

BILL _____

ORDINANCE NO. FLO 2008 - XII

AN ORDINANCE VACATING A PUBLIC WAY

**AN ORDINANCE FOR THE VACATION OF THE PUBLIC
WAY PURSUANT TO A PETITION FILED BY
RADIANT CAPITAL PARTNERS, LLC**

BE IT ORDAINED by the Board of Commissioners of Floyd County, Indiana, pursuant to I.C. 36-7-3-12, that:

SECTION 1. The application filed by Radiant Capital Partners, LLC, by and through its duly authorized member, Matthew Toole, is requesting the vacation of a portion of the public way commonly known as Wayne Street located in Floyd County Indiana, and described as follows, to-wit:

A part of Jefferson Gardens, in Survey 84 of the Illinois Grant, New Albany Township, Floyd County, Indiana a subdivision as show on plat 608, in Plat Records 5, in the Office of the Recorder of Floyd County, Indiana. Thence the following courses of the boundary of said vacated street:

Beginning at the north intersection of right-of-way of Wayne Street and Wabash Street being the south corner of Lot 32, Block "H", Jefferson Gardens,

Thence North 49 degrees 34 minutes East, 196.62 feet with the northwesterly right-of-way of Wayne Street and the southeasterly line of Lots 32, 33, 34, 35 and 36 of said Block "H" to the southwesterly line of Lot 52 of Chapel View Estates Subdivision, Plat 967:

Thence South 47 degrees 29 minutes 32 seconds East, (South 41 degree 09 minutes 32 seconds East by said Plat 967) 38.32 feet with the said southwesterly line of lot 52,

Thence South 65 degrees 44 minutes 28 seconds East, (South 59 degrees 24 minutes 28 seconds East by said Plat 967) 13.24 feet continuing with said southwesterly line of Lot 52 to the southerly right-of-way of Wayne Street and the northwesterly line of Lot 26, Block "I" of said Jefferson Gardens,


Thence South 49 degrees 34 minutes 00 seconds West, 206.21 feet with the said southwesterly right-of-way of Wayne Street and the northerly line of Lots 26, 27, 28, 29, 30 and 31 of said Block "I" to the east intersection of Wayne Street and Wabash Street being the westerly corner of Lot 31, of said Block "I",


Thence North 41 degrees 20 minutes West, 50.01 feet with the east right-of-way of said Wabash Street to the place of beginning and containing 9991.3 SF or 0.23 acres of land, more or less.

SECTION 2. That the vacation shall not affect governmental rights to those areas designated as flood ways, flood plains, and/or flood ponding areas.

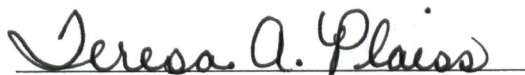
SECTION 3. This Ordinance vacating the above-described property in Floyd County, Indiana shall be in the full force and effect from and after its passage by the Board of Commissioners of the County of Floyd, State of Indiana, this 5th day of August, 2008, subject to verification of the legal description of the Floyd County Surveyor.


STEPHEN BUSH,
Floyd County Commissioner


CHARLES A. FREIBERGER,
Floyd County Commissioner


MARK SEABROOK,
Floyd County Commissioner

ATTEST:


County Auditor