

OCT 17 3 14 PM '94

ORDINANCE NO. 94-2

AN ORDINANCE VACATING AN ALLEY

MARY ALICE BALDWIN
RECORDER OF BOONE COUNTY
LEBANON, INDIANA, 46052
M.A. BK 148 PG 918

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

That part of a platted alley lying adjacent to the South Boundary of Lot No. 3 and being adjacent to the North Boundary of Lot No. 33, situated in Fairview Addition to the City of Lebanon, Boone County, Indiana;

and

WHEREAS, the Lebanon City Council has conducted a public hearing on said proposed alley vacation and has deemed it appropriate that said alley be vacated.

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

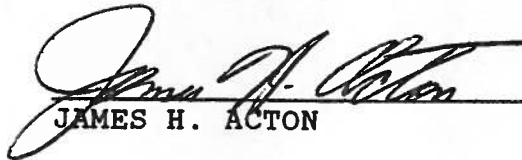
Section 1: That a certain alley located in the City of Lebanon, County of Boone, State of Indiana, hereinafter described as follows:

That part of a platted alley lying adjacent to the South Boundary of Lot No. 3 and being adjacent to the North Boundary of Lot No. 33, situated in Fairview Addition to the City of Lebanon, Boone County, Indiana

be vacated to the First Church of the Nazarene, Lebanon, Indiana, and Ruth B. Newby, adjoining and abutting landowners.

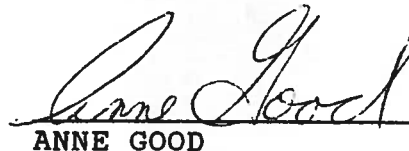
Dated this 28th day of March, 1994.

PRESIDING OFFICER:


JAMES H. ACTON

COUNCILPERSONS:


JACK BLAND


ANNE GOOD

Eric D. Hungate
ERIC D. HUNGATE

John W. Lasley
JOHN W. LASLEY

Douglas W. Campbell
DOUGLAS W. CAMPBELL

David L. Leuck
DAVID L. LEUCK

James K. Urban
JAMES URBAN

ATTEST:

Laurie A. Gross
LAURIE GROSS, Clerk-Treasurer

Presented by me to the Mayor of the City of Lebanon, Indiana,
this ~~28th~~ day of March, 1994.

