

DULY ENTERED FOR TAXATION

Subject to final acceptance for transfer *LR*

13 day of July, 2011

*Dawn Coordate* Auditor of Hamilton County

Parcel #

**ORDINANCE NUMBER 11-11**

Document Cross Reference No. *Book 49 Page 516*

**AN ORDINANCE OF THE CITY OF WESTFIELD TO VACATE A PUBLIC WAY, EASEMENT AND PLATTED REAL PROPERTY**

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

**WHEREAS**, it is the duty and the responsibility of the Council to maintain public rights-of-way, easements and subdivision plats for the benefit of the citizens of the City and to vacate those no longer needed for the benefit of the public; and

**WHEREAS**, it has come to the attention of the Council that the items herein described are 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 Ind. Code § 36-9-2-5, the City has the authority to vacate public rights-of-way and now finds that the public right-of-way identified in Exhibit "A", attached hereto and incorporated by reference herein is no longer needed for the benefit of the public.

**SECTION 2.** That pursuant to Ind. Code § 36-7-3-16, the City has the authority to vacate platted easements and now finds that the platted easements identified in Exhibit "A" are no longer needed for the benefit of the public.

**SECTION 3.** That pursuant to Ind. Code § 36-7-3-10, the City has the authority to vacate all or a part of a plat and now finds that the part of the plat identified in Exhibit "A" is no longer needed for the benefit of the public.

**SECTION 4.** That after a duly advertised and published public hearing, the Council finds that it is proper to vacate the public right-of-way, the easements and that certain real property all identified in Exhibit "A".

**SECTION 5.** This Ordinance shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods and the approval of an amended secondary plat for the residual portions of property shown in Exhibit "A", all as provided by the laws of the State of Indiana.

2011033668 ORDINANCE \$18.00  
07/13/2011 03:27:43P 3 PGS  
Mary L. Clark  
HAMILTON County Recorder IN  
Recorded as Presented



*16.00  
22.00  
38.00*

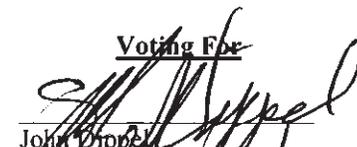
ALL OF WHICH IS HEREBY ADOPTED BY THE CITY COUNCIL OF WESTFIELD,  
HAMILTON COUNTY, INDIANA THIS 11 DAY OF July, 2011.

**WESTFIELD CITY COUNCIL  
HAMILTON COUNTY, INDIANA**

Voting For

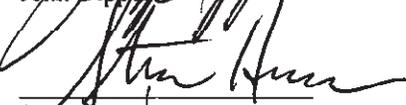
Voting Against

Abstain

  
John Dippel

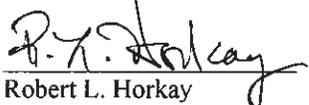
John Dippel

John Dippel

  
Steven Hoover

Steven Hoover

Steven Hoover

  
Robert L. Horkay

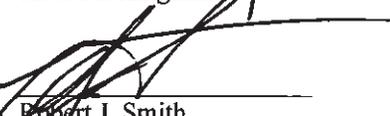
Robert L. Horkay

Robert L. Horkay

  
Kenneth Kingshill

Kenneth Kingshill

Kenneth Kingshill

  
Robert J. Smith

Robert J. Smith

Robert J. Smith

  
Thomas Smith

Thomas Smith

Thomas Smith

Robert W. Stokes

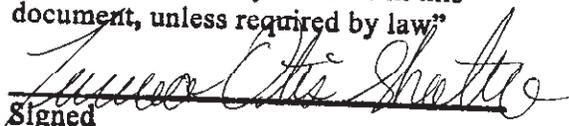
Robert W. Stokes

Robert W. Stokes

ATTEST:

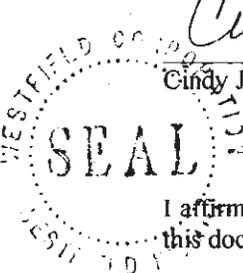
  
Cindy J. Gossard, Clerk-Treasurer

"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."

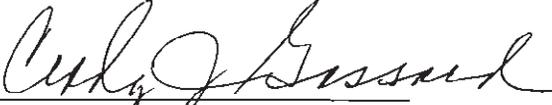
  
Signed

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

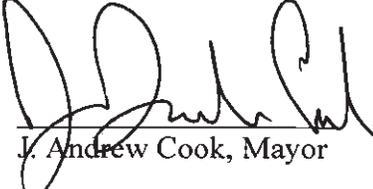
Prepared by: Brian J. Zaiger, Attorney, Krieg Devault, 12800 N. Meridian Street, Suite 300, Carmel, IN 46032,  
(317) 317-238-6266.



I hereby certify ORDINANCE 11-11 was delivered to the Mayor of Westfield on the  
12 day of July, 2011, at 4:00 a m.

  
Cindy J. Gossard, Clerk-Treasurer

I hereby APPROVE ORDINANCE 11-11  
this 12<sup>th</sup> day of July, 2011.

  
J. Andrew Cook, Mayor

I hereby VETO ORDINANCE 11-11  
this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
J. Andrew Cook, Mayor

Current Action: Pan Tool  
197,425 ft X: 1,745,913 ft  
Map Scale: 1" = 50'

31

Maple St

Park St

 KRIEG | DEVAULT

12/16/2010

LEGAL DESCRIPTION

Alleyway to be vacated

(+- 2,586 sq.ft.)

That certain alleyway, 16 ½ feet wide, lying west of and adjoining the west line of Lot #12 in Abel Doan's Addition to the Town of Westfield, Indiana per Plat thereof recorded in Deed Record 49, Page 516 in the Office of the Hamilton County Recorder.

(3/16/11 – LTY)

EXHIBIT A

That certain alleyway, 16 ½ feet wide, lying west of and adjoining the west line of Lot #12 in Abel Doan's Addition to the Town of Westfield, Indiana per Plat thereof recorded in Deed Record 49, Page 516 in the Office of the Hamilton County Recorder.