

ORDINANCE NO. 318

ORDINANCE VACATING UNUSED PUBLIC ALLEYS

WHEREAS, the Town Council of the Town of Battle Ground, Indiana, has received a Petition for Vacation of Unused Public Alleys in the Town of Battle Ground, Tippecanoe County, Indiana, filed Richard E. Dunn, Rebecca B. Dunn, and Paul A. Norwood; and

WHEREAS, the Notice of a Hearing on said Petition, held at the Town Hall of the Town of Battle Ground, Indiana, on June 6, 1994, was duly published and served; and

WHEREAS, no objections or remonstrances were made to said Petition; and

WHEREAS, the Town Council has found that the alleys which the Petitioner propose to vacate have never been used for a purpose other than residential, that no alley or roadway has ever been constructed thereon, that the vacation of said public alleys would allow the Petitioners to better utilize the property owned by them, that the Petitioners and their predecessors in title have utilized and maintained the proposed vacated alleys, that said alleys will leave no other real estate without a right of ingress and egress by means of a public way or street; that said proposed vacation will not cut off the publics access to any church, school or other public building or ground.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Battle Ground, Indiana, that:

1. The Town Council of the Town of Battle Ground, Indiana, specifically vacates as a public alley the alley which is more particularly described as follows, to-wit:

Beginning at the Northwest corner of Lot No. 17 in the Original Plat of Harrisonville, (now Battle Ground), thence West 16.5 feet to the Northeast corner of Lot No. 50 in Burgett's Addition to Harrisonville, now the Town of Battle Ground; thence South along the East line of said Lot No. 50 to the Southeast corner thereof; thence East 16.5 feet to the Southwest corner of the aforesaid Lot No. 17; thence North along the West line of said Lot No. 17 to the point of beginning.

2. The Town Council of the Town of Battle Ground, Indiana, specifically vacates as a public alley the alley which is more particularly described as follows, to-wit:

Commencing at a point 13.5 feet East of the Southwest corner of Lot No. 50 in Burgett's Addition to Harrisonville, now the Town of Battle Ground, thence East 112 feet to a point on the South line of lot no. 17 in the original plat of Harrisonville, (now Battle Ground); thence South 16.5 feet to a point on the South line of said alley; thence West 112 feet; thence North 16.5 feet to the place of beginning.

3. Said vacated alleys shall be henceforth owned by the adjoining property owners, pursuant to statute.

DATED this 6th day of June, 1994.

David L. Ferringer

David L. Ferringer

Steven C. Egly

Steven C. Egly

Donald D. McKee

Donald D. McKee

Marie McCoy

Marie McCoy

Stanley Cunningham

ATTEST:

Geraldine Berghoff

Geraldine Berghoff, Clerk-Treasurer