23.00 3.00 NONC

2009056997 ORDINANCE $25.00
09/28/2009 09:02:31A 7 PGS
Jennifer J Hayden
HAMILTON County Recorder IN
Recorded as Presented

ORDINANCE 09-13

ORDINANCE OF THE CITY OF WESTFIELD TO VACATE A PUBLIC WAY

WHEREAS, The City of Westfield, ("City") is a duly formed municipal corporation within the State of Indiana, governed by its duly elected Mayor and Common Council ("Council"); and,

WHEREAS, it is the duty and the responsibility of the Council to maintain for streets, alleys and rights of way for the benefit of the citizens of the City and to vacate those no longer needed for the benefit off the public; and,

WHEREAS, it has come to the attention of the Council that the public way herein described is no longer necessary as a benefit to the general public and should be vacated.

NOW, THEREFORE, BE IT ORDAINED by the Westfield City Common Council meeting in session as follows:

Section 1. That pursuant to I.C. 36-9-2-5 the City has the authority to vacate public ways and now finds that the public roadway described on Exhibit "A", attached hereto and incorporated by reference herein is no longer needed for the benefit of the public.

Section 2. That after a duly advertised and published public hearing, the Council finds that it is proper to vacate the public way described in Exhibit "A" and retain those easements also duly identified thereon.

Section 3. This Ordinance shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All Ordinances or parts thereof that are in conflict herewith are hereby ordered repealed. Any portion of this Ordinance later deemed invalid shall not operate to invalidate the remaining portions.

DULY ENTERED FOR TAXATION
Subject to final acceptance for transfer
25 day of September, 2009
Dawn Coverdale Auditor of Hamilton County
Parcel #_____

ALL OF WHICH IS ORDAINED THIS 14 DAY OF Sept 2009.

WESTFIELD CITY COUNCIL

Voting For	Voting Against	Abstain
John Dippel	John Dippel	John Dippel
Steve Hoover	Steve Hoover	Steve Hoover
Bob Horkay	Bob Horkay	Bob Horkay
Ken Kingshill	Ken Kingshill	Ken Kingshill
Bob Smith	Bob Smith	Bob Smith
Thomas Smith	Thomas Smith	Thomas Smith
Rob Stokes	Rob Stokes	Rob Stokes

WESTFIELD CORPORATION SEAL

ATTEST:

Cindy Gossard, Clerk Treasurer

LOCATION: H:\2009\W090410\Easements&Exhibits\Silver Lakes Easements.DWG
DATE/TIME: July 31, 2009 - 4:59pm
PLOTTED BY: kuhnb

Part of Silver Lakes as per plat thereof recorded in Instrument No. 88-20711 in the Office of the Recorder of Hamilton County, Indiana, described as follows:

Beginning at the Southwest corner of Lot 48 of Silver Lakes as per plat thereof recorded as Instrument No. 88-20711 in the Office of the Recorder of Hamilton County, Indiana; thence North 00 degrees 00 minutes 00 seconds East (bearing based upon plat) along the West line of said Lot 130.00 feet to the North line of said Silver Lakes; thence South 90 degrees 00 minutes 00 seconds West along said North line 20.00 feet; thence South 00 degrees 00 minutes 00 seconds West 130.00 feet to the Westerly extension of the North Right-of-Way Line of the Savannah Lane; thence North 90 degrees 00 minutes 00 seconds East along said Westerly extension 20.00 feet to the POINT OF BEGINNING, containing 2600 square feet or 0.059 acres.

This document prepared under supervision of:

7/31/09

Brady Kuhn
Indiana Registered Land Surveyor No. 20500007

BRADY KUHN
REGISTERED
No.
20500007
STATE OF
INDIANA
LAND SURVEYOR

LEGAL DESCRIPTION
LOT 48

July 28, 2009

WEIHE ENGINEERS
10505 N. College Avenue
Indianapolis, Indiana 46280
weihe.net
317|846-6611

LOCATION: H:\2009\W090410\Easements&Exhibits\Silver Lakes Easements.DWG
DATE/TIME: July 31, 2009 - 4:59pm
PLOTTED BY: kuhnb

Part of Silver Lakes as per plat thereof recorded in Instrument No. 88-20711 in the Office of the Recorder of Hamilton County, Indiana, described as follows:

Beginning at the Southeast corner of Lot 18 of Silver Lakes as per plat thereof recorded as Instrument No. 88-20711 in the Office of the Recorder of Hamilton County, Indiana; thence North 00 degrees 00 minutes 00 seconds East (bearings based upon plat) along the East line of said Lot 130.00 feet to the North line of said Silver Lakes; thence South 90 degrees 00 minutes 00 seconds East along said North line 20.00 feet; thence South 00 degrees 00 minutes 00 seconds West 130.00 feet to the Easterly extension of the North Right-of-Way Line of the Savannah Lane; thence North 90 degrees 00 minutes 00 seconds West along said Easterly extension 20.00 feet to the POINT OF BEGINNING, containing 2600 square feet or 0.059 acres.

