

STATE OF INDIANA
BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 8 - 2011

**AN ORDINANCE VACATING AUDUBON DRIVE, A
PUBLIC WAY IN STONEBRIDGE SUBDIVISION, SECTION 2**

WHEREAS, petitioners, Doug Bramer and Brent Bushau (hereinfter the “Petitioners”), have filed a petition for the vacation of Audubon Drive, an unimproved public way in Stonebridge Subdivision, Section 2 (Plat Book 10, Page 55), in the unincorporated territory of Clark County on their properties located at 6708 Stonebridge Boulevard, Charlestown, Indiana (the “Bramer Property”), and 6710 Stonebridge Boulevard, Charlestown, Indiana (the “Bushau Property”), respectively, pursuant to the provisions of Ind. Code § 36-7-3-12 and Ind. Code § 36-7-3-16; and,

WHEREAS, the Petitioners have further caused a notice of public hearing on such petition before this Board of Clark County Commissioners (this “Board”) to be properly published in accordance with Indiana law; and,

WHEREAS, this Board having held such public hearing at the date and time as stated in such published notice; and,

WHEREAS, having heard all remonstrators and objectors at such public hearing, this Board now finds that the petition filed by the Petitioners should be granted by the adoption of this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by this Board of Clark County Commissioners as follows:

1. This Board, in accordance with the requirements of Ind. Code §36-7-3-13, hereby finds with respect to the Petitioners' petition all of the following:

a. The proposed vacation will not hinder the growth or orderly development of Clark County or the neighborhood in which it is located or to which it is contiguous.

b. The proposed vacation will not make access to the lands of any aggrieved person by means of public way difficult or inconvenient.

c. The proposed vacation will not hinder the public's access to a church, school, or other public building or place.

d. The proposed vacation will not hinder the use of a public way by the neighborhood in which the alleyway is located or to which they are contiguous.

e. Upon information provided at hearing, no public utility improvements presently exist within the portion of the public way for which vacation is proposed, and the proposed vacation will therefore not deprive any public utility of the use of all or part of the public way hereby vacated.

2. This Board hereby grants the petition filed by the Petitioners, and further hereby vacates Audubon Drive in Stonebridge Subdivision, Section 2, on and between the Bramer Property and the Bushau Property, which area is more particularly shown in the cross-hatched area of the plat drawing attached hereto as Exhibit "A".

3. Subsequent to the vacation effected by this Ordinance, Bramer will be the owner of the one-half of the area hereby vacated that is located on the Bramer Property, and Bushau will be the owner of the one-half of the area hereby vacated that is located on the Bushau Property.

4. Pursuant to the provisions of Ind. Code § 36-7-3-16, this Ordinance shall not deprive any public utility of the use of all or part of the public way hereby vacated, if, at the time the vacation proceedings were instituted, the utility was occupying and using all or part of the public way for the location and operation of its facilities.

5. This Ordinance shall be in full force and effect as of the date of its final passage and adoption by the Board. The Petitioners shall be required to record a certified copy of this Ordinance at their expense.

This Ordinance promulgated and adopted this 21st day of ~~March~~^{July}, 2011.

Members voting "NO":

M. Edward Meyer, Commissioner

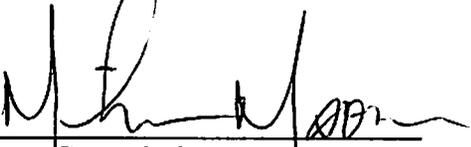
Mike Moore, Commissioner

Les Young, Commissioner

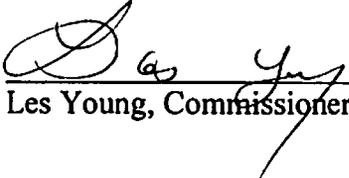
Members voting "YES":



