

COUNTY OF HUNTINGTON, INDIANA

ORDINANCE NO. 2006-06

AN ORDINANCE VACATING A PORTION OF A PLATTED PUBLIC
WAY IN HUNTINGTON COUNTY, INDIANA

WHEREAS, the Board of Commissioners of the County of Huntington, Huntington County, Indiana, via the Huntington County Auditor, has given the public notice and opportunity to be heard concerning a petition filed by Annette Lund to vacate a portion of a platted public way, all as per legal notice appearing in The Herald-Press on February 7, 2006; and

WHEREAS, the Board of Commissioners of the County of Huntington, Huntington County, Indiana, has at this meeting considered such petition and the comments in relation thereto by all interested parties, including members of the community; and has determined that it is appropriate to grant the petitioner's request.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS
OF THE COUNTY OF HUNTINGTON, HUNTINGTON COUNTY, INDIANA, THAT:**

Section 1. The portion of County Road 100 North, Huntington County, Indiana, as measured from the west right-of-way line of County Road 600 East to I-69, Huntington County, Indiana, (hereinafter the portion of County Road 100 North to be vacated is referred to as "the Street") be vacated.

Section 2. As provided by law, the portion of the north half of the Street which abuts the following parcels of real estate is hereby added to such abutting real estate; the Lund Real Estate and the Opal Real Estate as described and defined in Exhibit A to this Ordinance, and the south half of the Street is hereby added to the Geiger Real Estate as described and defined in Exhibit A to this Ordinance.

Section 3. The vacation of the Street does not deprive any public utility, which on _____, 2006, was occupying and using all or part of the Street for the location and operation of its facilities, from the use of all or any part of the Street.

Passed by the Board of Commissioners of the County of Huntington County, Huntington County, Indiana, this 27 day of February, 2006, by the following vote:

AYES 3, to-wit:

NAYES _____, to-wit:

ABSENT _____, to-wit:

Jerry Helvie

Steve Updike

Richard Brubaker

Jerry Helvie
Jerry Helvie, President of the Board of
Commissioners of the County of Huntington,
Huntington County, Indiana

Attest:

Donald D. Schoeff
Donald D. Schoeff, Auditor

EXHIBIT A

LUND REAL ESTATE:

The east half of the west of the southeast quarter of Section Twenty-Five (25), Township Twenty-eight (28) North, Range Ten (10) East, containing Forty (40) acres, more or less.

The west half of the west half of the southeast quarter of Section Twenty-five (25), Township Twenty-eight (28) North, Range Ten (10) East, EXCEPT 15.088 acres sold off to State of Indiana as recorded in Deed Record 201, pages 737-738-739 of the records of the Recorder's office of Huntington County, Indiana.

OPAL REAL ESTATE:

An undivided one-third interest in the following described real estate:

The southeast quarter of the southeast quarter of Section Twenty-five (25), in Township Twenty-eight (28) North, Range Ten (10) East, containing Forty (40) acres more or less.

GEIGER REAL ESTATE:

The northeast quarter of Section 36, Township 28 North, Range 10 East, containing 163 acres more or less, excepting therefrom the tract conveyed to State of Indiana in a certain Right-of-Way Grant for limited access right-of-way and permanent right-of-way; and recorded in Deed Record 201, Page 631 of the Recorder's office of Huntington County, Indiana, which exception contains 14.387 acres.