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FLOYD CO. IN RECORDER - LOIS ENDRIS

08/30/2010 10:35:59AM

201009080 Pages:3

Transaction # 9123

Fee Amount: \$15.00

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-040

**ORDINANCE CONCERNING THE VACATING OF TWO UNIMPROVED
PUBLIC WAYS WITHIN THE TOWN OF GREENVILLE, INDIANA
CORPORATE LIMITS**

WHEREAS, the Town Council for the Town of Greenville, Indiana has received a request from Paul and Lisa Muench of 9423 Harrison Street Greenville, Indiana to vacate two unimproved public ways adjoining their property and;

WHEREAS, the Town Council for the Town of Greenville, Indiana is granted the authority to vacate public ways by I.C. 36-7-3-12 and;

WHEREAS, the Town Council for the Town of Greenville, Indiana Published notification in the New Albany Tribune and held a Public Hearing on July 20th, 2010 and;

WHEREAS, the Two Unimproved Public Ways to be vacated are more particularly described as per a Land Survey Drawing Provided by Paul and Lisa Muench {attached} of 9423 Harrison Street preformed by William B. Gibson Civil Engineer & Land Surveyor, 5421 State Road 62, Georgetown, Indiana 47122, of Plat No. 133, Part of NW ¼ Section 5-2S-5E recorded with Floyd County Recorders Office on January 23rd, 2010 and presented to the Greenville Town Council;

PUBLIC WAY NO. 1

Being a Sixteen foot wide public way 132 feet in length between Tract "C" and Tract "D" of Floyd County Plat No. 133 Part of NW ¼ Section 5-2S-5E. Being more particularly described as follows: Beginning at the Northeast corner of Tract "C" of Plat No. 133. Thence with the South Line of Harrison Street South 26 Degree, 41 Minutes, 53 Second West to a Public Way , East 16.00 Feet to the Southwest Corner of Tract "D" of Plat No. 133, Thence with the West Line of Tract "D", North 26 Degree, 41 Minutes, 53 Second West to Harrison Street.

PUBLIC WAY NO. 2

Being a Sixteen foot wide public way 574.70 feet in length between Tract "A", Tract "C", Tract "D", Tract "B" and Tract "E" of Floyd County Plat No. 133 Part of NW ¼ Section 5-2S-5E. Being more particularly described as follows: Beginning at the Northwest corner of Tract "B" of Plat No. 133. Thence with the North Line of Tracts "B" and "E" South 63 Degree, 14 Minutes, 00 Seconds East to South 26 Degrees, 25 Minutes, 26 Seconds West, North 16.00 Feet, Thence with the South Line of Tracts "D", "C", and "A" South 63 Degree, 14 Minutes, 00 Seconds East to North 26 Degrees, 41 Minutes, 48 Seconds East.

Duly Entered For Taxation
Subject To Final Acceptance
For Transfer

AUG 30 2010

Jeresa A. Plaiss
AUDITOR FLOYD CO. IND.

**TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-040**

WHEREAS, the Two Unimproved Public Ways to be vacated shall be subject to any and all easements and/or restrictions of public record that may apply to the Vacated Public ways and to the Real Estate contiguous to them and;

WHEREAS, Paul and Lisa Muench of 9423 Harrison Street has provided a Land Survey Drawing {attached} preformed by William B. Gibson Civil Engineer & Land Surveyor 5421 State Road 62 Georgetown, Indiana 47122 of Plat No. 133, Part of NW ¼ Section 5-2S-5E recorded with Floyd County Recorders Office on January 23rd, 2010 and presented to the Greenville Town Council.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF
THE TOWN OF GREENVILLE, INDIANA, AS FOLLOWS:**

1. The following described two unimproved public ways located between Tracts "A", "B", "C", "D" and "E" on Plat No.133 part of NW ¼ Section 5-2S-5E in accordance with a Land Survey Drawing Provided by Paul and Lisa Muench {attached} of 9423 Harrison Street preformed by William B. Gibson Civil Engineer & Land Surveyor, 5421 State Road 62, Georgetown, Indiana 47122, of Plat No. 133, Part of NW ¼ Section 5-2S-5E recorded with Floyd County Recorders Office on January 23rd, 2010 and presented to the Greenville Town Council;

PUBLIC WAY NO. 1

Being a Sixteen foot wide public way 132 feet in length between Tract "C" and Tract "D" of Floyd County Plat No. 133 Part of NW ¼ Section 5-2S-5E. Being more particularly described as follows: Beginning at the Northeast corner of Tract "C" of Plat No. 133. Thence with the South Line of Harrison Street South 26 Degree, 41 Minutes, 53 Second West to a Public Way , East 16.00 Feet to the Southwest Corner of Tract "D" of Plat No. 133, Thence with the West Line of Tract "D", North 26 Degree, 41 Minutes, 53 Second West to Harrison Street.

PUBLIC WAY NO. 2

Being a Sixteen foot wide public way 574.70 feet in length between Tract "A", Tract "C", Tract "D", Tract "B" and Tract "E" of Floyd County Plat No. 133 Part of NW ¼ Section 5-2S-5E. Being more particularly described as follows: Beginning at the Northwest corner of Tract "B" of Plat No. 133. Thence with the North Line of Tracts "B" and "E" South 63 Degree, 14 Minutes, 00 Seconds East to South 26 Degrees, 25 Minutes, 26 Seconds West, North 16.00 Feet, Thence with the South Line of Tracts ""D", "C" and "A" South 63 Degree, 14 Minutes, 00 Seconds West to North 26 Degrees, 41 Minutes, 48 Seconds East.

SHALL BE AND ARE VACATED.

TOWN OF GREENVILLE
ORDINANCE NO. 2010-T-040

2. This Ordinance shall be in full force and effect from and after its approval by The Greenville Town Council of Greenville, Indiana.
3. The Greenville Town Clerk shall provide a copy of this signed Ordinance upon its approval to the Floyd County Recorder, Floyd County Auditor and Paul & Lisa Muench, 9423 Harrison Street, Greenville, Indiana.
4. This Ordinance replaces Ordinance 2010-T-021. Ordinance 2010-T-021 shall be placed in the voided Ordinance file.

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE 9th DAY OF AUGUST, 2010.

PRESIDENT OF THE TOWN
COUNCIL OF GREENVILLE,
INDIANA


TALBOTTE RICHARDSON,


JACK TRAVILLIAN,
CLERK/TREASURER

PREPARED BY:
RANDAL JOHNES

