

TOWN OF GREENVILLE
ORDINANCE NO. 2011-TO-001

**ORDINANCE CONCERNING THE VACATING OF AN UNIMPROVED
PUBLIC WAY WITHIN THE TOWN OF GREENVILLE, INDIANA
CORPORATE LIMITS**

WHEREAS, the Town Council for the Town of Greenville, Indiana has received a request from Eric Rusby owner of Lots 7, 8, 9, 10, 55,56, 57 and 58 as shown on Floyd County, Indiana Plate No. 92 Greenville, Indiana to vacate an Unimproved Public Way adjoining his property and;

WHEREAS, the Town Council for the Town of Greenville, Indiana is granted the authority to vacate a Public Way 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 on 12-01-2010 and held a Public Hearing on December 20th, 2010 and;

WHEREAS, the Unimproved Public Way to be vacated are more particularly described as per a Land Survey Drawing Provided by Eric Rusby {attached} of 2220 E. Martinsburg Fire Rd. Palmyra, Indiana 47164 provided by William B. Gibson Civil Engineer & Land Surveyor, 5421 State Road 62, Georgetown, Indiana 47122, of Plat No. 92, Lots 7, 8, 9, 10, 55, 56, 57 and 58 as recorded with Floyd County Recorders Office on November 19th, 2010 and presented to the Greenville Town Council;

DESCRIPTION OF PUBLIC WAY

A sixteen foot wide public way as shown on Floyd County, Indiana Plat No. 92 of Greenville, Indiana, said sixteen foot wide Public Way being the Public Way running along the south side of Lots 10, 9, 8, and 7, and running along the north side of Lots 55, 56, 57, and 58, being between those two sets of lots, said part running from the east side of Cross Street to the east for 264 feet to the west side of a sixteen foot wide Public Way {First Street}, the total area of the Public Way closing to be 16 feet by 264 feet, containing 4224 square feet.

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

TOWN OF GREENVILLE
ORDINANCE NO. 2011-TO-001

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

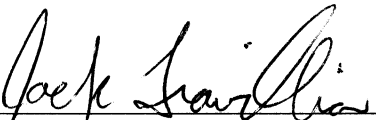
SHALL BE VACATED.

1. A sixteen foot wide Public Way as shown on Floyd County, Indiana Plat No. 92 of Greenville, Indiana, said sixteen foot wide public way being the Public Way running along the south side of Lots 10, 9, 8, and 7, and running along the north side of Lots 55, 56, 57, and 58, being between those two sets of lots, said part running from the east side of Cross Street to the east for 264 feet to the west side of a sixteen foot wide Public Way {First Street}, the total area of the Public Way closing to be 16 feet by 264 feet, containing 4224 square feet.
2. This Ordinance shall be in full force and effect from and after its approval by The Greenville Town Council of Greenville, Indiana and publishing within 30 days in the New Albany Tribune.
3. Mr Rusby of 2220 E. Martinsburg Fire Road Palmyra, Indiana 47164 shall reimburse the Town of Greenville for all notifications and publishing cost incurred for the vacating of this public way.
4. The Greenville Town Clerk shall provide a copy of this signed Ordinance upon its approval to the Floyd County Recorder, Floyd County Auditor and Eric Rusby 2220 E. Martinsburg Fire Rd. Palmyra, Indiana 47164.

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE 10th DAY
OF JANUARY, 2010.

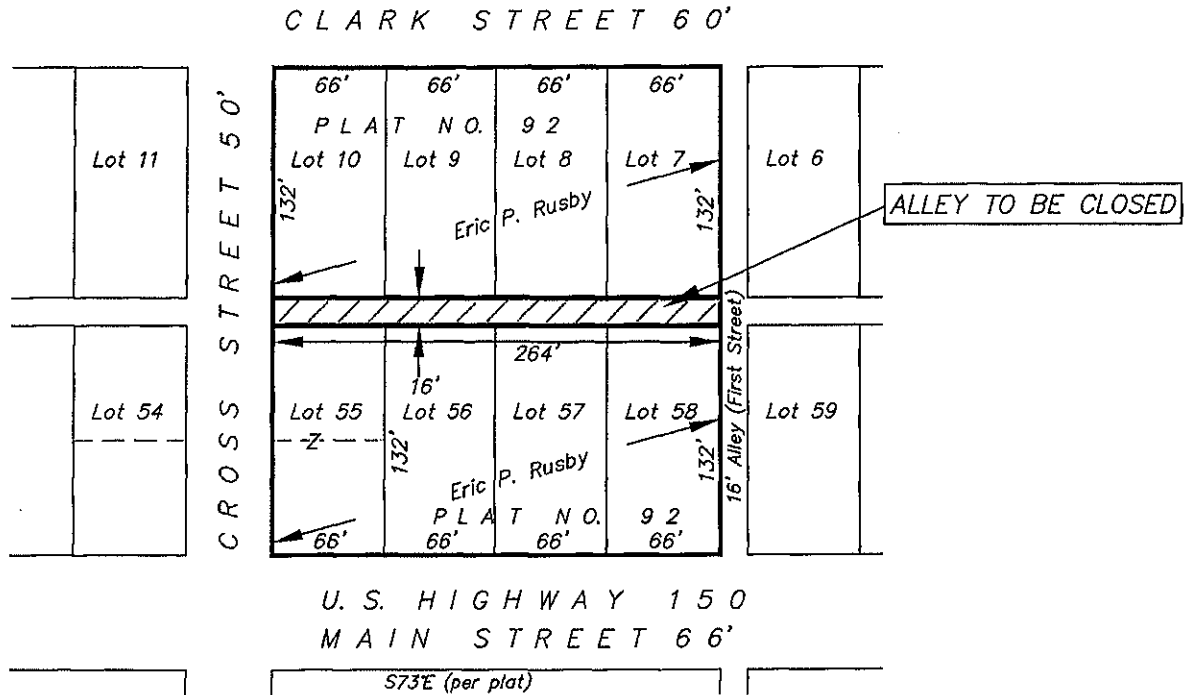
PRESIDENT OF THE TOWN
COUNCIL OF GREENVILLE,
INDIANA


