

ORDINANCE NO. 2011 - 01

AN ORDINANCE VACATING A CERTAIN PUBLIC  
WAY LOCATED IN HUNTINGTON COUNTY, INDIANA

An ordinance adopted by the Board of Commissioners of Huntington County, Indiana, in a meeting duly assembled on the 7th day of March, 2011, as follows:

WHEREAS, at a regular meeting of this Board held on the 7th day of February, 2011, a Petition to Vacate was submitted by the Board of Commissioners of Huntington County, Indiana, seeking the vacation of a portion of the County Road known as County Road 600 West, together with a notice to the owners of land that abut said property proposed to be vacated namely: State of Indiana, Department of Natural Resources (DNR), c/o Greg Zoeller, Attorney General, 302 W. Washington Street, IGCS 5<sup>th</sup> Floor, Indianapolis, Indiana, 46204, giving notice of any hearing on said petition and to the adoption of an ordinance by this Board vacating said portion of County Road 600 West; and,

WHEREAS, at a regular meeting of the Board held on the 7th day of March, 2011, being within thirty (30) days after the filing of said petition on February 7, 2011, this Board conducted a public hearing on said petition; and

WHEREAS, due notice of said public hearing was published according to law pursuant to the provisions of I.C. 36-7-3-12(c)1 and I.C. 5-3-1-2; and

WHEREAS, due notice of said public hearing was given to all owners of land which abut said portion of County Road 600 West; and

WHEREAS, said portion of County Road 600 West sought to be vacated is located

in Huntington County, Indiana, and outside the corporate boundaries of any municipality, and that this Board has proper jurisdiction over the proceedings herein; and

WHEREAS, there being no objectors or remonstrators to said petition for that portion of County Road 600 West being vacated, the Board now finds that the vacation of said portion of County Road 600 West would not:

1. Hinder the growth or orderly development of the unit or neighborhood in which the said County Road 600 West is located;
2. Make access to the lands of any person by means of public way difficult or inconvenient;
3. Hinder the public's access to a church, school, or other public building or place;
4. Hinder the use of a public way by the neighborhood in which said County Road 600 West is located or to which said County Road 600 West is contiguous.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Huntington County, Indiana, as follows:

1. That the following described portion of County Road 600 West, be and the same is hereby vacated, to-wit:

A part of the SW 1/4 of Section 31, T27N, R9E (Lancaster Township) and a part of the SE 1/4 of Section 36, T27N, R8E (Polk Township), Huntington County, Indiana.

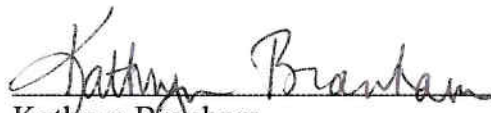
Beginning at the intersection of the west line of County Road 600 West and the north line of the Mount Etna town limits, thence northwardly along said

west line of County Road 600 West to the meanderings of the Salamonie Reservoir, thence eastwardly along the meanderings of the Salamonie Reservoir to the east line of County Road 600 West, thence southerly along the east line of County Road 600 West to the intersection of the east line of County Road 600 West with the north line of the Mount Etna town limits, thence westerly along the north line of the Mount Etna town limits to the place of beginning.

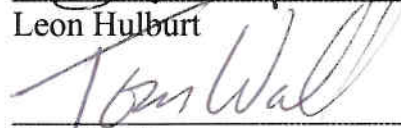
2. That the Secretary for the Board is directed to furnish a copy of this Ordinance to the Recorder of Huntington County, Indiana, for recording, and to the Auditor of Huntington County, Indiana.

Dated this 7th day of March, 2011.

BOARD OF COMMISSIONERS OF  
HUNTINGTON COUNTY, INDIANA

  
Kathryn Branham

  
Leon Hulburt

  
Tom Wall

ATTEST:

  
Cindy Yeiter, Auditor