This document prepared under supervision of:

Brady Kuhn 7/31/09

Brady Kuhn
Indiana Registered Land Surveyor No. 20500007

BRADY KUHN
REGISTERED
No.
20500007
STATE OF
INDIANA
LAND SURVEYOR

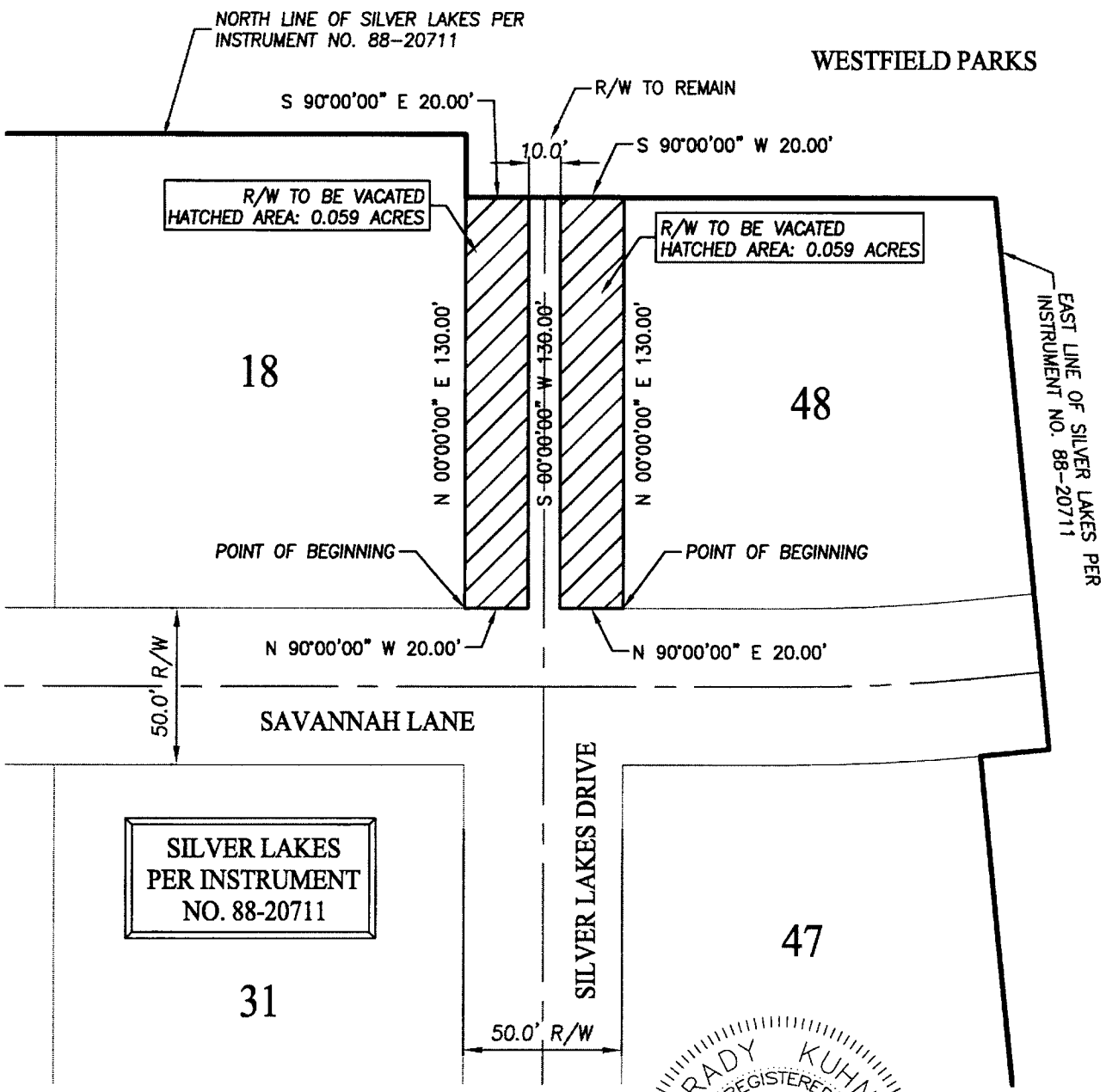
LEGAL DESCRIPTION
LOT 18

July 28, 2009

WEIHE ENGINEERS
10505 N. College Avenue
Indianapolis, Indiana 46280
weihe.net
317|846-6611

LOCATION: H:\2009\W090410\Easements&Exhibits\Silver Lakes Easements.DWG
DATE/TIME: July 31, 2009 - 4:59pm
PLOTTED BY: kuhnb

EXHIBIT A



This document prepared under supervision of:

