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CH28 28 .8 - Vacating a Certain Alley

An Ordinance Vacating a Certain Alley in Lapel, Madison County, Indiana

WHEREAS I.C. [36-7-3-12](#) authorizes property owners inside a municipality who desire to vacate all or a part of a public way contiguous to their property to file a petition for vacation with the legislative body of the municipality, and;

WHEREAS, a petition to vacate a public way was filed on the 9th day of July, 2019, with the Town Council of the Town of Lapel, Madison County, Indiana by SHIRLEY ANN WHISMAN, JAMES ROBERT WHISMAN and TIMOTHY KEITH WHISMAN, and;

WHEREAS, the petition sought the vacation of a certain alley which appears of record in Play Book 2, Page 37 and Plat Book 3, Page 41, Records of Madison County, Indiana, and;

WHEREAS, notice of the filing of a petition to vacate the public way was given pursuant to the appropriate Indiana Codes, and the legislative body of Madison County, State of Indiana, to-wit: the Town Council of the Town of Lapel, Madison County conducted a public hearing on the 1st day of August, 2019, which hearing was on said petition to vacate the alley.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAPEL, MADISON COUNTY, INDIANA, AS FOLLOWS:

Section I. The recitals stated herein are hereby incorporated by reference.

Section II. A certain alley in Play Book 2, Page 37 and Plat Book 3, Page 41 of the Records of Madison County and specifically described as follows:

A parcel of ground being a 12.00 foot alley lying between Lot 6 and 7 in the Replat of Weight's 1st, 2nd, and 3rd Addition to the Town of Lapel, the plat of which is recorded in Plat Book 6, Page 3 in the Office of the Recorder of Madison County, Indiana, being more particularly described as follows:

BEGINNING at the Northwest corner of said Lot 6; thence South along the West line of said Lot 6, a distance of 132.00 feet to the Southwest corner of said Lot 6; thence West, a distance of 12.00 feet to the Southeast corner of said Lot 7; thence North along the East line of said Lot 7, a distance of 132.00 feet to the Northeast corner of said Lot 7; thence East, a distance of 12.00 feet to the POINT OF BEGINNING. Contains 0.036 Acres, more or less.

Is hereby vacated; and title to said real estate shall devolve to and is hereby vested in SHIRLEY ANN WHISMAN, JAMES ROBERT WHISMAN, TIMOTHY KEITH WHISMAN and ROBERT W. SEDWICK and WILMA L. SEDWICK

Section III. A certified copy of this Ordinance shall be furnished to the Auditor of Madison County, Indiana as well as the Recorder of Madison County, Indiana.

Section IV. This Ordinance shall be in full force and effect from and after its passage by the Town Council of the Town of Lapel, Madison County, Indiana.

ALL OF WHICH PASSED AND ADOPTED by the Town Council of the Town of Lapel, Madison County, Indiana, this 1st day of August 2019.

Further Information

8-2019

Date Passed: 8/1/2019