

ORDINANCE # 10-2011
AN ORDINANCE VACATING AN ALLEY

WHEREAS, a petition was filed by Park Avenue, LLC with the common council requesting the vacation of a 16 foot wide platted alley that lies between Lot 30 and Lot 40 of the John Callahan et al Addition in the City of Batesville, Ripley County Indiana; and

WHEREAS, pursuant to Indiana Code 36-7-3-12 notice was given by publication at least 10 days prior to hearing and all adjoining landowners are petitioners.

WHEREAS and the council heard said petition on the 11 day of July, 2011;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BATESVILLE, INDIANA:

Section 1. That portion of the 16 foot platted alley that lies between Lot 30 and Lot 40 of the John Callahan et al Addition of the city of Batesville as described in "Exhibit A" attached hereto and hereby incorporated by reference, is hereby vacated subject to any and all utility or other easements required by the City being executed.

Section 2. The land herein vacated shall revert to the adjoining landowners.

Section 3. All ordinances, or any parts thereof, previously enacted which are in conflict with the provisions of this Ordinance are hereby specifically repealed.

Section 4. This Ordinance shall be in full force and effect from and after its passage and after its execution by the Mayor.

Adopted by Council this _ day of 11th day of July, 2011, under suspension of the rules.

First reading:

Ayes: Struewing, Lambert, Hunter, Narwold

Nays: None

Whole number of Council being five.

Second Reading:

Ayes: Struewing, Lambert, Hunter, Narwold

Nays: None

Whole number of council being five.

Any persons aggrieved by the passing of this ordinance have thirty days from the date of this publication to appeal the same to the Ripley Circuit Court.

WHEREUPON, the Mayor declared said ordinance finally and legally adopted.

Mayor, Richard C. Fledderman

ATTEST:

Clerk-Treasurer, Ronald Weigel