Brady Kuhn 7/31/09

Brady Kuhn
Indiana Registered Land Surveyor No. 20500007

BRADY KUHN REGISTERED No. 20500007 STATE OF INDIANA LAND SURVEYOR

THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY, A ROUTE SURVEY, OR A SURVEYOR LOCATION REPORT

WEIHE ENGINEERS
10505 N. College Avenue
Indianapolis, Indiana 46280
weihe.net
317|846-6611

SCALE: 1" = 50'
0 12.5 25 50

N

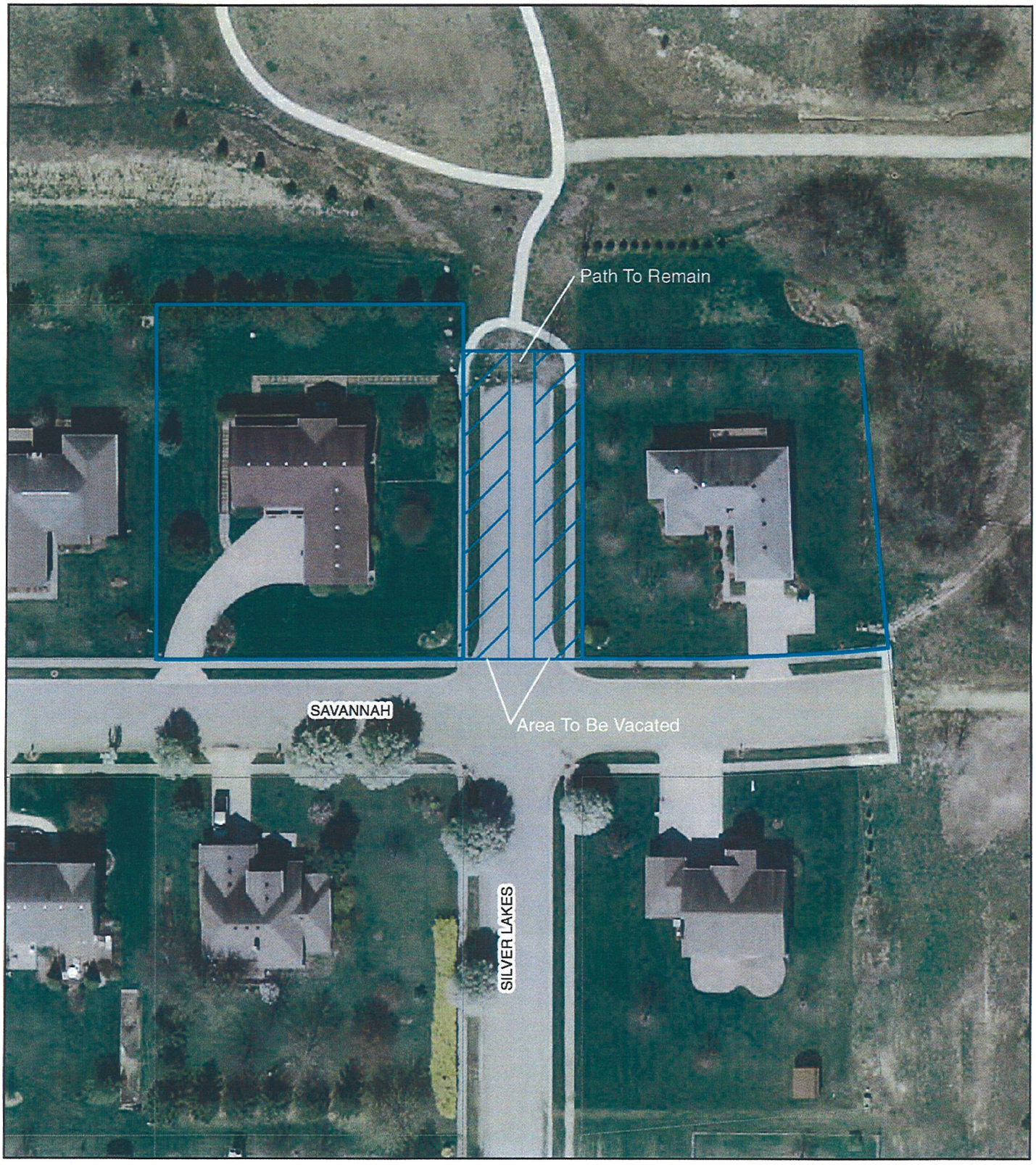
RIGHT-OF-WAY VACATION

July 28, 2009

Aerial Exhibit
Ordinance 09-13
09-10-2009

N
W E
S
Not To Scale

Aerial Location Map



I hereby certify that ORDINANCE 09-13 was delivered to the Mayor of Westfield on the 14 day of Sept, 2009, at 1:30 p m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 09-13 this 15 day of Sept, 2009.

J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 09-13 this _____ day of _____, 2009.

J. Andrew Cook, Mayor

ATTEST:

Cindy Gossard, Clerk Treasurer

"I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law"

Signed

This document prepared by
Brian J. Zaiger, Esq.
KRIEG DEVAULT, LLP
(317) 238-6266