

ORDINANCE NO. 2021-39

ORDINANCE VACATING PUBLIC ROAD RIGHT-OF-WAY

BE IT ORDAINED by the County of Hendricks, Indiana, that:

WHEREAS, B&B Farm Holdings L.L.C., has filed a Petition to Vacate certain road right-of-way with the Clerk of the Board of Commissioners of Hendricks County, Indiana, pursuant to statute; and

WHEREAS, Petitioner is the owner of all of the land that abuts the property proposed to be vacated; and

WHEREAS, notice of publication has been given as prescribed by I.C. 5-3-1, and the proof of publication having been filed with the Clerk of the Board of Commissioners of Hendricks County, Indiana; and

WHEREAS, the Board of Commissioners of Hendricks County, Indiana, having held a public hearing on such "Petition to Vacate Road Right-of-Way" on Tuesday, June 22, 2021 at 9:00 a.m.; and

WHEREAS, after reviewing all of the pertinent facts relative to the request of the "Petition to Vacate Road Right-of-Way" and all interested persons having had an opportunity to be heard at the public hearing;

NOW, THEREFORE, by the powers vested in the Board of Commissioners of Hendricks County, Indiana, pursuant to I.C. 36-7-3-12, is hereby ordered and ordained that the relief requested in said "Petition to Vacate Road Right-of-Way" is now granted.

IT IS, THEREFORE, ORDERED AND ORDAINED that the following right-of-way be, and the same is hereby vacated which right-of-way is more particularly described as follows, to-wit:

County right-of-way located between the following 2 tracts of real estate:

Tract A:

The northwest Quarter of Section 8, Township 14 North, Range 1 East, to contain 160 acres, all in Liberty Township, Hendricks County, State of Indiana.

EXCEPT: Commencing at the Northwest corner of said Quarter Section; thence East on and along the North line of said Quarter Section 1005.00 feet to the POINT OF BEGINNING of this description; thence deflect 90 degrees 00 minutes 00 seconds to the right and run South 200.00 feet; thence deflect 90 degrees 00 minutes 00 seconds to the left and run East 435.00 feet; thence deflect 90 degrees 00 minutes 00 seconds left and run North 200.00 feet to a point on the North line of the Northwest Quarter; thence West on and along said North line 435.00 feet to the BEGINNING POINT of this description, containing 2.00 acres, more or less.

Tract B:

65 acres of uniform width off of and across the entire East side of the East half of the Southwest quarter of Section 5, Township 14 North, Range 1 East, more particularly described as follows to wit: Beginning at the Northeast corner of said half quarter Section; and running thence West with the said half


section line 65 rods; thence South 160 rods, more or less, to the South line of said Section; thence East along the South line of said Section 65 rods to the Southeast corner of the aforesaid Southwest quarter section; thence North along the said half section line 160 rods, more or less, to the place of beginning, containing 65 acres, more or less.

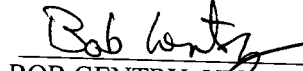
Subject to all easements, restrictions, and rights-of-way or record.

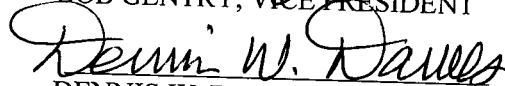
IT IS FURTHER ORDAINED AND ORDERED that the Clerk of the Board of Commissioners of Hendricks County, Indiana, shall furnish a copy of this Ordinance to the County Recorder for recording, and to the County Auditor, all pursuant to the provisions of I.C. 36-7-3-12.

THIS ORDINANCE ADOPTED THIS 22nd DAY OF June, 2021.

BOARD OF COMMISSIONERS OF
HENDRICKS COUNTY, INDIANA


PHYLLIS A. PALMER, PRESIDENT


BOB GENTRY, VICE PRESIDENT


DENNIS W. DAWES, MEMBER

ATTESTED BY:


NANCY L. MARSH, AUDITOR

I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law, Ben Comer.

This instrument prepared by Ben Comer, Attorney-at-law, P.O. Box 207, Danville, IN 46122; 317-745-4300.

EXHIBIT A

