

BY THE COMMON COUNCIL FOR THE
CITY OF CHARLESTOWN, INDIANA

ORDINANCE NO. 1999-6

AN ORDINANCE VACATING A PORTION OF GREEN ALLEY

WHEREAS, Dearborn Properties Corporation has petitioned the Charlestown Common Council ("City Council") to vacate a certain public way or place; and

WHEREAS, the City Council has conducted a public hearing in accordance with I.C. 36-7-3-12(c); and

WHEREAS, the City Council has found that all legal prerequisites have been met and that the said public way or public place should be vacated, only if and when title to the land that abuts the property proposed to be vacated (Lot 1 - Hyman Goodman Revocable Trust, Lot 2 - Marshall L. and Donna L. Bramble, Lot 3 - Louise A. Tobias, and Lot 39 - Louis and Eugenia Priesterback) is transferred to Dearborn Properties Corporation;

NOW, THEREFORE, BE IT ORDAINED by the City Council as follows:

1. The following described public way or public place shall be vacated only if and when title to the land that abuts the property proposed to be vacated (Lot 1 - Hyman Goodman Revocable Trust, Lot 2 - Marshall L. and Donna L. Bramble, Lot 3 - Louise A. Tobias, and Lot 39 - Louis and Eugenia Priesterback) is transferred to Dearborn Properties Corporation:

That part of Green Alley in the town of Charlestown; beginning at the southeast corner of lot 12; thence northeastwardly along the south line of lots 12, 13 and 14 a distance of 143.78 feet; thence at right angles south and along a line parallel with a line dividing lot 58 and 59 to the east side of Green Alley; thence at right angles southwestwardly and along a line parallel to Green Alley a distance of 122.78 feet; thence south 26 deg. 23' 16" east a distance of 24.58 feet; thence to the point of beginning.

Said parcel includes the following:

Part of lot 57 and 58 in the town of Charlestown; beginning at the southeast corner of lot 57; thence northeastwardly along the south line of lot 58 a distance of 20 feet to a stake at the southwest corner of the property conveyed to Ray V. Henriott; thence at right angles north and along a line parallel with a line dividing lot 58 and 59 a distance of 10 feet to a stake; thence at right angles southwestwardly and along a line parallel to Green Alley a distance of 45 feet more or less to the west line of the property conveyed to Hyman and Ann Goodman (Deed Record 291, page 555); thence north 80 deg. 58' 24" east along said west line a distance of 11 feet more or less to Green Alley; thence northeastwardly and along Green Alley a distance of 22.13 feet to a stake at the true place of beginning, said tract being a 10 foot strip parallel to Green Alley, being conveyed off the south end of two separate tracts heretofore conveyed to Hyman Goodman and Ann Goodman.

Being part of lot 58, Charlestown, Indiana, a block bounded by Market Street, Main Street, Main Cross Street and Green Alley, said Charlestown being located in Clark County, State of Indiana, Illinois Grant 117, more particularly described as follows:

Beginning at the northeast corner of lot 58, thence running in a southwesterly direction along the right-of-way line of Main Street a distance of 40 feet to a point, the true point of beginning.

Course 1. Thence in a southeasterly direction 190 feet in a direction parallel to the west right-of-way line of Main Cross Street to a point-

Course 2. Thence continuing southeastwardly a distance of 10.00 feet to a point in Green Alley-

Course 3. Thence southwesterly 22.00 feet along the north right-of-way line of Green Alley to a point-

Course 4. Thence northwesterly 10.00 feet parallel to course 1 to a point-

Course 5. Thence northeasterly 22.00 feet to the true place of beginning.

Containing 220 sq. ft. or .005 acres more or less.

Part of Lot 58 and 59 in the City of Charlestown, beginning at the southwest corner of lot 59; thence northeastwardly along the south line of lot 59 a distance of 40 feet to a stake at the southwest corner of the property conveyed to the F.B.C. Realty Corporation (Deed Record 289, page 114) thence at right angles northwestwardly and along a line parallel to Main Cross Street a distance of 10 feet; thence at right angles southwestwardly and along a line parallel to Green Alley a distance of 80 feet to a point; thence at right angles southeastwardly a distance of 10 feet to a point in Green Alley; thence northeastwardly and along the southwest line of lot 58 a distance of 40 feet to the place of beginning.

2. The Clerk-Treasurer shall furnish a copy of this ordinance to the County Recorder for recording and to the County Auditor pursuant to I.C. 36-7-3-12(e); however, such copy shall not be supplied to the Recorder until such time as title to the land that abuts the property to be vacated (Lot 1 - Hyman Goodman Revocable Trust, Lot 2 - Marshall L. and Donna L. Bramble, Lot 3 - Louise A. Tobias, and Lot 39 - Louis and Eugenia Spriesterback) is transferred to Dearborn Properties Corporation.

SO ORDAINED this 5th day of July, 1999.

Ward Tackett
Ward Tackett, President

Ed Bolly
Ed Bolly

Bruce M. Bottorff
Bruce Bottorff

Tony Jackson
Tony Jackson

Terry Pierce
Terry Pierce

Approved and accepted by the Mayor on this 5th day of July, 1999.

Mayor Bob Braswell
Mayor Bob Braswell

ATTEST:

Sharon Barnes
Sharon Barnes, Clerk-Treasurer

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