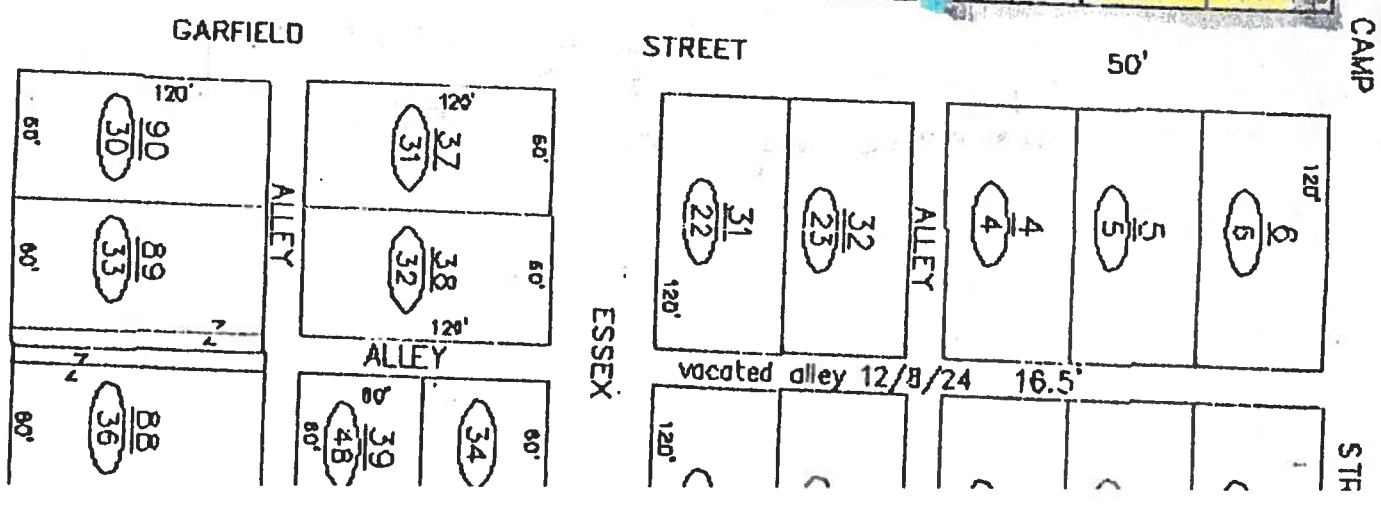
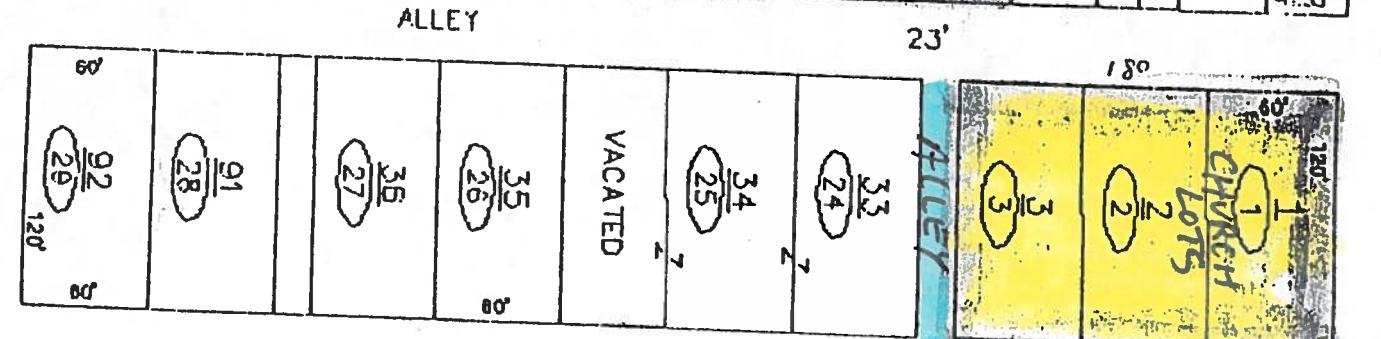
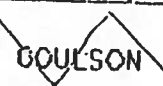
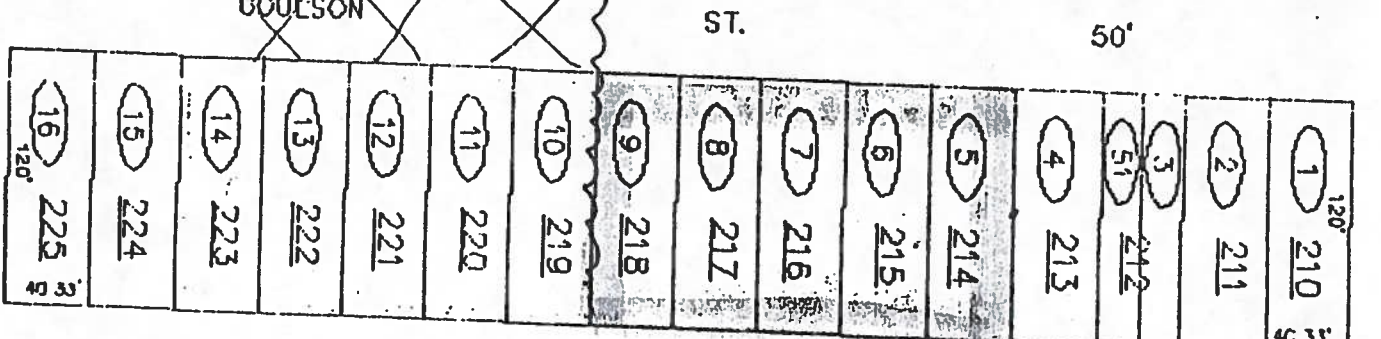
