

STATE OF INDIANA
BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 36-2022

IN RE: PETITION TO VACATE PORTIONS OF A PUBLIC WAY AND PUBLIC EASEMENTS IN MEMPHIS, AN UNINCORPORATED AREA OF CLARK COUNTY, INDIANA

WHEREAS, the Petitioner, Henryville Mini Storage, LLC (“HMS”), has filed a petition pursuant to the provisions of IC 36-7-3-12 for the vacation of an unimproved, unnamed platted alley situated between Lots 80 through Lots 84, and East Railroad Street, as shown on “Exhibit B”, attached hereto; and,

WHEREAS, HMS 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;

WHEREAS, the owners of property abutting the alley, namely Dendra Denise Druin Lambert, 5402 New Chapel Road, Jeffersonville, IN 47130, and Richard I. Graef, 15213 Wilson Switch Road, Borden, IN 47106.

WHEREAS, the area of land which is the subject of this Petition, is an undeveloped right-of-way. As such, Petitioner is hindered in making practical use of the subject property and vacating said right-of-way would give Petitioner the ability to put the land to use;

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, HMS'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. HMS 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 22 day of December, 2022.

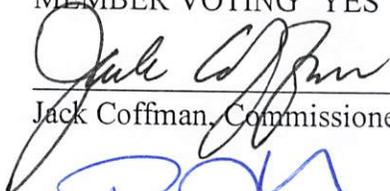
MEMBER VOTING "NO":

Jack Coffman, Commissioner

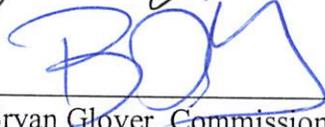
Bryan Glover, Commissioner

Connie Sellers, Commissioner

MEMBER VOTING "YES":



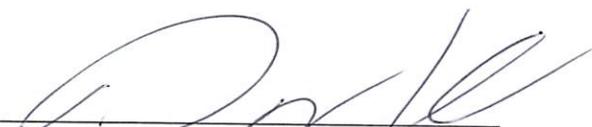
Jack Coffman, Commissioner



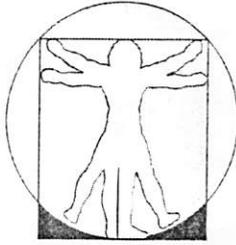
Bryan Glover, Commissioner

Connie Sellers, Commissioner

ATTESTED BY:



Danny Yost, Clark County Auditor



RENAISSANCE DESIGN BUILD, INC.

INDIANA OFFICES
117 S Indiana Avenue
Sellersburg, IN 47172
Tel: 812-246-5897
Fax: 812-248-4320

rdbi@rdbi-inc.com

KENTUCKY OFFICES
1012 S. Fourth Street
Louisville, KY 40203
Tel: 502-424-8373
Fax: 502-587-0931

web: rdbi-inc.com



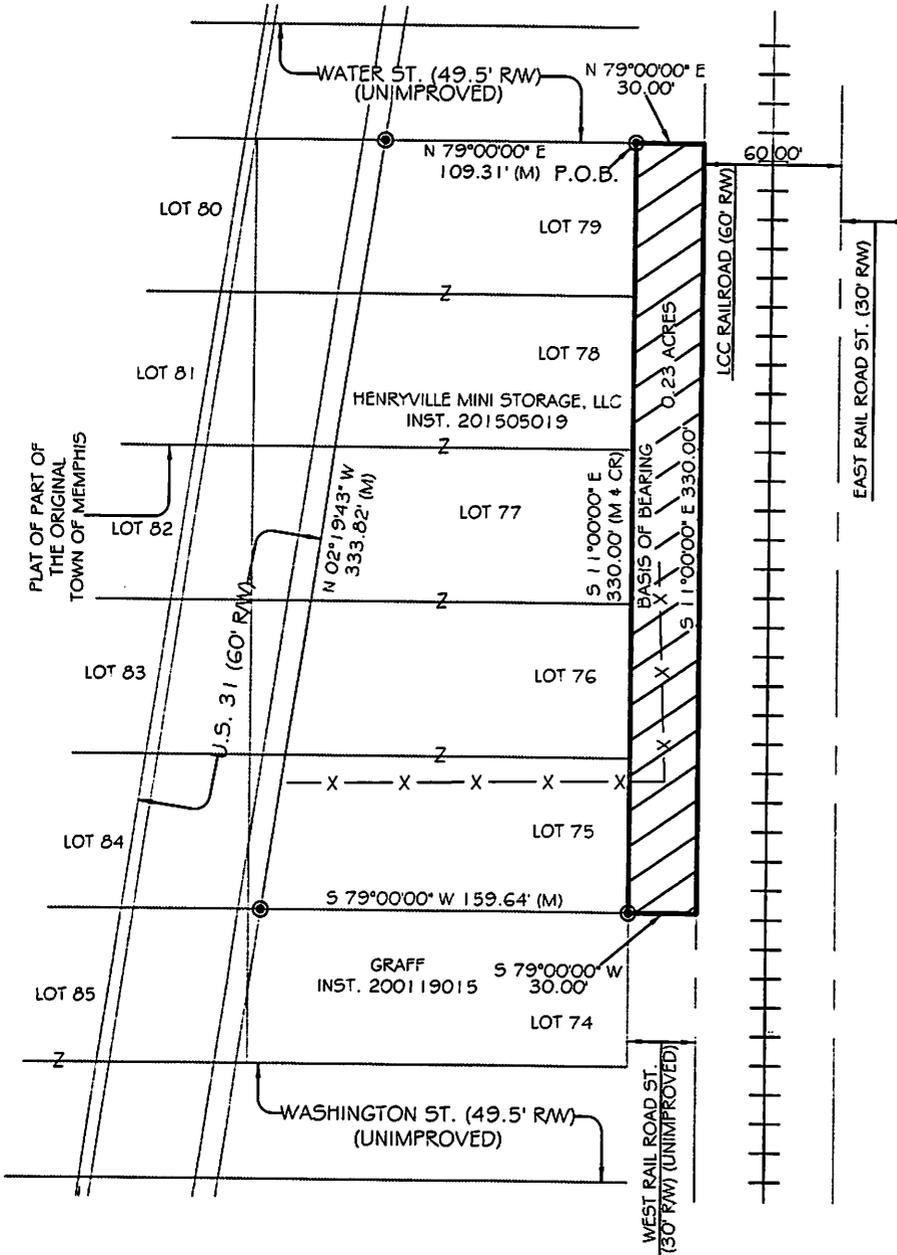
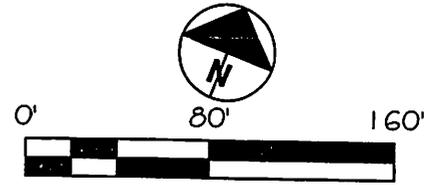
EXHIBIT "A" Road Vacation Legal Description West Railroad Street Memphis, IN 47143 Job No. 2021-582A

