

ORDINANCE NO. 2017- 41

**ORDINANCE VACATING A PORTION OF AN ALLEY**

WHEREAS, George R. Robinson, Ingrid R. Robinson (husband and wife), and Gerald W. Zenthoefter pursuant to IC 36-7-3-12 have filed a petition with the Town Council of the Town of Fort Branch, Indiana, to vacate the portion of the alleyway running east and west from the public roadway (S. Hillcrest St.) to the west; bounded by the south line of lot 16 and the north line of lots 96, 95, and 94 to a line parallel with the east line of Lot 94 of Holcomb Addition to the Town of Fort Branch, Indiana, and;

WHEREAS, the portion of the alley, petitioned to be vacated, is a platted alleyway running East and West abutting Lots 16, 94,95, and 96 of Holcomb Addition to the Town of Fort Branch, Indiana and the property of Jeffrey V. Barrett and Joy D. Barrett;

WHEREAS, the portion of the alley, not petitioned to be vacated is a platted alleyway running North and South abutting Lots 13,14,15,16 of Holcomb Addition to the Town of Fort Branch, Indiana to the West and the properties of Brian A. McKimmy and Jeffrey V. Barrett and Joy D. Barrett to the East;

WHEREAS, the alley is not opened, is not used by the general public and is not needed, and vacation of the alley would not hinder orderly development of the neighborhood in which it is located or to which it is contiguous, would not make access to any lands difficult or inconvenient, would not hinder the public's access to a church, school, or other public building or place, and would not hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous, and;

WHEREAS, a public hearing has been held on the Petition and there has been no remonstrance to the Petition, and;

WHEREAS, notice of the public hearing on the Petition was published twice in the South Gibson Star-Times in accordance with IC 5-31-1, and;

WHEREAS, notice of the public hearing on the Petition and a consent to the Petition was given by certified mail to all owners of land that abuts the alley.

NOW THEREFORE, BE IT ORDAINED by the Council of the Town of Fort Branch, Indiana, as follows:

Section 1. the portion of the alley, petitioned to be vacated, is a platted alleyway running

East and West abutting Lots 16, 94,95, and 96 of Holcomb Addition to the Town of Fort Branch, Indiana and the property of Jeffrey V. Barrett and Joy D. Barrett, be and hereby is vacated.

Section 2. In accordance with law, one-half the vacated alley shall revert to the abutting owners on the North side of the vacated alley, and one-half of the vacated alley shall revert to the abutting owners on the South side of the vacated alley.

Section 3. In accordance with IC 36-7-3-12, within 30 days of the adoption of this ordinance, a copy of this ordinance shall be filed with the Auditor's Office of Gibson County, Indiana, and a copy of this Ordinance shall be recorded in the Office of the Recorder of Gibson County, Indiana.

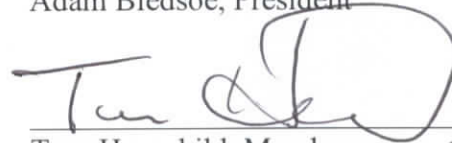
Section 4. This Ordinance shall be in full force and effect from and after the date of passage.

PASSED AND ADOPTED BY THE COUNCIL OF THE TOWN OF FORT BRANCH, INDIANA, THIS 20TH DAY OF SEPTEMBER, 2017.

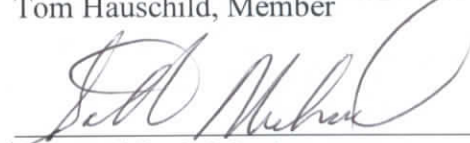
COUNCIL OF THE TOWN OF  
FORT BRANCH, INDIANA



Adam Bledsoe, President

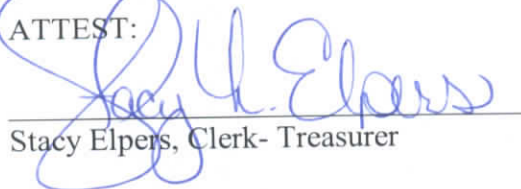


Tom Hauschild, Member



Scott Michael, Member

ATTEST:



Stacy Elpers, Clerk- Treasurer