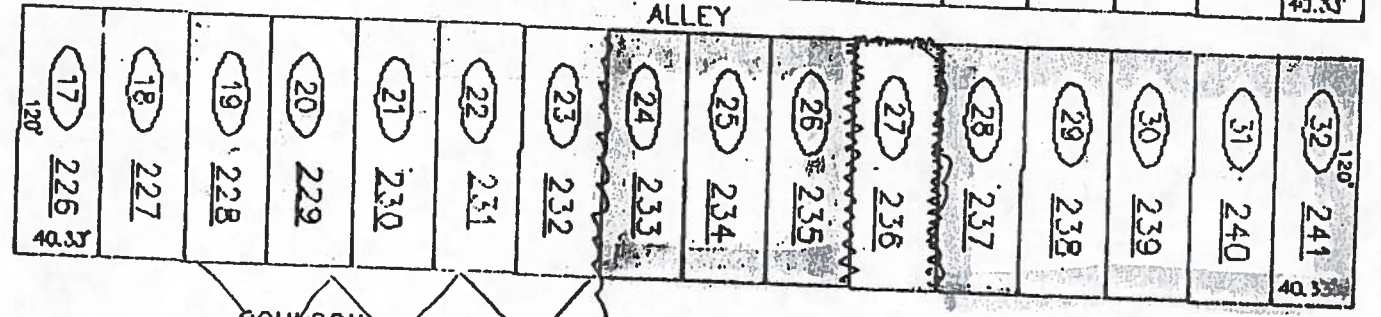
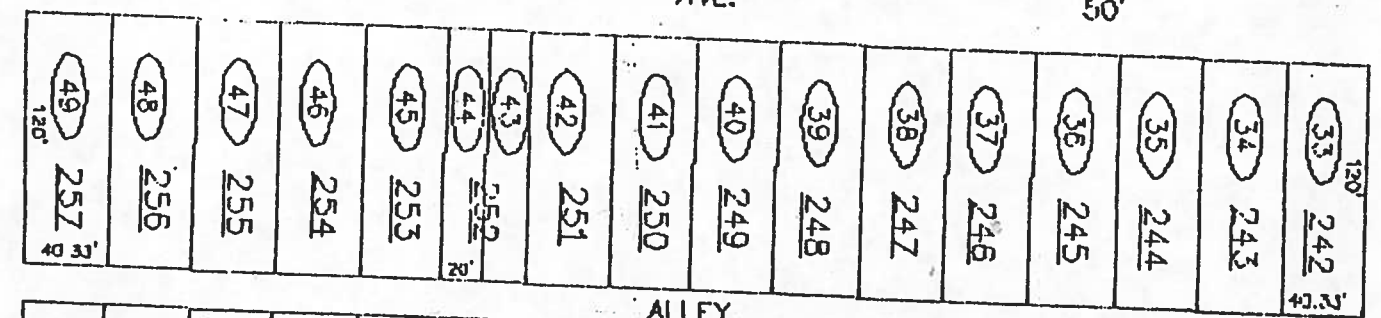
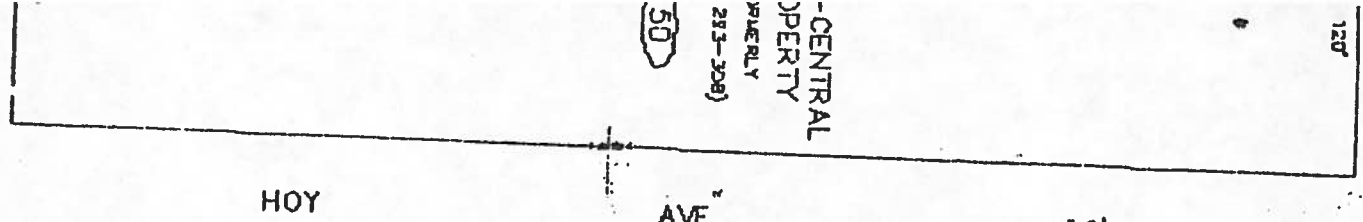
Laurie A. Gross
LAURIE GROSS, Clerk-Treasurer

