

**ORDINANCE NO. 2013- 9-24-003 - V**

**AN ORDINANCE OF THE KOSCIUSKO COUNTY COMMISSIONERS  
VACATING A PUBLIC WAY**

WHEREAS, on July 1, 2013, Scott R. Hirschman and Elizabeth H. Hirschman, Husband and Wife, filed a *Petition to Vacate a Public Way* with the Kosciusko County Commissioners, and

WHEREAS, notice was published as required by law in The Mail-Journal, a newspaper in general circulation and published in the English language in Kosciusko County, Indiana, giving notice of the filing of the verified *Petition to Vacate a Public Way* and giving notice that said petition would be heard by the Kosciusko County Commissioners on the 24<sup>th</sup> day of September, 2013, at 9:15 a.m., in the Commissioners' Room in the Old Court Room located on the third floor of the Kosciusko County Court House at the corner of North Buffalo Street and West Center Street, Warsaw, Indiana, which notice in The Mail Journal was published on the 11<sup>th</sup> day of September, 2013, and which notice was published more than ten (10) days prior to the hearing, and;

WHEREAS, notice was sent, via certified mail, to adjacent property owners as follows:  
-Pickwick Park Association, Inc., received on 9/11/2013 (receipt #70093410000104053616)  
-Jeffrey & Cynthia Long, received on 9/10/13 (receipt #70093410000104053609)  
-Stephen D. Skaggs, received on 9/9/2013 (receipt #70093410000104053593) and;

WHEREAS, the Kosciusko County Commissioners have determined, after hearing, that the vacation requested herein should be granted, that the public way for which vacation is sought is not located within any corporate boundaries, and that the vacation sought will not hinder the growth or development of the neighborhood in which it is located or to which it is contiguous, nor will it result in the creation of any difficulty or inconvenience to the access of any lands by means of a public way, will not hinder the public access to a church, school, or other public building place, will not hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous, and there does not appear to be any public utilities located within the public way for which the vacation is sought.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS OF KOSCIUSKO COUNTY, INDIANA, AS FOLLOWS:

*Section 1:* That the following public way site in Kosciusko County, State of Indiana, and more particularly described as follows to-wit:

Part of Zook Avenue as shown on the Plat of Pickwick Park, Kosciusko County, Indiana, more particularly described as follows, to wit:

BEGINNING at the Northwest corner of Lot Number 2 in said Pickwick Park; thence N71°-00'-00"E (adjoiner's deed bearing and used as the basis of bearings for this description), on and along the Northerly line of said Lot Number 2, a distance of 50.00 feet to the Northeast corner of said Lot Number 2; thence N18°-36'-45"W, on and along the Northerly

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09/25/2013 02:22:31P 2 PGS  
Deborah A. Wright  
Kosciusko County Recorder IN  
Recorded as Presented





projection of the East line of said Lot Number 2, a distance of 20.00 feet to the Southeast corner of the West half of Lot Number 30 in said Pickwick Park, said corner being situated 2.2 feet Southeast of and 1.2 feet Southwest of an iron pin found; thence S71°-00'-00"W, on and along the Southerly line of said Lot Number 30, a distance of 50.00 feet to the Southwest corner of said Lot Number 30; thence S18°-36'-45"E, a distance of 20.00 feet to the point of beginning, containing 0.023 acres of land, more or less, subject to all legal right-of-way, subject to all legal drain easements and all other easements of record.

and which public way is also identified as tract of land lying between two (2) lots owned by Petitioners, commonly known as 6277 East Pickwick Park Drive, Syracuse, Indiana, 46567 (Parcel ID # 007-034-042, State ID # 43-04-09-400-270.000-025, Tax Bill ID# 0771101700) IS NOW HEREBY VACATED.

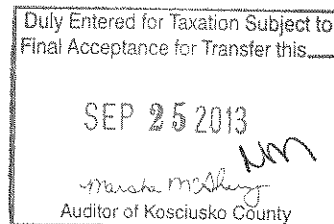
Section 2: This Ordinance shall be in full force and effect upon its adoption.

✓ Upon unanimous vote of all Commissioners present, the same being more than three-fourths ( $\frac{3}{4}$ ) of the duly elected Commissioners of Kosciusko County, Indiana, this Ordinance was considered for final passage upon its first presentation) this 24<sup>th</sup> day of September, 2013.

✓ Upon motion duly made, seconded and passed by a vote of 3 ayes and 0 nays, the foregoing Ordinance was adopted by the Kosciusko County Commissioners at its regular meeting this 24<sup>th</sup> day of September, 2013.

ATTEST:

KOSCIUSKO COUNTY COMMISSIONERS



Bradford Jackson

Ronald Truex

Bob Conley

Attested by:

Marsha McSherry  
Marsha A. McSherry, Auditor, Kosciusko County

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.

Missy Farmer

2 SEP 25 2013

AUDITORS OFFICE  
MISSY

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N/A  
WC