. VACATION
	LEBANON, IN. BOONE CO.

STATE OF INDIANA)
) SS:
 COUNTY OF BOONE)

BEFORE THE LEBANON CITY COUNCIL

In The Matter of THE)
 LEBANON CHURCH OF THE)
 NAZARENE, INC. AND)
 ROBERT R. KIEFER)
 Petitioners.)

**PETITION FOR VACATION
 OF A PART OF COULSON STREET**

Come now the petitioners and would say:

1. This petition is made pursuant to I.C. 36-7-3-12.

2. The Lebanon Church of the Nazarene, Inc. ("Church") is the fee owner of all of the Lots abutting and contiguous to the portion of Coulson Street that the petitioners are requesting to be vacated.

3. Robert R. Kiefer has an interest in that he is part of a certain trade transaction to acquire the real estate owned by the Church.

4. At the present time the street is unimproved, and the area cannot be built upon because of the severe drainage problems. Kiefer and the Church presented to the Lebanon Plan Commission, on August 16, 1993, their plans for development which will dramatically reduce the standing water and improve the quality of the neighborhood. The solving of the drainage problem will improve the value of all of the real estate owned by the residents of West Fairview addition.


In order for the construction of the 10 condominium units, its

necessary to vacate a portion of the street which in so doing will allow the drainage plan to become a reality.

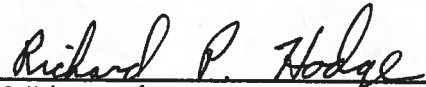
5. That portion of Coulson Street that is to vacated is described as follows:

(See real estate description attached hereto)

WHEREFORE, Petitioners pray that the Council for the City of Lebanon, Indiana, advertise a hearing on this Petition pursuant to I.C. 5-3-1 and I.C. 5-14-1.5, and after such hearing grant their Petition for Vacation and for all proper relief in the premises.


Robert R. Kiefer

LEBANON CHURCH OF THE NAZARENE, INC.

BY 
CHAIRMAN, HEAD TRUSTEE

Hollis Roy Martin
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