

**ORDINANCE NO.**

**ORDINANCE VACATING SANITARY SEWER EASEMENT**

**WHEREAS**, as the Town Council of the Town of McCordsville, Indiana, acting as the McCordsville Sewer Utility Board, has determined that it is in the best interest of the management of a sanitary sewer easement within McCordsville, Indiana to vacate a public way pursuant to I.C. 36-7-3-12; and

**WHEREAS**, notice of a public hearing to be had upon the request to vacate a public way was given as prescribed by law, including publication in the Greenfield Daily Reporter; and

**WHEREAS**, on September 12, 2023, said public hearing was properly held and all interested persons were given the opportunity to participate.

**THEREFORE BE IT ORDAINED** by the Town Council of the Town of McCordsville, Indiana that:

**SECTION I**

The real estate described on Exhibits A and B, attached hereto and incorporated by reference herein, is vacated and ownership thereof shall be equally divided between all adjoining landowners.

**SECTION II**

The Clerk-Treasurer shall furnish a copy of this ordinance to the Hancock County Auditor and the Hancock County Recorder.

**SECTION III**

This Ordinance shall be in full force and effect from and after its passage and due publication according to law.

**SECTION IV**

Introduced and filed on the \_\_\_\_ day of \_\_\_\_\_, 2023. A motion to consider on first reading on the day of introduction was offered and sustained by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed pursuant to I.C. 36-5-2-9.8.

Duly ordained and passed this \_\_\_\_ day of \_\_\_\_\_, 2023 by the Town Council of the Town of McCordsville, Hancock County, Indiana, having been passed by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed.

**TOWN OF MCCORDSVILLE, INDIANA, BY ITS TOWN COUNCIL**

Voting Affirmative:

\_\_\_\_\_  
Gregory J. Brewer

\_\_\_\_\_  
Larry J. Longman

\_\_\_\_\_  
Branden D. Williams

\_\_\_\_\_  
Bryan Burney

\_\_\_\_\_  
Scott Jones

ATTEST:

\_\_\_\_\_  
Stephanie Crider, Clerk-Treasurer

Voting Opposed:

\_\_\_\_\_  
Gregory J. Brewer

\_\_\_\_\_  
Larry J. Longman

\_\_\_\_\_  
Branden D. Williams

\_\_\_\_\_  
Bryan Burney

\_\_\_\_\_  
Scott Jones

This instrument was prepared by Gregg H. Morelock, BRAND & MORELOCK, 6 West South Street, Greenfield, IN 46140.

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. Gregg H. Morelock.

## EXHIBIT "A"

### VACATION OF PART OF A 20-FOOT-WIDE SANITARY SEWER EASEMENT

A part of the Northwest Quarter of Section 25, Township 17 North, Range 5 East of the Second Principal Meridian, Vernon Township, Hancock County, Indiana, also being a portion of the 20-foot-wide Sanitary Sewer Easement ("Sewer Easement") granted to the Town of McCordsville, recorded as Instrument Number 9915601 in the Office of the Recorder of Hancock County, Indiana, hereinafter Recorder's Office, now lying within the Secondary Plat of McCord Square ("Plat"), recorded as Instrument Number 202211264 in said Recorder's Office, more particularly described as follows:

Commencing at the northwestern corner of Block B of said Plat, coincident with the northwestern corner of said Sewer Easement; thence South 00 degrees 07 minutes 28 seconds West (Basis of Bearings: Indiana State Plane, East Zone, NAD 83) 146.45 feet along the coincident western line of said Block B and Sewer Easement to the POINT OF BEGINNING of this description; thence South 89 degrees 52 minutes 30 seconds East 5.00 feet perpendicular to said coincident line; thence South 00 degrees 07 minutes 28 seconds West 117.41 parallel with said coincident line to the southern line of said Block B and the northern right-of-way line of West Main Street per said Plat; thence continue South 00 degrees 07 minutes 28 seconds West 52.27 feet to the point of curvature of a non-tangent curve concave to the north, the radius point thereof lying North 18 degrees 00 minutes 47 seconds West 171.50 feet; thence westerly 5.24 feet along said curve to a point lying South 16 degrees 15 minutes 50 seconds East 171.50 feet from said radius point on the western right-of-way line of West Main Street coincident with the western line of said Sewer Easement; thence North 00 degrees 07 minutes 28 seconds East 53.76 feet along said coincident line to the southwestern corner of said Block B; thence continue North 00 degrees 07 minutes 28 seconds East 117.48 feet along the coincident line of said Block B and said Sewer Easement to the POINT OF BEGINNING, containing 852.3 square feet (0.020 acres), more or less.



This description was prepared for Kimley-Horn by Donald R. Mosson, State of Indiana, Professional Surveyor No. 9600013 on the 31st day of July, 2023.