APPROVED AND SIGNED by me this ~~28th~~ day of March, 1994.

James H. Action
JAMES H. ACTION, Mayor
City of Lebanon

This instrument prepared by J. Jeffrey Edens, Attorney at Law,
SHELBY & EDENS, P.C., 116 North West Street, P.O. Box 743,
Lebanon, Indiana 46052

CENTRAL
PROPERTY
AGENCY
283-308



ESPLANADE

ST.

55'

50'

50'

50'

31.

31.

CAMP

STH

STREET

ESSEX

vacated alley 12/8/24 16.5'

120'

120'

120'

ALLEY

ALLEY

ALLEY

ALLEY

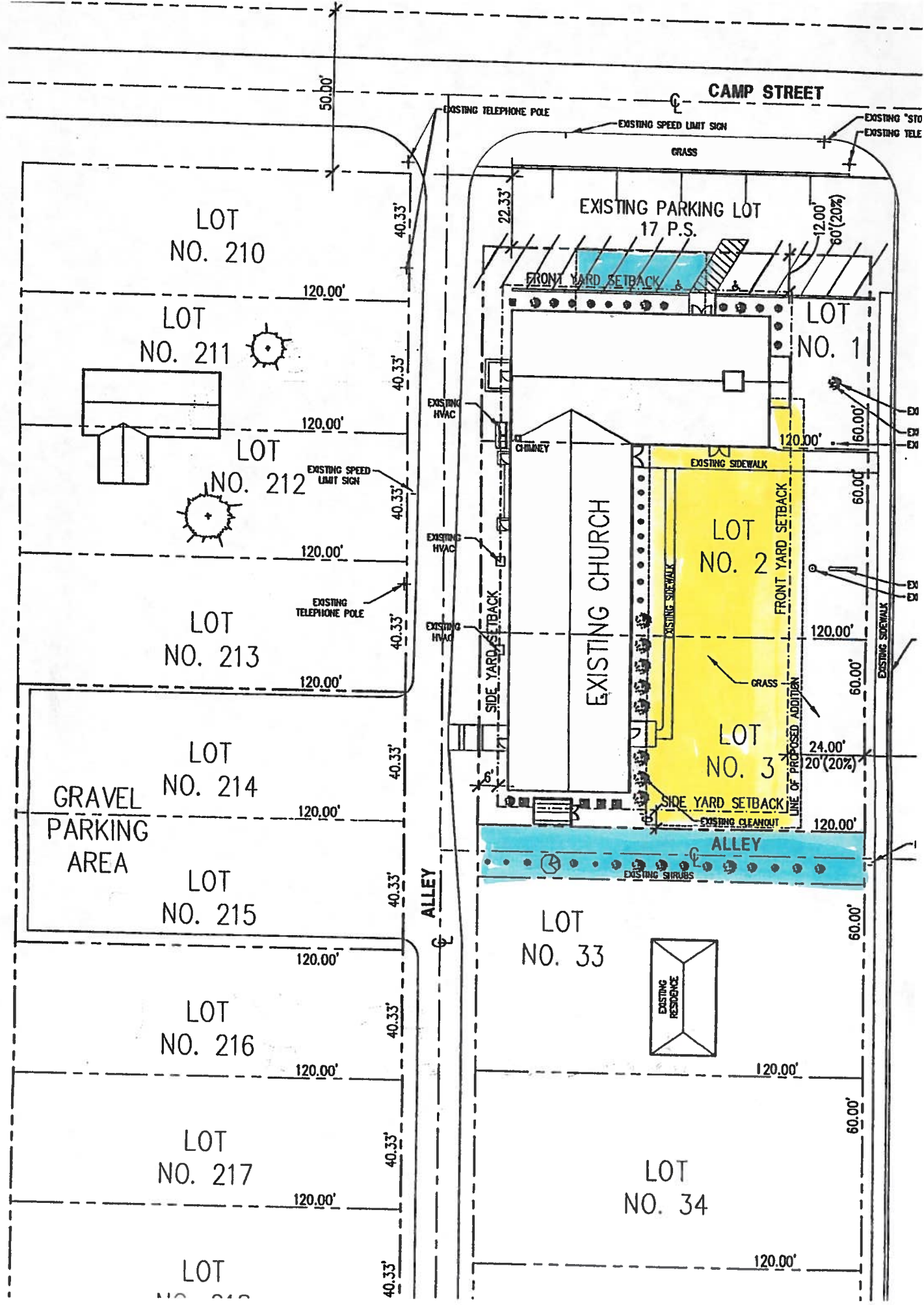
ALLEY

ALLEY

HOY AVE.

HOY

GARFIELD



STATE OF INDIANA)
)
COUNTY OF BOONE)

BEFORE THE CITY COUNCIL
OF THE CITY OF
LEBANON, INDIANA

PETITION TO VACATE ALLEY

Comes now the Petitioner, First Church of the Nazarene, Lebanon, Indiana, and petitions for the vacation of an alley located within the City of Lebanon, Boone County, Indiana, as follows:

1. Petitioner is the owner of certain property located in Lebanon, Boone County, Indiana, more particularly described as follows:

Lots No. 1, 2 and 3 in Fairview Addition to the City of Lebanon, Boone County, Indiana.

2. Located along the entire south boundary of Lot No. 3 is an approximate 16.5 foot alley more particularly described as follows:

That part of a platted alley lying adjacent to the South Boundary of Lot No. 3 and being adjacent to the North Boundary of Lot No. 33, situated in Fairview Addition to the City of Lebanon, Boone County, Indiana.

