

ORDINANCE NO. 2021-03

ORDINANCE VACATING PUBLIC ALLEYS

BE IT ORDAINED by the Board of Commissioners of Hendricks County, Indiana (the "Board"), that:

WHEREAS, SMH PROPERTIES, LLC ("Petitioner") has filed a *Petition to Vacate Platted Right-of-Way* (the "Petition") with the Board, pursuant to statute; and

WHEREAS, the Petition concerns Petitioner's request to vacate certain alleyways, or portions thereof, located within the platted Original Town of Belleville, Hendricks County, Indiana; and

WHEREAS, notice has been given to each owner of record of land that abuts the property proposed to be vacated; and

WHEREAS, notice by publication has been given as prescribed by Indiana Code ("I.C.") § 5-3-1, and the proof of publication has been filed with the Board; and

WHEREAS, the Board held a public hearing on Petitioner's Petition on the 23rd day of February 2021 at 9:00 a.m.; and

WHEREAS, having reviewed at such public hearing all pertinent facts relative to the Petition and having offered all interested persons the opportunity to be heard in connection with the Petition, the Board determined that the Petition should be granted.

NOW, THEREFORE, by the powers vested in the Board, pursuant to I.C. § 36-7-3-12, it is hereby ordered that the relief requested in Petitioner's Petition is now granted.

IT IS, THEREFORE, ORDERED that the alleyways described below, which alleyways were heretofore platted as a part of Block Six (6) in the Original Town of Belleville, Hendricks County, Indiana, be, and the same are hereby vacated:

1. The entire alley located between Lot Seven (7) and Lot (8), running north and south, more or less, between US Highway 40 and the platted alley located north of and adjacent to Block Six (6) in the Original Town of Belleville; and

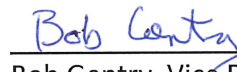
2. The entire alley located between Lot Ten (10) and Lot Twelve (12), running north and south, more or less, between US Highway 40 and the platted alley located north of and adjacent to Block Six (6) in the Original Town of Belleville.

IT IS FURTHER ORDAINED AND ORDERED that the Secretary of the Board shall furnish a copy of this Ordinance to the Hendricks County Recorder for recording, and to the Hendricks County Auditor, all pursuant to the provisions of I.C. § 36-7-3-12.

THIS ORDINANCE ADOPTED THIS 23rd DAY OF FEBRUARY 2021.

BOARD OF COMMISSIONERS,
HENDRICKS COUNTY, INDIANA


Phyllis A. Palmer, President


Bob Gentry, Vice President


Dennis Dawes, Member

ATTESTED BY:


Nancy Marsh, 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 (Andrew P. Kult). This instrument prepared by Andrew P. Kult, COMER LAW OFFICE, LLC, P.O. Box 207, Danville, Indiana 46122.