Richard Thomas Uhler (Signed)

Gary A. Steward (Signed)

PETITIONERS

Eugene B. Burns,
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129 North Meridian Street
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Witham Hospital Judgement

STATE OF INDIANA)
) SS:
COUNTY OF BOONE)

IN THE BOONE CIRCUIT COURT
1976

The Board of Trustees of the F. J. WITHAM MEMORIAL HOSPITAL of the City of Lebanon, Boone County, Indiana,
Plaintiffs,
vs.
The CITY OF LEBANON, INDIANA,
Defendant.

Cause No. C73-174

J U D G M E N T

Come now the plaintiffs by counsel and comes also the defendant by councel and this matter being at issue on the complaint and answer filed herein, (H.I.) and the Court having heard evidence now finds that the easement for street purposes herein defined, to-wit:

A part of the southeast quarter of the southeast quarter of Section 25, Township 19 North, Range 1 West, and being situated in Lebanon, Indiana, and being more particularly described as follows, to-wit:

From the northwest corner of the aforesaid tract, proceed thence easterly with the north line of the quarter-quarter section for a distance of 289.5 feet to the point of beginning. From said point of beginning continue thence easterly with the aforesaid line for a distance of 249 feet; thence proceed south zero degrees east for a distance of 25.0 feet; thence proceed north 90 degrees west for a distance of 249 feet; thence proceed north zero degrees east for a distance of 25.0 feet to the point of beginning, containing 0.143 acres, more or less,

shall be vacated subject to the rights of the defendant to maintain any and all utilities that may exist in said vacated street.

The Court further finds that the plaintiffs have agreed to provide ingress and egress throught the plaintiffs' real estate pursuant to the site plan attached hereto and made a part of this judgement.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the following described real estate, to-wit:

A part of the southeast quarter of the southeast quarter of Section 25, Township 19 North, Range 1 West, and being situated in Lebanon, Indiana, and being more particularly described as follows, to-wit:

From the northwest corner of the aforesaid tract, proceed thence easterly with the north line of the quarter-quarter section for a distance of 289.5 feet to the point of beginning. From said point of beginning continue thence easterly with the aforesaid line for a distance of 249. feet; thence proceed south zero degrees east for a distance of 25.0 feet; thence proceed north 90 degrees west for a distance of 249 feet; thence proceed north degrees east for a distance of 25.0 feet to the point of beginning, containing 0.143 acres, more or less.

which was a dedicated thoroughfare, is now vacated subject only to the rights of the defendant to maintain any and all utilities that may presently exist in said vacated street.

It is further ordered that the attached site plan designate the proposed ingress and egress through plaintiffs' real estate for use of the public.

Dated this 19th day of April, 1976.

Charles F. Thompson (Signed)
JUDGE OF THE BOONE CIRCUIT COURT

Variance - Mar Kel Bldgs

STATE OF INDIANA)
) SS:
COUNTY OF BOONE)

BEFORE THE BOARD OF ZONING APPEALS OF THE CITY OF LEBANON, BOONE COUNTY, INDIANA

IN THE MATTER OF THE PETITION OF MAR-KEL BUILDERS, INC., FOR A VARIANCE

Comes now the Petitioner, Mar-Kel Builders, Inc., and for Petition for Variance alleges:

1. That the Petitioner herein is a corporation organized and existing pursuant to the laws of the State of Indiana.

2. That the Petitioner is the owner of certain real estate located in the City of Lebanon, which real estate is presently being platted and will be known