3. Said alley has been platted but has not been improved by the City of Lebanon. Currently, said alley is planted in grass and there are located on said alley trees and shrubs.


4. Neither the City of Lebanon nor the general public maintains or uses the alley proposed to be vacated.

5. The name of the owner of Lot No. 33 is:

Ms. R. Newby
1104 Garfield
Lebanon, Indiana

Executed this 22nd day of February, 1994.

FIRST CHURCH OF THE NAZARENE

By: 

J. JEFFREY EDENS
Attorney for Petitioner

NOTICE OF PUBLIC HEARING TO PROPERTY OWNERS

Date: March 2, 1994

TO: ADJOINING LANDOWNERS:

Ruth B. Newby
1104 Garfield St.
Lebanon, Indiana 46052

Indiana Methodist Children's Home, Inc.
515 West Camp
Lebanon, Indiana 46052

James T. and Paulette Riley
1025 West Camp
Lebanon, Indiana 46052

This is to inform you that the Common Council of the City of Lebanon will hold a public hearing on a Petition to Vacate Alley on the 14th day of March, 1994, immediately following the meeting of the Board of Works, which Board of Works meeting begins at 7:00 o'clock p.m., in the Municipal Building in the City of Lebanon, Indiana.

This petition, submitted by the First Church of the Nazarene, requests that an alley be vacated which is specifically described as follows:

That part of a platted alley lying adjacent to the South Boundary of Lot No. 3 and being adjacent to the North Boundary of Lot No. 33, situated in Fairview Addition to the City of Lebanon, Boone County, Indiana.

Written suggestions or objections relative to the petition may be filed with any member of the City Council or office of the City Building Inspector, at or before such meeting, and will be heard by the Lebanon City Council at the time and place specified.

Interested persons desiring to present their views upon the petition, either in writing or verbally, will be given the opportunity to be heard at the above mentioned time and place. Said hearings may be continued from time to time as may be necessary.

James H. Acton, Chairman
Common Council of the
City of Lebanon, Indiana

AFFIDAVIT

Comes now J. Jeffrey Edens, attorney of record for the Petitioner, the First Church of the Nazarene, and hereby swears that Notice of Public Hearing was mailed by certified mail to the following, who are, to the best of your undersigned's knowledge, all adjoining and abutting landowners to the property, subject to the Petition to Vacate Alley.

Ruth B. Newby
1104 Garfield St.
Lebanon, Indiana 46052

Signed 3/2/94
By Ruth Newby

Indiana Methodist
Children's Home, Inc.
515 W. Camp
Lebanon, IN 46052

Signed 3/2/94
By Linda Hedge

James T. and Paulette Riley
1025 W. Camp
Lebanon, Indiana 46052

Signed 3/3/94
By James T. Riley

I AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE FOREGOING REPRESENTATIONS ARE TRUE.

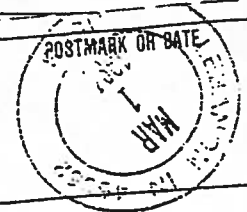
SHELBY & EDENS, P.C.



J. JEFFREY EDENS

SENDER:
• Complete items 1 and/or 2 for additional services.
• Complete items 3 and 4a & b.
• Print

POSTAGE	29
SHOW TO WHOM DATE AND / RESTRICTED ADDRESS OF DELIVERY	1/10
CERTIFIED FEE - RETURN RECEIPT	1A
TOTAL POSTAGE AND FEES	229



SENT TO: NO INSURANCE COVERAGE PROVIDED - NOT FOR INTERNATIONAL MAIL (SEE OTHER SIDE)

James T. and Pauletta Riley
1025 West Camp
Lebanon, IN 46052

P 226 022 676

PS FORM 3800

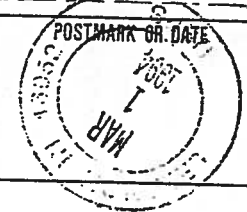


RECEIPT FOR CERTIFIED MAIL

DOMESTIC RETURN RECEIPT

IMPORTANT! PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF RETURN ADDRESS.

