

RECEIVED

ORDINANCE 12-09-25-001 V

SEP 25 2012

AN ORDINANCE OF THE KOSCIUSKO
COMMISSIONERS VACATING PUBLIC WAYS

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AUDITOR OF KOSCIUSKO COUNTY

WHEREAS, Mark B. Anderson, filed a Petition to Vacate a Public Way with the Kosciusko County Commissioners, and

WHEREAS, notice was published as required by law in the Warsaw Times-Union, a newspaper in general circulation and published in the English language in Kosciusko County, Indiana, giving notice of the filing of the verified Petition to Vacate a Public Way and giving notice that said petition would be heard by the Kosciusko County Commissioners on the 25th day of September, 2012, at 9:15 AM, in the Commissioners' Room in the Old Court Room located on the Third Floor of the Kosciusko County Courthouse at the corner of North Buffalo Street and West Center Street, Warsaw, Indiana, which notice was published in the Warsaw Times-Union on the 14th day of September, 2012, more than ten (10) days prior to the hearing, and

WHEREAS, the Kosciusko County Commissioners have determined, after hearing, that the vacation requested herein should be granted, that the public way for which vacation is sought is not located within any corporate boundaries, and that the vacation sought will not hinder the growth or development of the neighborhood in which it is located or to which it is contiguous, nor will it result in the creation of any difficulty or inconvenience to the access of any lands by means of a public way, will not hinder the public's access to a church, school, or other public building place, will not hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous, and there does not appear to be any public utilities locate within the public way for which the vacation is sought.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS OF
KOSCIUSKO COUNTY, INDIANA, AS FOLLOWS:

Section 1: That the following public way site in Kosciusko County, State of Indiana, and more particularly described as follows, to-wit:

That real estate situate in Kosciusko County, State of Indiana, being an unimproved right-of-way with a width of approximately twenty (20) feet and a length of approximately one hundred and forty (140) feet and being bordered on the North by Wooster Road (as indicated on the Plat of Wooster Heights), and bordered on the East by lot seven (7) of block eight (8) the Town of Wooster, and bordered on the South by Wayne Street (an undeveloped right-of-way indicated on the plats of Wooster, Hoover and Harbaugh's Addition to Wooster, and Wooster Heights), and bordered on the West by lot six (6) of block eight (8) the Town of Wooster, which real estate is unlabeled and is shown as a right-of-way existing between lots six (6) and seven (7) of block eight (8) the Town of Wooster upon the Plat of the Town of Wooster, as recorded in Plat Book 1, Page 30, in the office of the Recorder of Kosciusko County, Indiana.

IS NOW HEREBY VACATED

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09/25/2012 10:57:12A 2 PGS
Deborah A. Wright
Kosciusko County Recorder IN
Recorded as Presented



Section 2: That the following public way site in Kosciusko County, State of Indiana, and more particularly described as follows, to-wit:

That real estate situate in Kosciusko County, State of Indiana, being an unimproved right-of-way with a width of approximately seventy (70) feet and a length of approximately two hundred and fifteen (215) feet and being bordered on the North by lots six (6), seven (7), and eight (8) of block eight (8) the Town of Wooster, on the East by Market Street (as indicated on the plats of Wooster, Hoover and Harbaugh's Addition to Wooster, and Wooster Heights) (Market Street being commonly referred to as "Van Ness Road"), on the South by lot three (3) of Wooster Heights and by lots one (1) and two (2) of block eleven (11) of Hoover and Harbaugh's Addition to Wooster, and on the West by lot two (2) of Wooster Heights, which real estate is labeled as "Wayne Street," as is shown upon the Plat of the Town of Wooster, as recorded in Plat Book 1, Page 30, the Plat of Hoover and Harbaugh's Addition to Wooster, as recorded in Plat Book 1, Page 27, and the Plat of Wooster Heights, as recorded in Plat Book 9, Page 58, all in the office of the Recorder of Kosciusko County, Indiana.

IS NOW HEREBY VACATED

Section 3: This Ordinance shall be in full force and effect upon its adoption.

Upon unanimous vote of all Commissioners present, the same being more than three-fourths (3/4) of the duly elected Commissioners of Kosciusko County, Indiana, this Ordinance was considered for final passage upon its first presentation)

Upon motion duly made, seconded, and passed by a vote of 3 ayes and 0 nays, the foregoing Ordinance was adopted by the Board of Commissioners of the County of Kosciusko at its regular meeting this **25th** day of **September, 2012**.

ATTEST:

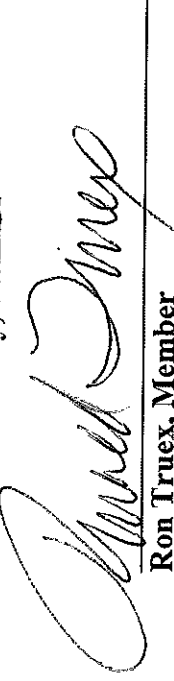
**BOARD OF COMMISSIONERS,
Kosciusko County**


Marsha McSherry, Auditor


Bradford Jackson, President

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.


Robert M. Conley, Member


Ron Truex, Member


Missy Farmer