M. Edward Meyer, Commissioner

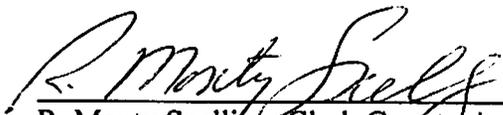


Mike Moore, Commissioner



Les Young, Commissioner

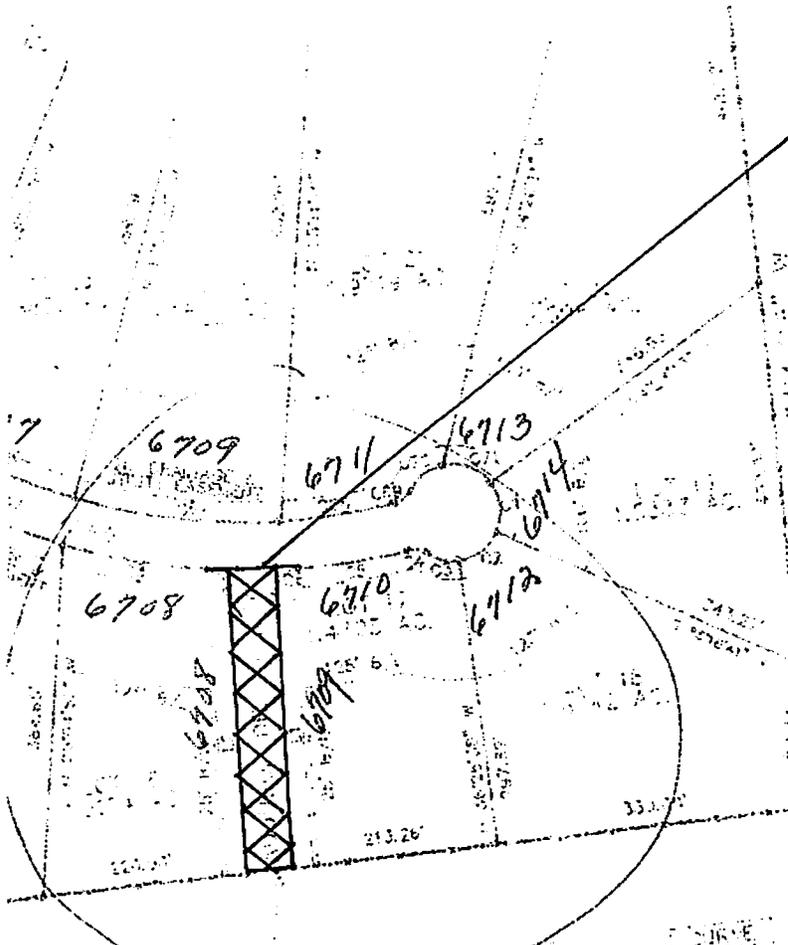
Attested by:



R. Monty Snelling, Clark County Auditor

I, Robert... hereby certify that as Engineer and Registered Land Surveyor, I have with the laws of the State of Indiana, that represents a survey completed by me and all monuments shown thereon actually exist and their size, type and material are accurately shown performed under my direct supervision and in accordance with the requirements of the laws of the State of Indiana.

VACATED
AUDOBON
DRIVE



LEGAL DESCRIPTION:
A part of Survey No. of the Illinois front, Town of..., also being a part of Lot 24-74-1, described as follows:

beginning at an aluminum monument at Survey 84,

- Thence N 55° 02' 22" E a distance of 2
- Thence N 34° 41' 18" W a distance of 5
- Thence S 55° 24' 25" W a distance of 9
- Thence N 32° 35' 35" W a distance of 1
- Thence S 55° 24' 25" W a distance of 1
- Thence N 35° 52' 00" W a distance of 1
- Thence S 55° 21' 48" W a distance of 1
- Thence S 28° 18' 34" E a distance of 1
- Thence N 04° 18' 03" E a distance of 1
- Thence S 13° 48' 35" E a distance of 1
- Thence S 64° 22' 32" W a distance of 1
- Thence S 34° 37' 20" W a distance of 1

Containing 75.09 25 AC. Subject to and any easements of record.

LINE	BEARING	DISTANCE
1	N 87° 58' 36" E	151.90
2	N 79° 33' 55" E	139.72
3	N 88° 41' 52" E	139.35
4	S 92° 49' 17" E	94.21
5	S 93° 25' 18" E	94.92
6	N 84° 42' 55" E	185.09
7	N 67° 30' 42" E	220.98
8	N 53° 06' 53" E	119.84
9	N 22° 46' 40" E	22.08
10	N 23° 20' 10" E	45.17
11	N 31° 50' 00" E	56.96
12	S 13° 08' 37" W	41.68
13	S 78° 51' 23" E	36.86

LINE	BEARING	DISTANCE
14	N 60° 54' 33" E	47.54
15	N 34° 39' 43" W	29.19
16	N 24° 15' 02" E	412.39
17	S 24° 15' 03" W	319.90
18	S 10° 43' 47" W	94.74

ROBERT ISGRIGG & ASSOCIATES STONEBRI FINA

EXHIBIT
"A"