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JAN 17 2012

AUDITOR OF KOSCIUSKO COUNTY

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Deborah A. Wright
Kosciusko County Recorder IN
Recorded as Presented



ORDINANCE NUMBER 12-1-17-001 V

BE IT ORDAINED by the Board of Commissioners of Kosciusko County, State of Indiana:

Section 1.

WHEREAS, Joseph Hammons has filed his Petition for vacation of public ways in the plat of Waw-Wil-A-Way Park, with the Board of Commissioners of Kosciusko County, Indiana; and

WHEREAS, a hearing on said Petition was set for January 17, 2012 at 9:15 a.m. and notice of said hearing was published in the *Warsaw Times Union* and The *Milford Mail-Journal* as required by law; and

WHEREAS, the time of said hearing has arrived and a hearing is conducted thereon; and

WHEREAS, the public ways sought to be vacated do not serve as access to any property other than Petitioner's and owners of real estate adjacent to the public ways to be vacated other than Petitioner have been notified, the vacation of the public ways will not impede development or access to any public place. The public ways to be vacated are described as follows, to-wit:

- a. The public way between Lots 27 & 28 in the plat of Waw-Wil-A-Way Park
- b. The public way between Lots 25 & 26 in the plat of Waw-Wil-A-Way Park

WHEREAS, the Kosciusko County Area Plan Commission has submitted its recommendation to the Board of Commissioners suggesting denial of the vacation of the public way between Lots 25 & 26 in the plat of Waw-Wil-A-Way Park and vacation of the public way between Lots 27 & 28 in the plat of Waw-Wil-A-Way Park only if a new public way, of equal size is dedicated wholly on the north 6' of Lot 28 in Waw-Wil-A-Way Park by Petitioner; and

WHEREAS, the Board of Commissioners of Kosciusko County, Indiana, has jurisdiction to vacate the public ways described in said Petition.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Kosciusko County, Indiana that:

- a. The public way between Lots 27 & 28 in the plat of Waw-Wil-A-Way Park is vacated, but only if a new public way, of equal size is dedicated wholly on the north 6' of Lot 28 in Waw-Wil-A-Way Park by Petitioner;

- b. The request for vacation of the public way between Lots 25 & 26 in the plat of Waw-Wil-A-Way Park is denied.

Section 2.

That this Ordinance shall be in full force and effect from and after its passage.

ORDAINED AND PASSED this 17th day of January, 2012.

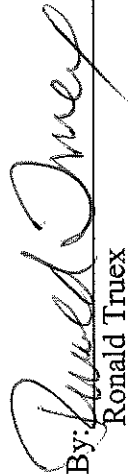
BOARD OF COMMISSIONERS
KOSCIUSKO COUNTY,
STATE OF INDIANA

By: 
Robert Conley

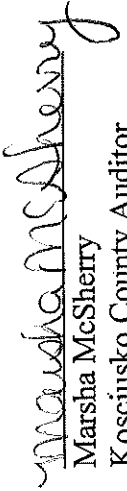
I affirm, under the penalties for perjury,
that I have taken reasonable care to redact
each Social Security number in this
document, unless required by law.

By: 
Bradford L. Jackson

Michelle Ruckert

By: 
Ronald Truex

Attest:


Marsha McSherry
Kosciusko County Auditor

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law. (Stephen R. Snyder)

Prepared by Stephen R. Snyder, Attorney at Law, #413-43