

STATE OF INDIANA  
BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS  
ORDINANCE NO. 21-2024

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

WHEREAS, the Petitioner, Christopher Robertson, has filed a petition pursuant to the provisions of IC 36-7-3-12 for the vacation of an unimproved, unnamed platted road situated between Lot 11 and Lot 12, as shown on "Exhibit B", attached hereto; and,

WHEREAS, Christopher Robertson is the owner of all parcels which abut this roadway and therefore no notice of public hearing is required under Indiana law;

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, Christopher Robertson'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. Christopher Robertson 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 Ordered 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 the 12th day of September, 2024 at 6:00 pm.

MEMBER VOTING "NO":

\_\_\_\_\_  
Jack Coffman, Commissioner

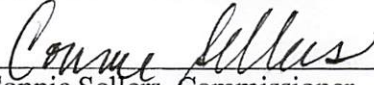
\_\_\_\_\_  
Bryan Glover, Commissioner

\_\_\_\_\_  
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

rdbi@rdbi-inc.com  
web: rdbi-inc.com

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



Exhibit "A"  
Job #2024-096A  
0.06 Acres

## Road Vacation Legal Description

Being part of Section Nos. 19 & 20, Township 2 North, Range 7 East, Monroe Township, Clark County, Indiana. This description is certified by Nathan R. Grimes, PS #LS21000194 on 7-23-2024 (no revisions) as Renaissance Design Build, Inc., Project No. 2024-096A (all references to monuments and courses herein are as shown on said plat of survey); more particularly described as follows:

Beginning at a Grimes Pin & Cap in the Southwest corner of the original lot 11 of Plat No. 32, Plat of the Town of Underwood, Hosea Addition and also in the Easterly Right-of-Way of the P.C.C. & St. L. Railroad;  
thence Leaving said Right-of-Way and with the Southerly line of said lot 11, North 77 degrees 29 minutes 40 seconds East, 172.00 feet, passing a Grimes Pin & Cap at 157.00 feet, to the Southeast corner of said lot 11;  
thence leaving said lot 11, South 12 degrees 30 minutes 20 seconds East, 15.00 feet to the Northeast corner of the original lot 12 of said Plat 32;  
thence with the Northerly line of said lot 12, South 77 degrees 29 minutes 40 seconds West, 172.00 feet, passing a Grimes Pin & Cap at 15.00 feet, to a Grimes Pin & Cap in the Northwest corner of said lot 12 and also the Westerly line of said Right-of-Way;  
thence leaving said lot 12 and with the said Right-of-Way, North 12 degrees 30 minutes 20 seconds West, 15.00 feet to The True Point of Beginning containing 0.06 acres (2580.00 S.F.) of land more or less. Being subject to any and all easements & rights-of-ways whether of record or not..