POSTAGE	29
SHOW TO WHOM DATE AND / RESTRICTED ADDRESS OF DELIVERY	1/10
CERTIFIED FEE - RETURN RECEIPT	1A
TOTAL POSTAGE AND FEES	229



SENT TO: NO INSURANCE COVERAGE PROVIDED - NOT FOR INTERNATIONAL MAIL (SEE OTHER SIDE)

Metropolitan School
District of Lebanon
404 N. Meridian
Lebanon, IN 46052

P 226 022 675

PS FORM 3800



RECEIPT FOR CERTIFIED MAIL

DOMESTIC RETURN RECEIPT

IMPORTANT! PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF RETURN ADDRESS.

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

P 226 022 676

3. Article Addressed to:

James T. and Paulette Riley
1025 West Camp
Lebanon, IN 46052

4a. Article Number
 P 226 022 676

4b. Service Type
 CERTIFIED

7. Date of Delivery
 3-3-94

5. Signature - (Addressee)
James T. Riley

8. Addressee's Address
 (ONLY if requested and fee paid.)

6. Signature - (Agent)

PS Form 3811, November 1990

DOMESTIC RETURN RECEIPT

SENDER:

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- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Metropolitan School
District of Lebanon
404 N. Meridian
Lebanon, IN 46052

4a. Article Number
 P 226 022 675

4b. Service Type
 CERTIFIED

7. Date of Delivery
 3-2-94

5. Signature - (Addressee)

8. Addressee's Address
 (ONLY if requested and fee paid.)

6. Signature - (Agent)

Marvin Closer

PS Form 3811, November 1990

DOMESTIC RETURN RECEIPT

IMPORTANT - THE ITEM

P 226 022 673

RETURN RECEIPT SERVICE	POSTAGE	25	POSTMARK OR DATE MAR 1 1994 USPS 46052
	SHOW TO WHOM DATE AND ADDRESS OF DELIVERY / RESTRICTED DELIVERY	1.00	
	CERTIFIED FEE - RETURN RECEIPT	1.00	
	TOTAL POSTAGE AND FEES	2.25	
SENT TO:		NO INSURANCE COVERAGE PROVIDED - NOT FOR INTERNATIONAL MAIL (SEE OTHER SIDE)	
Indiana Methodist Children's Home, Inc. 515 West Camp Lebanon, IN 46052			

PS FORM 3800



RECEIPT FOR CERTIFIED MAIL

PS Form 3811, November 1990

DOMESTIC RETURN RECEIPT

IMPORTANT! PLACE STICKER AT TOP OF ENVELOPE TO

P 226 022 674

RETURN RECEIPT SERVICE	POSTAGE	25	POSTMARK OR DATE MAR 1 1994 USPS LEBANON IN 46052
	SHOW TO WHOM DATE AND ADDRESS OF DELIVERY / RESTRICTED DELIVERY	1.00	
	CERTIFIED FEE + RETURN RECEIPT	1.00	
	TOTAL POSTAGE AND FEES	2.25	
SENT TO:		NO INSURANCE COVERAGE PROVIDED - NOT FOR INTERNATIONAL MAIL (SEE OTHER SIDE)	
Ms. Ruth B. Newby 1104 Garfield St. Lebanon, IN 46052			

PS FORM 3800



RECEIPT FOR CERTIFIED MAIL

PS Form 3811, November 1990

DOMESTIC RETURN RECEIPT

IMPORTANT! PLACE STICKER AT TOP OF ENVELOPE TO

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
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3. Article Addressed to:

**Indiana Methodist
Children's Home, Inc.
515 West Camp
Lebanon, IN 46052**

Linda Hedge
6. Signature - (Addressee)

6. Signature - (Agent)

4a. Article Number
P 226 022 673

4b. Service Type
 CERTIFIED

7. Date of Delivery
3/2/94

8. Addressee's Address
(ONLY if requested and fee paid.)

I also wish to receive the following services (for an extra fee):

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- Restricted Delivery

Consult postmaster for fee.

PS Form 3811, November 1990

DOMESTIC RETURN RECEIPT

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- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

3. Article Addressed to:

**Ms. Ruth B. Newby
1104 Garfield St.
Lebanon, IN 46052**

Ruth Newby
5. Signature - (Addressee)

6. Signature - (Agent)

4a. Article Number
P 226 022 674

4b. Service Type
 CERTIFIED

7. Date of Delivery
3/2/94

8. Addressee's Address
(ONLY if requested and fee paid.)

I also wish to receive the following services (for an extra fee):

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- Restricted Delivery

Consult postmaster for fee.

PS Form 3811, November 1990

DOMESTIC RETURN RECEIPT

THE RIGHT TO RETURN MAIL