TALBOTTE RICHARDSON,


JACK TRAVILLIAN,
CLERK/TREASURER

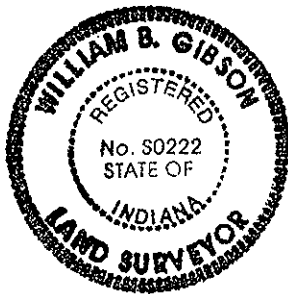
PREPARED BY: RANDAL JOHNES

REZIN-SMITH
Unrecorded Subdivision



THE ALLEY AREA TO BE CLOSED IS SHOWN BY THE CROSS-HATCHED AREA. THE PROPERTIES ON BOTH SIDES OF THE ALLEY ARE OWNED BY ERIC P. RUSBY, PER DEEDS RECORDED IN DEED DOC. NO. 200910081, AND DEED DOC. NO. 200911003.

Prepared by : William B. Gibson
Reg. L.S. No. S-0222
(80040222)



W.B. Gibson

WILLIAM B. GIBSON
CIVIL ENGINEER & LAND SURVEYOR
5421 STATE ROAD 62
GEORGETOWN, IN 47122
812/945-4669

NORTH



DRAWING FOR
ALLEY CLOSING
PART OF PLAT NO. 92
IN THE TOWN OF GREENVILLE
FLOYD COUNTY, INDIANA

NOVEMBER 19, 2010

November 23, 2010

GREENVILLE TOWN BOARD

GREENVILLE, IN

REFERENCE: FORMAL REQUEST TO HAVE AN ALLEYWAY VACATED IN THE TOWN OF GREENVILLE

DEAR TOWN BOARD MEMBERS,

I HAVE ATTACHED A COPY OF THE LEGAL DESCRIPTION AND PLAT FOR THE ALLEYWAY TO BE VACATED PER YOUR REQUEST AT THE LAST TOWN BOARD MEETING.

THANK YOU,



ERIC P RUSBY

2220 E MARTINSBURG FIRE RD

PALMYRA, IN 47164

(812) 967-2416

erusby@gmail.com

Received 11/23/10 By:
Amy Stone
Deputy Clerk Treasurer

WILLIAM B. GIBSON
CIVIL ENGINEER & LAND SURVEYOR
5421 STATE ROAD 62
GEORGETOWN, IN 47122
812/945-4669

November 19, 2010

DESCRIPTION OF A PROPOSED ALLEY CLOSING
IN PLAT NO. 92, EAST OF CROSS STREET
IN GREENVILLE, INDIANA

Describing part of a sixteen foot wide alley shown on Floyd County, Indiana Plat No. 92 of Greenville, Indiana, said part of the sixteen foot wide alley being the alley running along the south sides of Lots 10, 9, 8, and 7, and running along the north sides of Lots 55, 56, 57, and 58, being between those two sets of lots, said part running from the east side of Cross Street to the east for 264 feet to the west side of a sixteen foot wide alley (First Street), the total area of the alley closing to be 16 feet by 264 feet, containing 4224 square feet.



Wm B Gibson

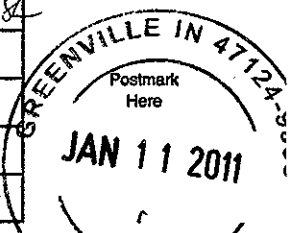
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 City, State, ZIP+4 NEW ALBANY, IN 47150

PS Form 3800, August 2006 See Reverse for Instructions

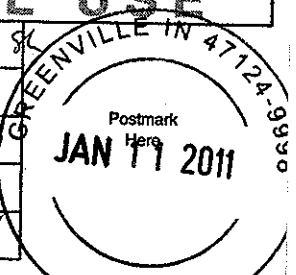
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Sent To FLOYD COUNTY RECORDER
 Street, Apt. No., or PO Box No. 311 HAUS SQUARE RM. 115
 City, State, ZIP+4 NEW ALBANY, IN 47150

PS Form 3800, August 2006 See Reverse for Instructions