BEING PART OF SECTION Nos. 19 & 20, TOWNSHIP 2 NORTH,  
RANGE 7 EAST, MONROE TOWNSHIP, CLARK COUNTY, IN

LEGEND

- ⊙ SET GRIMES PIN & CAP
- ⊠ FOUND 1/2" PIPE
- CHAIN LINK FENCE
- 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



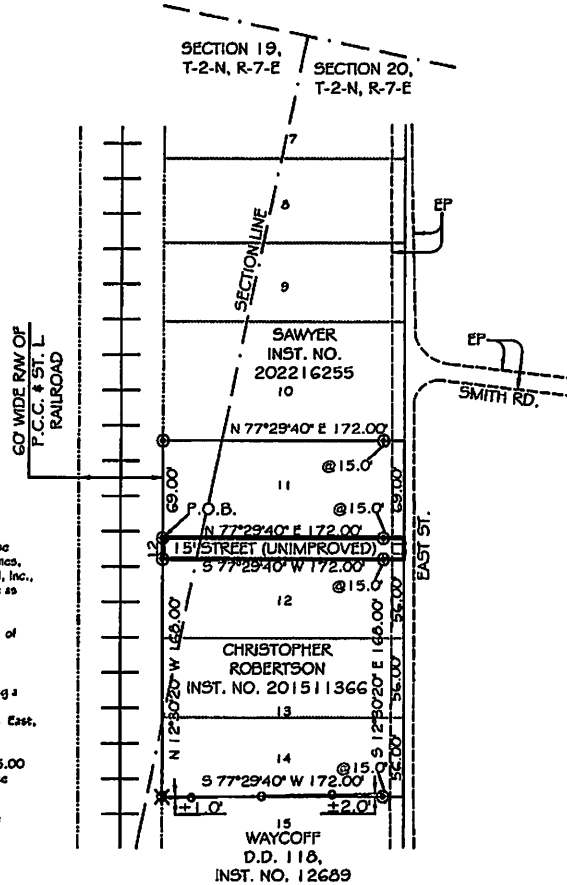
LINE TABLE

LINE	BEARING	DISTANCE
L1	S 12°30'20" E	15.00'
L2	N 12°30'20" W	15.00'

DESCRIPTION  
STREET VACATION

Being part of Section Nos. 19 & 20, Township 2 North, Range 7 East, Monroe Township, Clark County, Indiana. This description is certified by Nathan R. Grimes, PS #LS21000194 on 7-23-2024 (no revisions) as Renaissance Design Build, Inc., Project No. 2024-086A (all references to monuments and courses herein are as shown on said plat of survey); more particularly described as follows:

Beginning at a Grimes Pin & Cap in the Southwest corner of the original lot 11 of Plat No. 32, Part of the Town of Underwood, Moses Addition and also in the Eastern Right-of-Way of the P.C.C. & St. L. Railroad; thence leaving said Right-of-Way and with the Southerly line of said lot 11, North 77 degrees 29 minutes 40 seconds East, 172.00 feet, passing a Grimes Pin & Cap at 157.00 feet, to the Southeast corner of said lot 11; thence leaving said lot 11, South 12 degrees 30 minutes 20 seconds East, 15.00 feet to the Northeast corner of the original lot 12 of said Plat 32; thence with the Northerly line of said lot 12, South 77 degrees 29 minutes 40 seconds West, 172.00 feet, passing a Grimes Pin & Cap at 15.00 feet, to a Grimes Pin & Cap in the Northwest corner of said lot 12 and also the Westerly line of said Right-of-Way; thence leaving said lot 12 and with this said Right-of-Way, North 12 degrees 30 minutes 20 seconds West, 15.00 feet to the True Point of Beginning containing 0.06 acres (2980.00 S.F.) of land more or less. Being subject to any and all easements & rights-of-way whether of record or not.



LAND SURVEYORS 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, PE, PLS LS#21000194

SURVEYOR'S NOTE:

1. THIS IS AN EXHIBIT DRAWING BASED ON A BOUNDARY RETRACEMENT SURVEY BY THIS FIRM IN INST. NO. 202413888 IN THE CLARK COUNTY RECORDERS OFFICE.
2. NO TITLE WORK WAS DONE OR PROVIDED FOR THIS SURVEY. EASEMENTS AND/OR RIGHTS-OF-WAY MAYBE REVEALED IF TITLE SEARCH IS DONE.
3. NO UTILITIES (ABOVE OR BELOW GRADE) WERE LOCATED OR SHOWN ON THIS PLAT.



Drawn by: BAS Chk by: NG Scaled 1" = 100'  
Date: 7-23-2024 Project No: 20214-086A

EXHIBIT 'B'  
ROAD VACATION  
CHRISTOPHER ROBERTSON  
EAST ST.  
UNDERWOOD, IN 47177

RENAISSANCE DESIGN BUILD, INC.



117 S Indiana Avenue  
Sellersburg, IN 47172  
Tel: 812-246-5897  
www.rdbi-inc.com



Revisions: