ORDINANCE NO. <u>23-09-26-00/</u>

AN ORDINANCE OF THE KOSCIUSKO COMMISSIONERS VACATING A PUBLIC WAY

WHEREAS, KEN A AND TINA P BLACKFORD, LUANN WRAY AND GENE D FENIX, CLIFFORD AND TAMARA D SMITH, filed a verified *Petition to Vacate a Public Way* with the Kosciusko County Commissioners, and,

WHEREAS, notice was published as required by law in the Warsaw Times-Union and the Mail-Journal, both newspapers 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 Aloth day of September, 2023, at 9:15 AM, in the old Courtroom, located on the third floor of the Kosciusko County Courthouse, 100 West Center Street, Warsaw, Indians 46580, which notice was published in the Warsaw Times Union on the 2016 day of AUGUST, 2023, and in the Mail Journal on the 231d day of AUGUST, 2023, both publication dates being more than ten (10) days prior to the hearing, and

WHEREAS, notice was delivered via certified mail to each owner of land that abuts the public way for which the vacation is sought, 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 the vacation sought will not hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous; will not make access to the lands of an aggrieved person by means of public way difficult or inconvenient; will not hinder the public's 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 that in the event a utility is occupying and using all or part of the public way for the location and operation of its facilities, the vacation sought herein will not deprive that public utility of its use of the public way.

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

Section 1. That the following public way situated in Kosciusko County, State of Indiana, and more particularly

described as follows, to-wit:

The old Wray Drive that extends from Clifton Street to the property owned by Clifford and Tamara D Smith. The property has been maintained as lawn for at least the last 50-60 years. The property is 40 ft wide by approximately 210 ft long

IS NOW HEREBY VACATED

Section 2. That this ordinance shall be in full force and effect upon its adoption.

2023090895 ORDN \$0.00
09/26/2023 10:50:44A 8 PGS
Deborah A Wright
Kosciusko County Recorder IN
Recorded as Presented

Upon motion duly made, seconded, and passed by a vote of 3 ayes 0 nays, the	
forgoing Ordinance was adopted by the Board of Commissioners of the County of Kosciusko at	
its regular meeting this <u>264h</u> day of <u>SEPTEMBER</u> , <u>2023</u> .	

KOSCIUSKO COUNTY COMMISSIONERS

President Brid Tachson

Member Robert

ATTEST:

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.

BEFORE THE KOSCIUSKO COUNTY COMMSSIONERS

KOSCIUSKO COUNTY

IN RE: PETITION TO VACATE

A PUBLIC WAY,

PETITIONERS:

KEN A AND TINA P BLACKFORD

LUANN WRAY AND GENE D FENIX

CLIFFORD AND TAMARA D SMITH

AFFIDAVIT OF NOTICE OF PUBLIC HEARING TO ABUTTING PROPERTY OWNERS

I, Ken A Blackford, do hereby certify the	nat the Notice of Public Hearing upon Petition For		
Vacation of Public Way relating to veri	fied Petition to Petition A Public Way, filed with the		
GENE D FENIX, CLIFFORD AND TAMARA D SN	County by KEN A AND TINA P BLACKFORD, LUANN WRAY AND MITH on 8-18-23, has been given via certified mail to all r which vacation is sought. The names and addresses of all the vay are as follow:		
Ken and Tina Blackford	7291 W Lutes Drive, Warsaw IN 46582		
LuAnn Wray & Gene D Fenix	7307 W Lutes Drive, Warsaw IN 46582		
Clifford & Tamara D Smith	7323 W Lutes Drive, Warsaw IN 46582		
I AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FOREGOING REPRESENTATIONS ARI			
TRE AND CORRECT TO THE BEST OF M	1Y KNOWLWDGE AND BELIEF.		

STATE OF INDIANA

BEFORE THE KOSCIUSKO COUNTY COMMSSIONERS

KOSCIUSKO COUNTY

IN RE: PETITION TO VACATE

A PUBLIC WAY,

PETITIONERS:

KEN A AND TINA P BLACKFORD

LUANN WRAY AND GENE D FENIX

CLIFFORD AND TAMARA D SMITH

NOTICE OF PUBLIC HEARING UPON PETITION FOR VACATION OF PUBLIC WAY

NOTICE IS HERBY GIVEN that KEN A AND TINA P BLACKFORD, LUANN WRAY AND GENE D FENIX and CLIFFORD AND TAMARA D SMITH, as Petitioners, have filed a verified *Petition to Vacate a Public Way* with the Kosciusko County Commissioners seeking the vacation of a public way, which Petition has been set for hearing before the Kosciusko County Commissioners on the 26 day of September, 2023, at 9:15 AM. The hearing will be held in the old Courtroom, which is located on the third floor of the Kosciusko County Courthouse, 100 West Center Street, Warsaw, Indians 46580. The public way for which vacation is sought is situated in Kosciusko County, State of Indiana, and is more particularly described as follows, to-wit:

The old Wray Drive that extends from Clifton Street to the property owned by Clifford and Tamara D Smith. The property has been maintained as lawn for at least the last 50-60 years. The property is 40 ft wide by approximately 210 ft long.

ANY PERSON desiring to be heard may file an objection or comments with the Auditor of Kosciusko County, Indiana or with the Kosciusko County Plan Commission, and any person may appear at said hearing and be heard in support of or objection to the Petition filed herein. The hearing may be continued by the Kosciusko County Commissioners without further public notice.

A copy of the Petition is on file in the Office of the Auditor of Kosciusko County, Indiana

Dated 8-18-23

Kosciusko County Commissioners

Auditor Kosciusko County

STATE OF INDIANA

BEFORE THE KOSCIUSKO
COUNTY COMMSSIONERS

KOSCIUSKO COUNTY

IN RE: PETITION TO VACATE

A PUBLIC WAY,

PETITIONERS:

KEN A AND TINA P BLACKFORD

LUANN WRAY AND GENE D FENIX

CLIFFORD AND TAMARA D SMITH

RECEIVED

AUG 1 8 2023

Randa J. Helsen Auditor of Kosciusko County

PETITION TO VACATE A PUBLIC WAY

COME NOW, the petitioners, Ken and Tina Blackford, LuAnn Wray and Gene D. Fenix, Clifford and Tamara D Smith, under the penalties for perjury and for his/her/their petition to the Kosciusko County Commissioners to vacate a public way, say:

1. That the petitioners are the owners of the following described real estate situated in Kosciusko County, Indiana, to-wit:

Lots 40,41,98,99,N1/2lot97andN½lot42OldWrayHomesteadSD,
Lots 38,39,100 &101 Old Wray Homestead SD
Lots S1/2 lot 42 & s1/2 lot 97 and PT VAC ST OLD WRAY HOMESTEAD SD & TR E LOTS 0.75A PER SURVEY

And, which real estate is commonly known as 7313 W Lutes Drive, 7307 W Lutes Dr and 7323 W Lutes Dr. The real estate is not located within the corporate boundaries of any municipality.

- 2. The public way for which the Petitioners are seeking vacation herein, is described as follows: The old Wray Drive that extends from Clifton Street to the property owned by Clifford and Tamara D Smith. The property has been maintained as lawn for at least the last 50-60 years. The property is 40 ft wide by approximately 210 ft long.
- 3. That the owners of the property abutting the public way are as follows:

Ken and Tina Blackford

7291 W Lutes Drive, Warsaw IN 46582

LuAnn Wray & Gene D Fenix

7307 W Lutes Drive, Warsaw IN 46582

Clifford & Tamara D Smith

7323 W Lutes Drive, Warsaw IN 46582

- 4. That the vacation sought herein will not hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous.
- 5. That the vacation sought herein will not make access to the lands of an aggrieved person by means of public way difficult or inconvenient.

- That the vacation sought herein will not hinder the public access to a church, school, or other public building or place.
- 7. The vacation sought herein will not hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous.
- That in the event a utility is occupying and using all or part of the public way for location and operations
 of it facilities, the vacation sought herein will not deprive the public utility of its use of the public
 property.
- That attached hereto as Exhibits A and B, respectively, and made a part hereof by reference, are the following: a copy of the original recorded plat and a beacon map depicting the public way for which vacation is sought.

WHEREFORE, your Petitioners pray the Kosciusko County Commissioners vacate the above-described public way.

I/WE AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FOREGOING REPRESENTATIONS ARE TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE.

Dated: 8-18-23

Gene Fener

Jum Smth

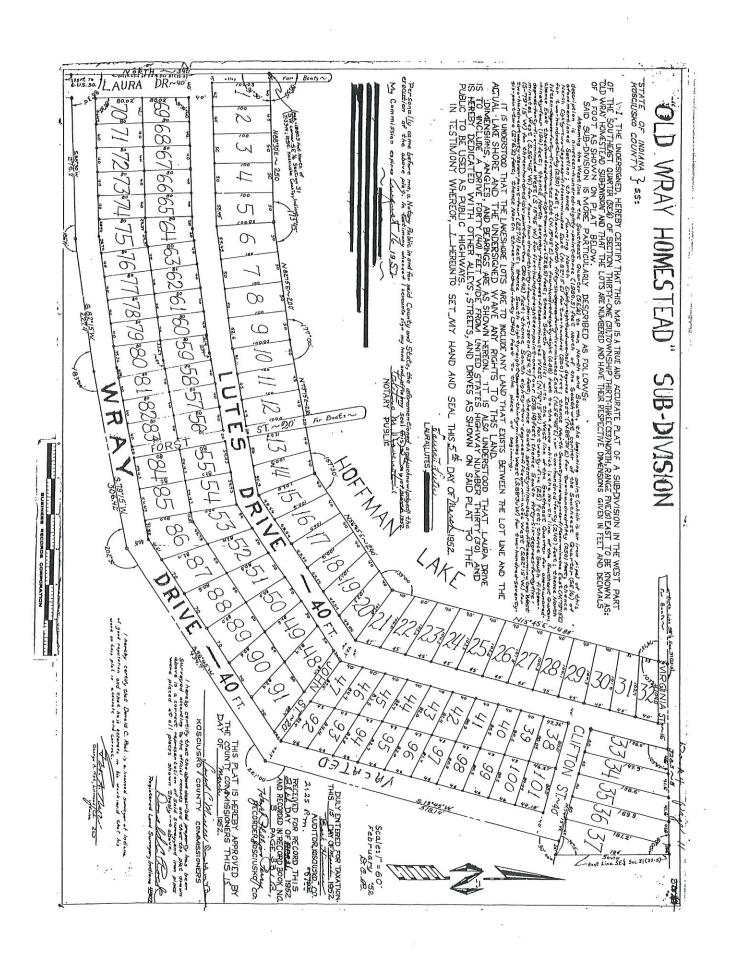
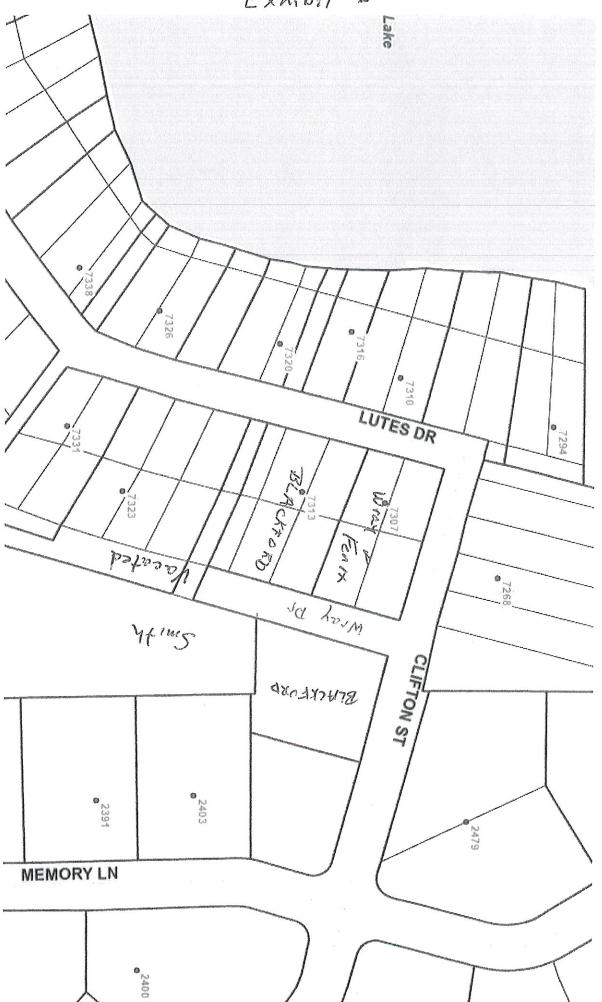


Exhibit B



NOTICE OF PUBLIC HEARING UPON PETITION FOR VACATION OF PUBLIC WAY

inkfreenews.com/2023/08/23/notice-of-public-hearing-upon-petition-for-vacation-of-public-way-3/

August 23, 2023



STATE OF INDIANA
BEFORE THE KOSCIUSKO COUNTY COMMISSIONERS
KOSCIUSKO COUNTY

IN RE: PETITION TO VACATE
A PUBLIC WAY,
PETITIONERS:
KEN A. AND TINA P. BLACKFORD
LUANN WRAY AND GENE D. FENIX

CLIFFORD AND TAMARA D. SMITH

NOTICE OF PUBLIC HEARING UPON PETITION FOR VACATION OF PUBLIC WAY

NOTICE IS HEREBY GIVEN that Ken A and Tina P Blackford, Luann Wray and Gene D. Fenix and Clifford and Tamara D. Smith, as Petitioners, have filed a verified Petition to Vacate a Public Way with the Kosciusko County Commissioners seeking the vacation of a public way, which Petition has been set for hearing before the Kosciusko County Commissioners on the 26th day of September, 2023, at 9:15 a.m. The hearing will be held in the old Courtroom, which is located on the third floor of the Kosciusko County Courthouse, 100 West Center Street, Warsaw, Indiana 46580. The public way for which vacation is sought is situated in Kosciusko County, State of Indiana, and is more particularly described as follows, to-wit:

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ANY PERSON desiring to be heard may file an objection or comments with the Auditor of Kosciusko County, Indiana or with the Kosciusko County Plan Commission, and any person may appear at said hearing and be heard in support of or objection to the Petition filed herein. The hearing may be continued by the Kosciusko County Commissioners without further public notice.