Being a part of unimproved West Railroad Street as shown of record in Partition Deed Record 1, Page 232 in the Clark County Recorder's Office, also being part of Survey No. 203 of the Illinois Grant, Union Township, Clark County, Indiana. This description is certified by Nathan R. Grimes, PLS #LS21000194 as Renaissance Design Build, Inc., Project No. 2021-582A, dated 08-18-2022 (no revisions); being more particularly described as follows:

Beginning at Grimes Pin & Cap in the Northeast corner of a tract of land conveyed to Henryville Mini Storage, LLC in Inst. 201505019 in the said Recorder's Office and also the Northeast corner of lot 79 of the Original Town of Memphis, as shown of record in Partition Deed Record 1, Page 232 in the said Recorder's Office; thence leaving the said Henryville Mini Storage, LLC tract and also the said lot 79, North 79 Degrees 00 Minutes 00 Seconds East, 30.00 feet to the West line of the LCC Railroad 60 foot right-of-way; thence along the said West line, South 11 Degrees 00 Minutes 00 Seconds East, 330.00 feet; thence leaving said West line, South 79 Degrees 00 Minutes 00 Seconds West, 30.00 feet to the Southeast corner of said Henryville Mini Storage, LLC tract and also the Southeast corner of lot 75 of said Original Town of Memphis; thence along the East line of said Henryville Mini Storage, LLC tract and also the East line of lots 75 – 79 of said Original Town of Memphis, North 11 Degrees 00 Minutes 00 Seconds West, 330.00 feet to the **TRUE POINT OF BEGINNING** and containing 0.23 acres of land, more or less, being subject to any and all easement and right-of-way whether of record or not.



BEING PART OF UNIMPROVED WEST RAILROAD STREET, AS SHOWN OF RECORD IN PARTITION DEED RECORD 1, PAGE 232, IN THE CLARK COUNTY RECORDER'S OFFICE, ALSO BEING PART OF SURVEY NO. 203 OF THE ILLINOIS GRANT, UNION TOWNSHIP, CLARK COUNTY, IN



LEGEND

- SET STEEL PIN & CAP
- X — CHAIN LINK FENCE
- M MEASURED DIMENSION
- CR CALCULATED RECORD DIMENSION
- AR ADJOINER RECORD DIMENSION
- P.O.B. POINT OF BEGINNING

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this Document unless required by law.

Nathan R. Grimes
 NATHAN R. GRIMES

LAND SURVEYOR'S CERTIFICATION

This survey was performed wholly under the direction of Nathan R. Grimes, a Registered Land Surveyor, and to the best of my knowledge and belief was executed according to the survey requirements stated in 865 Indiana Administrative Code 1-12-1 Minimum Standards of Competent Practice of Land Surveying.

Nathan R. Grimes
 NATHAN R. GRIMES, P.E. PLS LS#21000194



SURVEYOR'S NOTE:

1. THIS IS NOT A BOUNDARY RETRACEMENT SURVEY, ROUTE SURVEY, MORTGAGE SURVEY OR ORIGINAL SURVEY, AND SHOULD NOT BE TREATED AS SUCH.
2. THIS EXHIBIT IS BASED ON A SURVEY PERFORMED BY THIS COMPANY, PROJECT NO. 2021-582.
3. NO TITLE WORK WAS DONE OR PROVIDED FOR THIS SURVEY. EASEMENTS AND/OR RIGHTS-OF-WAY MAY BE REVEALED IF TITLE SEARCH IS DONE.
4. NO UTILITIES (ABOVE OR BELOW GRADE) WERE LOCATED OR SHOWN ON THIS PLAT.

Sheet	Dwn by: BAS	Chk by: NG	Scale: 1" = 50'
1	Date: 8-18-2022	Project No: 2021-582A	
Of	EXHIBIT 'B'		
1	HENRYVILLE MINI STORAGE, LLC 14808 HIGHWAY 31 MEMPHIS, IN 47143		
RENAISSANCE DESIGN BUILD, INC.			
			
117 S Indiana Avenue Sellersburg, IN 47172 Tel: 812-246-5897 Fax: 812-248-4320 www.rdbi-inc.com			
Revisions:			

Nathan R. Grimes