

ORDINANCE NO. 2005- 9

ORDINANCE VACATING ALLEY

WHEREAS, Phil R. Seiler and Jill A. Seiler pursuant to IC 36-7-3-12 have filed a petition with the Town Council of the Town of Fort Branch, Indiana, to vacate a 10-foot alley located between Lots 17, 18, 19 and 20 and Lots 21, 22, 23, and 24, all in the Holcomb Addition to the Town of Fort Branch, Indiana, and

WHEREAS, the alley is a platted 10-foot strip of land abutting the west side of Lots 17, 18, 19, and 20 and abutting the east side of Lots 21, 22, 23 and 24, all in the Holcomb Addition as shown on the plat of Holcomb Addition recorded in Plat Book 2 page 23, Office of the Recorder of Gibson County, Indiana, and the alley is located within the corporate limits of the Town of Fort Branch, Indiana, and

WHEREAS, the alley is not opened, is not used 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 5-3-1, and

WHEREAS, notice of the public hearing on 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 alley, which is a platted 10-foot strip of land abutting the west side of Lots 17, 18, 19, and 20 and abutting the east side of Lots 21, 22, 23 and 24, all in the Holcomb Addition as shown on the plat of Holcomb Addition recorded in Plat Book 2 page 23, Office of the Recorder of Gibson County, Indiana, be and hereby is vacated.

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

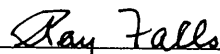
Section 3: In accordance with IC 36-7-3-12, within 30 days of the adoption of this ordinance a, copy of this Ordinance shall be filed with the Auditor's Office of Gibson, Indiana, and a copy of this Ordinance shall be recorded in the Office of Recorder of Gibson County, Indiana.

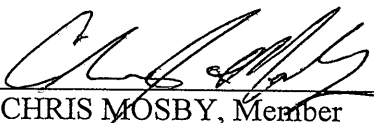
Section 4: This ordinance shall be in full force and effect from and after the date of passage.

PASSED AND ADOPTED BY THE COUNCIL OF THE TOWN OF FORT BRANCH, INDIANA, THIS 15th DAY OF JUNE, 2005


COUNCIL OF THE TOWN
OF FORT BRANCH, INDIANA


GERALD L. BLEDSOE, President


RAY FALLS, Member


CHRIS MOSBY, Member

ATTEST:


LORI HALEY, Clerk-Treasurer