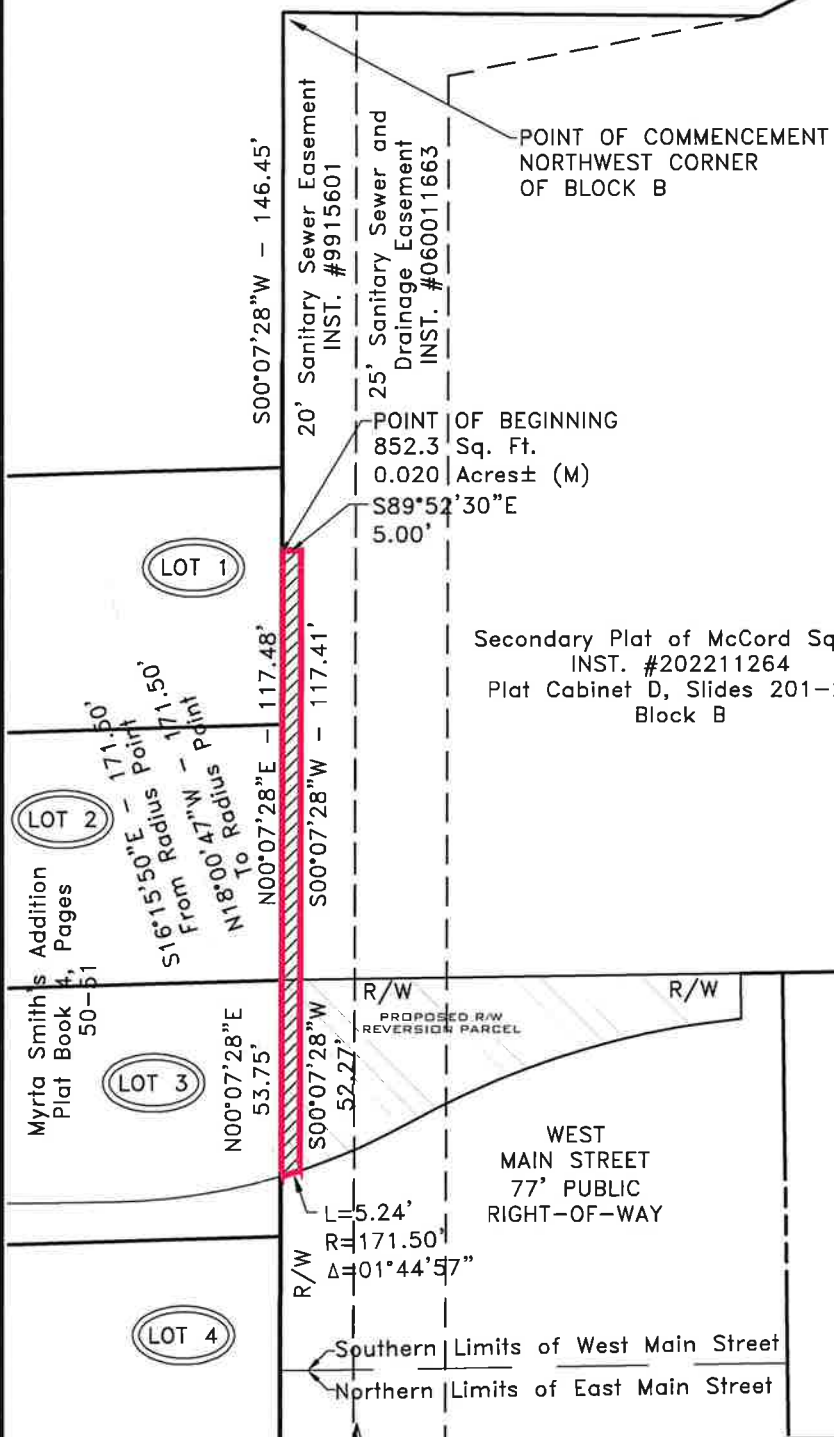
PREPARED FOR:		
KIMLEY-HORN 250 EAST 96th STREET, SUITE 580 INDIANAPOLIS, INDIANA 46240		
PREPARED BY: DONALD R. MOSSON CENTRAL STATES CONSULTING, LLC P.O. BOX 4 13 WEST PEARL STREET NORTH SALEM, INDIANA 46165 PHONE: 317-858-8662 FAX: 317-342-2857		
 CENTRAL STATES CONSULTING, LLC SURVEYING & LAND PLANNING	SANITARY SEWER VACATION EXHIBIT "A" McCORD SQUARE McCORDSVILLE, INDIANA	
	DATE 07-31-2023	PROJECT NUMBER 23-031
	DWN. BY DRM	
	CHKD. BY JLM	
SCALE 1" = 50'	SHEET 1 OF 2	

# EXHIBIT "B"



*Donald R. Mosson*

Note: This drawing is not intended to be represented as a retracement or original boundary survey, a route survey, or a Surveyor Location Report.



PREPARED FOR:	
KIMLEY-HORN 250 EAST 96th STREET, SUITE 580 INDIANAPOLIS, INDIANA 46240	
PREPARED BY:	
DONALD R. MOSSON CENTRAL STATES CONSULTING, LLC P.O. BOX 4 13 WEST PEARL STREET NORTH SALEM, INDIANA 46165 PHONE: 317-858-8662 FAX: 317-342-2957	
 SURVEYING & LAND PLANNING	SANITARY SEWER VACATION EXHIBIT "B" McCORD SQUARE McCORDSVILLE, INDIANA
	DATE 07-31-2023
	DWN. BY DRM
	CHKD. BY JLM
SCALE 1" = 50'	PROJECT NUMBER 23-031
SHEET 2 OF 2	