

STATE OF INDIANA
BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 9-2021

IN RE THE PETITION TO VACATE A PUBLIC WAY IN MARYSVILLE,
AN UNINCORPORATED AREA OF CLARK COUNTY, INDIANA,

WHEREAS, the Petitioner, Mike Stamper Enterprises, LLC (“Stamper”), has filed a petition pursuant to the provisions of IC 36-7-3-12 for the vacation an unimproved, unnamed platted alley situated between Lots 9 through 12 and Lots 13 through 16 in the Town of Marysville, Clark County Indiana, as shown in Plat Book Plat Book 3, Page 58 in the Office of the Recorder of Clark County, Indiana; and,

WHEREAS, Stamper has properly notified the owners of all real property abutting the alley and caused a notice of public hearing on such petition before this Board to be properly published in accordance with Indiana law; and,

WHEREAS, this Board having held such public hearing at the date and time as stated in such published notification; and,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF THE COUNTY COMMISSIONERS FOR CLARK COUNTY, INDIANA as follows:

1. The Board hereby finds all of the following:
 - a. The proposed vacations will not hinder the growth or orderly development of Clark County, Indiana.
 - b. The proposed vacations will not make access to the lands of any aggrieved person by means of public way difficult or inconvenient.
 - c. The proposed vacations will not hinder the public’s access to a church, school, or other public building or place.
 - d. Vacating portions of the public easements will not hinder any utility company’s ability to provide utility services to the residents in the surrounding area.

2. Pursuant to Ind. Code § 36-7-3-12, Stamper's petition for vacation of the unnamed and unimproved platted alley is hereby granted, and the portions of the unnamed public way lying within the unincorporated areas of Clark County, Indiana as depicted and described in the metes and bounds description and associated drawings attached hereto as Exhibits "A" and "B" are hereby vacated.

3. Stamper shall cause a certified copy of this Ordinance to be recorded in the office of the Recorder of Clark County, Indiana, in accordance with the provisions of Ind. Code § 36-7-3-12(e), and thereafter shall file a recorded copy with the office of the Auditor of Clark County, Indiana.

4. This Ordinance shall be in force and effect upon its adoption.

So Ordained by majority vote of the entire membership of the Board of the County Commissioners for Clark County, Indiana at a properly noticed and convened public meeting held this 13th day of May, 2021.

MEMBER VOTING "NO":

Jack Coffman, Commissioner

Bryan Glover, Commissioner

Connie Sellers, Commissioner

MEMBERS VOTING "YES":



Jack Coffman, Commissioner

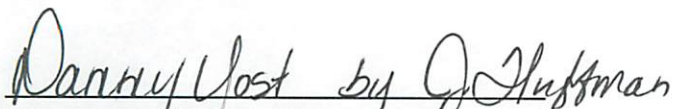


Bryan Glover, Commissioner



Connie Sellers, Commissioner

ATTESTED BY:



Danny Yost, Clark County Auditor

EXHIBIT "A"

**METES AND BOUNDS DESCRIPTION OF PORTION OF
PUBLIC WAY TO BE VACATED**

[Attached]

David R. Blankenbeker, P.I.S.

Howard R. Blankenbeker (1908-1974)
Rollyn H. Blankenbeker (1934-1994)

Blankenbeker & Son

Land Surveyors Inc., P.C.

Established 1945

618 E. Court Avenue
Jeffersonville, Indiana 47130

(812) 282-4183 phone
(812) 282-4197 fax

P.O. Box 157
Jeffersonville, Indiana
47131-0157

23 August 2018

DESCRIPTION OF 10 FOOT WIDE ALLEY IN MARYSVILLE TO BE VACATED

Being a 10 foot wide alley in the town of Marysville, as shown in Plat Book 3, Page 58, of the Clark County, Indiana records and being further described as follows:

Beginning at a steel pin on the southeast corner of Lot 10 in said Town; Thence N.21°18'05"E., along the west line of said alley (passing through a steel pin at 40 feet) 120 feet to the northeast corner of Lot 9 in said Town, being on south Right-of-Way line of a 50 foot wide street in said Town; Thence S.68°25'47"E., along said south Right-of-Way line, 10 feet to the northwest corner of Lot 16 in said Town, being on the east line of said 10 foot wide alley; Thence S.21°18'05"W., along said east line, (passing through a steel pin at 60 feet and another steel pin at 120 feet) 240 feet to the southwest corner of Lot 13 in said Town; Thence N.68°25'47"W., along the north line of Lot 21 in said Town, 10 feet to the southeast corner of Lot 12 in said Town; Thence N.21°18'05"E., 120 feet to the PLACE OF BEGINNING.

