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Mitchell J. Pusate
Auditor of Kosciusko County

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Joetta Mitchell
Kosciusko County Recorder IN
Recorded as Presented



ORDINANCE NUMBER 21-07-20-003

BE IT ORDAINED by the Board of Commissioners of Kosciusko County, State of Indiana:

Section 1.

WHEREAS, Michael Irving has filed his Petition for vacation of a portion of EMS D15 Lane, a public way located in Turkey Creek Township, Kosciusko County, Indiana, with the Board of Commissioners of Kosciusko County, Indiana; and

WHEREAS, a hearing on said Petition was set for April 27, 2021 at 9:15 a.m. and notice of said hearing was published in the *Warsaw Times Union* and The *Milford Mail-Journal* as required by law and sent by certified mail to Jerry L. Shilling, Brian E. Harder, Alan D. Harder, Donald E. Harder and Sylvia L. Harder and was continued until June 22, 2021 and then July 20, 2021, to allow for highway department review; and

WHEREAS, the Kosciusko County Area Plan Commission has recommended vacation subject to highway department approval; and

WHEREAS, the time of said hearing has arrived and a hearing is conducted thereon; and

WHEREAS, the vacation of the public way will not impair access to another's property or any public place, nor will orderly development of the area be impeded;

WHEREAS, the public way to be vacated is described as follows, to-wit:

That portion of EMS D15 Lane lying east of a line described as follows:

Beginning at the northeast corner of Lot 2 in LeCount Plat, as recorded in Plat Book 10, page 44 in the Office of the Recorder of Kosciusko County, Indiana, thence South 83 degrees, 33 minutes 22 seconds West 139.38 feet to the beginning of the line; thence South 41 degrees, 56 minutes, 07 seconds East to the south line of Lot 2 and the termination of the line.

WHEREAS, the Board of Commissioners of Kosciusko County, Indiana, has jurisdiction to vacate the public way described in said Petition.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Kosciusko County, Indiana that the portion of the public way herein described is now vacated, subject to the

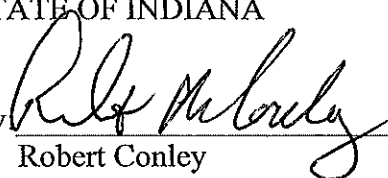
recording of a Turnaround Easement in favor of Kosciusko County immediately following adoption of this Ordinance.

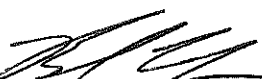
Section 2.

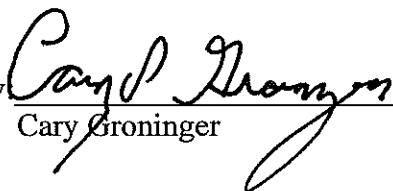
That this Ordinance shall be in full force and effect from and after its passage.

ORDAINED AND PASSED this 20th day of July, 2021.


BOARD OF COMMISSIONERS
KOSCIUSKO COUNTY,
STATE OF INDIANA

By: 
Robert Conley

By: 
Bradford L. Jackson

By: 
Cary Groninger

Attest:


Michelle Puckett
Kosciusko County Auditor

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. (Stephen R. Snyder)

Prepared by Stephen R. Snyder, Attorney at Law, #413-43