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ORDINANCE NO. 96-22

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AN ORDINANCE VACATING AN ALLEY

WHEREAS, the Lebanon City Plan Commission has recommended to the Common Council of the City of Lebanon, Indiana, that a platted but unused alley should be vacated by appropriate action herein: and,

WHEREAS, the Lebanon City Plan Commission has held a public hearing upon said issue and the Common Council of the City of Lebanon, Indiana, being otherwise duly advised; and,

WHEREAS, the alley sought to be vacated has not been used as an alley in the City of Lebanon from and after the construction of the Lebanon High School, commonly referred to as Memory Hall, and further said alley is totally encroached upon by the brick building constructed on top of said alley; and,

WHEREAS, the platted alley now abandoned is 16 1/2' in even width and lies adjacent to Lots No. 4 and 5, Block 3, in the Original Plat of the City of Lebanon, Indiana, and more particularly described as follows:

Beginning at the Northwest Corner of said Lot 5; thence North 00°10'25" West, a distance of 16.50 feet to the Southwest Corner of said Lot 4; thence North 89°48'49" East along the South line of Lot 4, a distance of 124.05 feet; thence South 00°00'00" East, along the West right of way line of Meridian Street, a distance of 16.50 feet to the Northeast Corner of Lot 5; thence South 89°48'49" West along the North line of said Lot 5, a distance of 124.00 feet to the Point of Beginning.

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

- 1. That alley described herein and located adjacent to Lots No. 4 and 5 in Block 3 of the original plat of the City of Lebanon, Indiana, more fully described as follows:

Beginning at the Northwest Corner of said Lot 5; thence North 00°10'25" West, a distance of 16.50 feet to the Southwest Corner of said Lot 4; thence North 89°48'49" East along the South line of Lot 4, a distance of 124.05 feet; thence South 00°00'00" East, along the West

right of way line of Meridian Street, a distance of 16.50 feet to the Northeast Corner of Lot 5; thence South 89°48'49" West , along the North line of said Lot 5, a distance of 124.00 feet to the Point of Beginning.

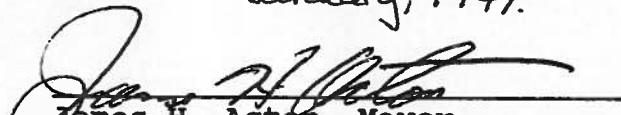
is hereby vacated as a public alley in the City of Lebanon, Boone County, Indiana.

2. That the alley consisting of a 16 1/2' wide strip as described herein, following its vacation as a public alley, shall hereafter become part and parcel of the real estate constructed over it, namely, the structure formerly referred to as Memory Hall and now known as a building owned by the Lebanon Housing Partnership, LP, and title thereto should be now quieted forever.


3. A copy of this Ordinance vacating an alley shall be furnished to the Boone County Recorder for recording and a copy shall also be furnished to the Boone County Auditor as required by law.


4. That easements for utilities, if any, running to the City of Lebanon across, over, under, or through the vacated alley shall remain in force in favor of said City of Lebanon, Indiana.

All of which is considered and passed by the Common Council of the City of Lebanon this 13th day of ~~December, 1996.~~
January, 1997.



James H. Acton, Mayor

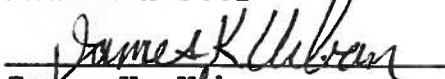
COMMON COUNCIL OF THE CITY OF
LEBANON, INDIANA

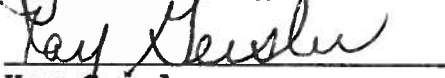

Harold E. "Huck" Lewis


John W. Lasley


Douglas W. Campbell


Andrea Hester


James K. Urban


Kay Geisler

Jack S. Bland
Jack S. Bland

Attest: Laurie A. Gross
Laurie A. Gross
Clerk/Treasurer