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STATE OF INDIANA) BEFORE THE COMMON COUNCIL
) SS:
COUNTY OF BOONE) OF THE CITY OF LEBANON

IN RE: THE PETITION OF HOME)
CARPETS, INC. FOR VACATION)
OF A PORTION OF A PUBLIC ALLEY)

ORDINANCE NO. 98-9

An Ordinance Vacating a Portion of a Public Alley
in the 600 Block of West South Street, Lebanon

WHEREAS, a petition has been filed by Home Carpets, Inc. pursuant to IND.
CODE § 36-7-3-12 requesting the Common Council of the City of Lebanon to vacate a
portion of a public alley located in the 600 block of West South Street, Lebanon, the
precise portion of which is as follows:

That section of an alley sixteen and one half feet (16 1/2') in width running
in a north and south direction along the eastern boundary of the existing
Home Carpets building adjacent to the eastern boundary of the real estate
described on Exhibit B attached hereto. A survey of the area with the
section of the alley to be vacated highlighted thereon is attached hereto as
Exhibit A.

WHEREAS, a favorable recommendation on the petition has been received from
the City Plan Commission and a public hearing has been held by this Council following
compliance with the required public notice; and

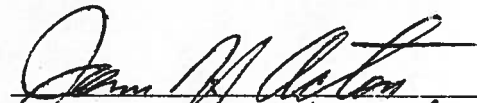
WHEREAS, so long as approval of the Lebanon Utilities is obtained with regard to the alteration of any existing utility lines in the area prior to any construction of the proposed building addition over the portion of the alley to be vacated, the Common Council has determined it is in the best interest of the community if this portion of the alley were vacated, all as herein below ordered and directed.

IT IS, THEREFORE, ORDERED, that the above section of the alley is hereby declared vacated and no longer part of the public domain.

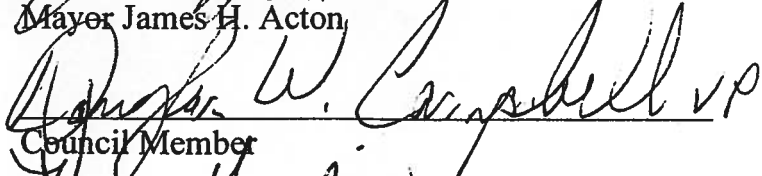
IT IS FURTHER ORDERED that the real estate on which this portion of the alley is located shall become part of the tract of real estate described on Exhibit A. and hereafter owned by the owner(s) of such lot.

IT IS FURTHER ORDERED that the Clerk-Treasurer of the City of Lebanon shall furnish a copy of this ordinance to the County Recorder for recording and to the County Auditor for property transfer purposes as required by law.

ENACTED AND ADOPTED this 9th day of November, 1998.



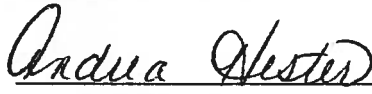
Mayor James H. Acton



Council Member



Council Member



Council Member

Jack Oland

Council Member

John L. [unclear]

Council Member

James K. [unclear]

Council Member

Council Member

ATTEST:

