

**PETITION FOR
VACATION OF RIGHT OF WAY**

**TO THE HONORABLE
BOARD OF COMMISSIONERS
OF VIGO COUNTY, INDIANA:**

The undersigned petitioner respectfully petition for the vacation of the Right of Way now existing and more particularly hereinafter described.

All that portion of North Hendricks Street lying adjacent to Lots 5, and 6 and extending North 200 feet from Walnut Avenue in Devonald's 3rd Addition to the Town of Burnett, being a part Section 28, Township 13 North, Range 8 West, Otter Creek Township, Vigo County, Indiana as recorded in Plat Record 7, Page 42 in the Office of the Vigo County Recorder.

Subject to all existing easements.

PETITIONED BY:

SIGNATURE

Amy L. Mitchel

Thomas J. and Amy L. Mitchel
6486 North Robertson Street
Terre Haute, IN 47805

DATE

8/13/19

PHONE

812-230-6786

EMAIL

mitchela@aol.com

ORDINANCE NO. 2, 2019

AN ORDINANCE VACATING A PORTION OF A PUBLIC STREET LOCATED IN OTTER CREEK TOWNSHIP, VIGO COUNTY, INDIANA.

BE IT ORDERED by the Board of Commissioners of Vigo County, Indiana:

SECTION 1. Pursuant to the provisions of I.C. 36-7-3-12, it is desired and deemed necessary to vacate a portion of a public street located in Otter Creek Township, Vigo County, Indiana, which is now laid out and existing in Otter Creek Township, Vigo County, Indiana, and described as follows:

All that portion of North Hendricks Street lying adjacent to Lots 5, and 6 and extending North 200 feet from Walnut Avenue in Devonald's 3rd Addition to the Town of Burnett, being a part Section 28, Township 13 North, Range 8 West, Otter Creek Township, Vigo County, Indiana as recorded in Plat Record 7, Page 42 in the Office of the Vigo County Recorder.

Subject to all existing easements.

SECTION 2. Be it further ordained that said street in Otter Creek Township, Vigo County, Indiana, above described, be, and the same is, vacated and will revert to the abutting property subject to all existing easement rights for public utilities.

SECTION 3. Be it further ordained that the Clerk is hereby directed to furnish a copy of this ordinance to the Recorder of Vigo County, Indiana for recording, and to the Auditor of Vigo County, Indiana.

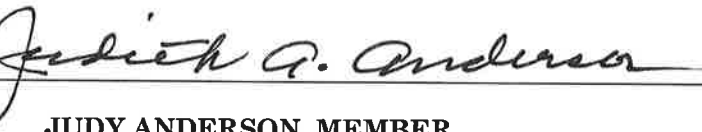
WHEREAS, an emergency exists for the immediate taking effect of this ordinance, the same shall be in full force and effect from and after its passage by the Board of Commissioners of Vigo County, Indiana and publication as provided by law.

Passed in open hearing this 10th day of September, 2019

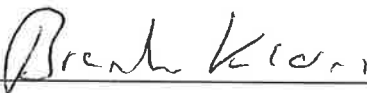
BOARD OF COMMISSIONERS OF VIGO COUNTY, INDIANA

BY  _____

BRAD ANDERSON, PRESIDENT

BY  _____

JUDY ANDERSON, MEMBER

BY  _____

BRENDAN KEARNS, MEMBER

ATTEST:



JAMES W. BRAMBLE, VIGO COUNTY AUDITOR

This Instrument Prepared by:

Vigo County Auditor's Office
131 Oak Street
Terre Haute, IN 47807

Road Record Book 9, Page 27

IN THE MATTER OF PETITION TO VACATE A STREET IN OTTER CREEK TOWNSHIP

Legal Notice of Public Hearing was published on August 16, 2019. Hearing to be held in the Office of the County Commissioners on Tuesday September 10, 2019 at 9:00 A.M., E.S.T.

PETITION FOR THE VACATION OF A COUNTY STREET IN OTTER CREEK TOWNSHIP

TO THE HONORABLE BOARD OF COMMISSIONERS OF VIGO COUNTY, INDIANA:

The undersigned petitioner respectfully petitions for the vacation of a Street as more particularly hereinafter described.

DESCRIPTION AND NAME OF STREET PROPOSED TO BE VACATED:

All that portion of North Hendricks Street lying adjacent to Lots 5, and 6 and extending North 200 feet from Walnut Avenue in Devonald's 3rd Addition to the Town of Burnett, being a part Section 28, Township 13 North, Range 8 West, Otter Creek Township, Vigo County, Indiana as recorded in Plat Record 7, Page 42 in the Office of the Vigo County Recorder.
Subject to all existing easements.

PETITIONED BY:

Thomas and Amy Mitchel
6486 N. Robertson St. Terre Haute, IN 47805

The hearing was held on September 10, 2019 at 9:00 A. M. with Commissioners Judith Anderson, Brad Anderson, Brendan Kearns, Auditor James W. Bramble, County Attorney Michael Wright and Petitioner Amy Mitchel in attendance. Deputy Auditor David Dillon introduced the petition to vacate and explained the petitioner was desirous to build a garage on their property but it is divided by the existing right of way. Area Planning Law dictates that before they can build, the parcels must be contiguous. Dillon stated Petitioner owns both sides of road. Commissioner Brendan Kearns made a motion to vacate said street. Commissioner Judy Anderson seconded the motion. A vote was taken and the motion to vacate passed by unanimous decision.