A copy of the Petition is on file in the Office of the Auditor of Kosciusko County, Indiana. Dated: 8/18/23

Kosciusko County Commissioners Rhonda Helser Auditor Kosciusko County TIMES-UNION

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All real estate advertising herein is subject to the Federal Fair Housing Act, which imitiation or discrimination based on race, color, relation, too, had not any such preferences, imitiations or discrimination based on race, color, relation, too, had not any such preferences, filmitations or discrimination.

State laws forbid discrimination in the sale, rental or advertising of real estate based on factors in addition to the sale real state or rentals which is in violations of the law, all persons are hereby Informed that all dwellings advertised are available on an equal opportunity basis.

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By vifus of a cellified copy of a discret lon m, directed from the Clork of Koschus bupeder Coart of et Koschus County, Indiana, Indiana,

DEPIN. More commanly known as 313 E Hunlington St, North Webstlet, W 45555-912
Parcel No. 43-08-15-100-008-000-024
Togethor with rents, issues, income and profits thereot, sold sole will be made without leaf of from voluntion or oppretisement lows.
James (27m) M. Smith, Sheriff

/s/ BRYAN K. REDMOND BRYAN K. REDMOND, Plaintif Altorney Altorney # 22108-29 FEIVELL & HANNOY, P.C. 8415 Altson Pointe Blyd., Suite 400 Indianopolis, IN 46250

The Sherië's Department does not warrant line occuracy of the street address published herein. NOIGE: FEWELL & IRAINOY, P.C. IS A DIST COLLECTOR. 6-15.22(2) Published Published Published Published Published Published Publ

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Kosciusko County Commissio Rhonda Helser, Auditor Kosciusko County

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PLUMBING

THE TIMES-UNION WOULD like to inform its readers that all plumbers must be licensed in the state and must print their license number on all advertisements.

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The Times-Union will be responsible for only 2 (two) days incorrect insertions.

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NOTICE OF SHEBITS SAIF

By vitive of a conflied copy of a discuse to me, directed from the Clerk of Nacolutus Superior Court of 4 Kosclusto County, Indiana, in Cours Ro. 43004-2212-M-000370, wherein North Mortgage Company, Ind., was Höhrlift a Springs LCC, Helvey & Associates and Midsand Funding LCC Merey & Associates and Midsand Funding LCC Description of Midsand Funding LCC Merey & Associates and Midsand Funding LCC Description of Midsand Funding LCC Merey & Associates and Midsand Funding LCC Description of Midsand LCC Descri

/s/ BRYAN K. REDMOND BRYAN K. REDMOND, Plaintif Atlamay Atlamay # 22108-29 FEIWELL & HANNOY, RC.

NOTICE

Wayne Township
The Sheriff's Department does not warrant the accuracy of the street
address published herein.
NOTICE: FEIWELL & HANNOY, R.C. IS A DEBT COLLECTOR.
5-15,22.27 hopolo

8-15,22,29 hspaxlp

NOTICE

CELEBRITY CIPHER

by Luis Campos

Celebrity Cipher cryptograms are created from quotations by famous people, past and present.

Each letter in the cipher stands for another.

"EDMHM NW HMVFFB XK KXM IDK

DVWX'E UVCM UNWEVPMW NX EDMNH

GVHMMH. ... UVHENX WGKHWMWM DVW

... IDB GVX'E N?" — LVUMW GKHCMX

Previous Solution: "They say that nobody is perfect. Then they tell you practice makes perfect. I wish they'd make up their minds." — Wilt Chamberlain

TODAY'S CLUE: X signbe d

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VACATION HEARING REQUEST

Name of Petitioner: Ken Blackford
Address of Petitioner: 7291 W Lufes Dr Warson, IN
Phone: 574-268-44 Who will appear: Ken Blackford 4653
Parcel & Key Number: 021-723601-61 021-124-051
Hearing Date: Sept 24, 2023, 9:15a.m.
Petitioner Signature: X Ken Blackford
Meeting will be held in the Courthouse, in the Old Courtroom, 3 rd Floor, 100 West Center Street, Warsaw, IN 46580
The Kosciusko County Auditor's Office will contact you with any questions.
Internal Use Only
Make copy for Petitioner
☐ Petition □ Ordinance □ Legal Verified by GIS
Info taken by: Alexandley Date: 8-18-23