Laurie Gross

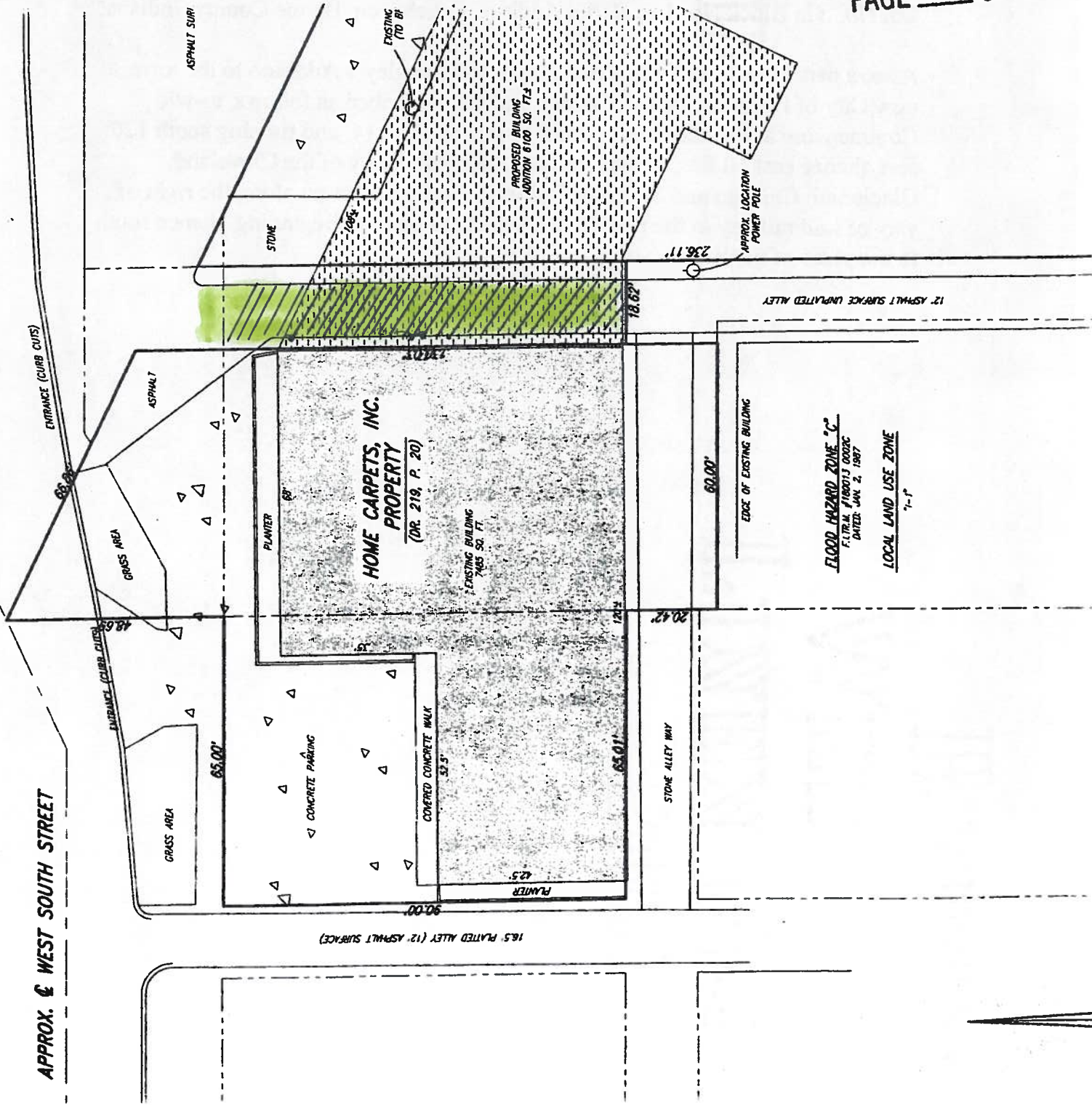
Laurie Gross, Clerk-Treasurer

City of Lebanon

Doc # 43999 10/25/98

EXHIBIT A
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APPROX. & WEST SOUTH STREET



FLOOD HAZARD ZONE "C"
F.L.P.M. #180013 0000C
DATED: JAN. 2, 1987
LOCAL LAND USE ZONE
7-1'

LEGAL DESCRIPTION
HOME CARPETS BUILDING

Lot No. 2 in Block No. 1 in Hall's Addition to Lebanon, Boone County, Indiana.

Also, a part of Out Lot 14 in Rose, Harris and Longley's Addition to the town, now City of Lebanon, Boone County, Indiana, described as follows, to-wit:
Commencing at the northwest corner of said Out Lot 14, and running south 120 feet, thence east 60 feet, thence north to the right of way of the Cleveland, Cincinnati, Chicago and St. Louis Railway, thence northwest along the right of way of said railway to the point due north of the place of beginning, thence south to the place of beginning.