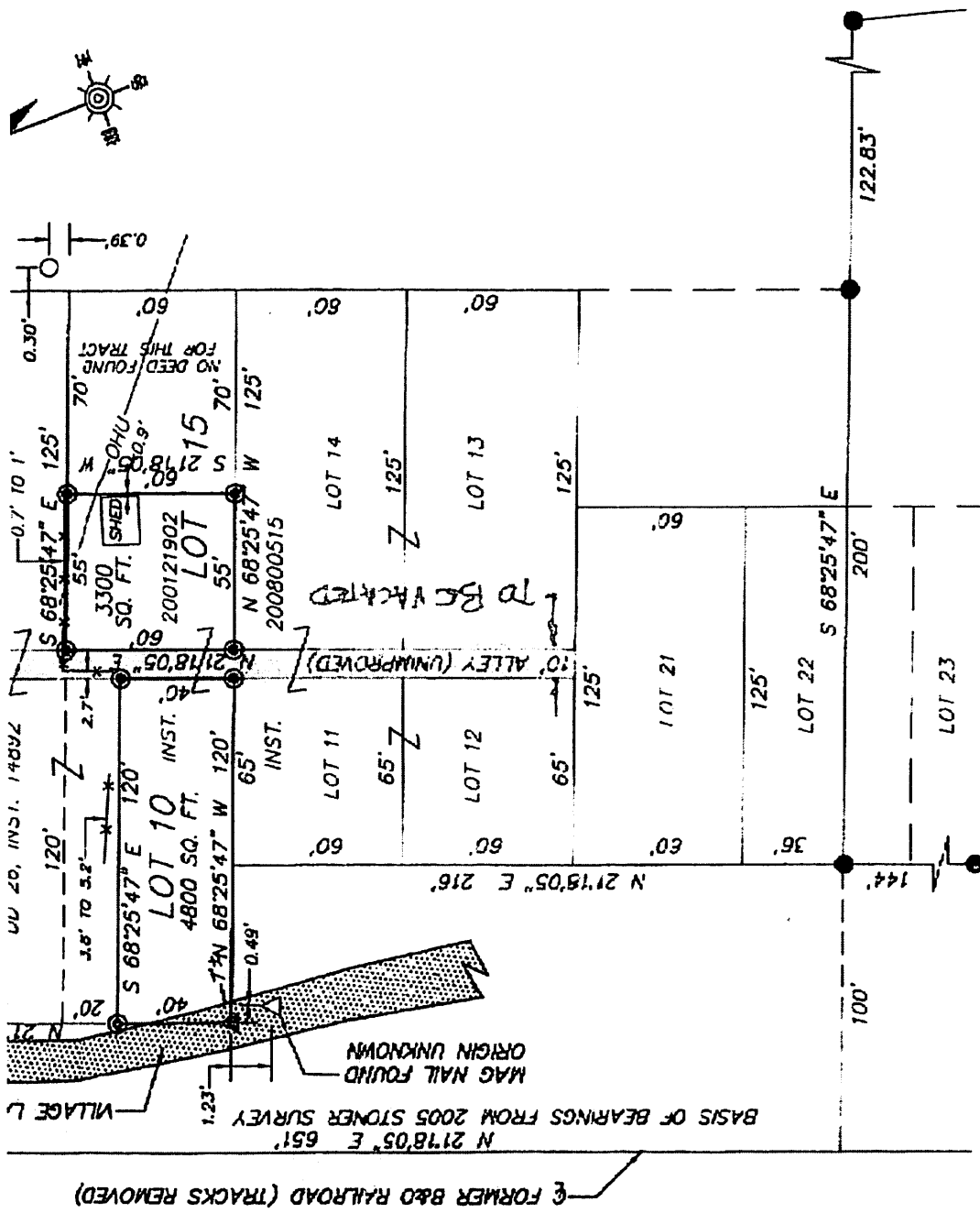
Containing 2400 square feet.

NOTE: This description prepared from deeds and maps of record. No survey done this date.

EXHIBIT "B"

**DRAWING OF PORTION OF
PUBLIC WAY TO BE VACATED**

[Attached]



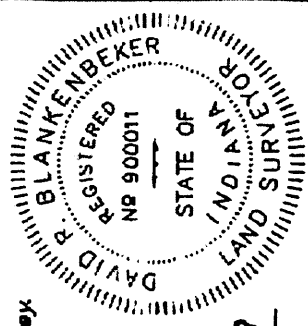
SURVEY AND DRAWING OF PART OF LOT #10 AND LOT #15 THE TOWN OF MARYSVILLE, AS SHOWN IN PLAT BOOK 3, PAGE 58, BEING SITUATED AT 120 VILLAGE LANE.

Notes:

- (1) Title examination may reveal other easements and/or Rights of ways not shown hereon. Floodways, wetlands, environmental issues, zoning regulations, and other items which may encumber this property were not included in the scope of this survey.
- (2) All monuments shown are within 0.3 feet of flush with the surface of the ground, unless otherwise noted.

I, David R. Blankenbeker, hereby declare that I have surveyed the tract of land shown above and that this survey was executed according to the requirements of Title 865, I.A.C. 1-1 through 29 to the best of my knowledge, information, and belief, and that the field work was completed on July 1, 2008.

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BLANKENBEKER & SON LAND SURVEYORS INC., P.C. 426 MEIGS AVENUE P.O. BOX 157 JEFFERSONVILLE, INDIANA 47131-0157 TELEPHONE 812-888-4189 FAX 812-888-4197 WWW.BLANKENBEKERANDSON.NET		OWNER: MIKE STAMPER ENTERPRISES, LLC 138 BIRCH DRIVE CHARLESTOWN, INDIANA 47111	
DRAWN BY: SLM	SCALE: 1" = 60 FEET	DATE: JULY 10, 2008	PAGE 1 OF 2
		JOB No. 19,457	PLAT NUMBER/LINE