

**ORDINANCE NO. 080823**

**ORDINANCE VACATING PUBLIC WAY**

**WHEREAS**, as the Town Council of the Town of McCordsville, Indiana has determined that it is in the best interest of the management of the public ways 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 8th day of August, 2023. A motion to consider on first reading on the day of introduction was offered and sustained by a vote of 3 in favor and 0 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"

### RIGHT-OF-WAY REVERSION - LAND DESCRIPTION

A part of the Northwest Quarter of Section 25, Township 17 North, Range 5 East of the Second Principal Meridian, Vernon Township, Hancock County, Indian, also part of West Main Street Public Right-of-Way of the Secondary Plat of McCord Square, an Addition to the Town of McCordsville, Indiana ("Plat"), recorded as Instrument Number 202211264, Plat Cabinet D, Slides 201-203 in the Office of the Recorder of Hancock County, Indiana, more particularly described as follows:

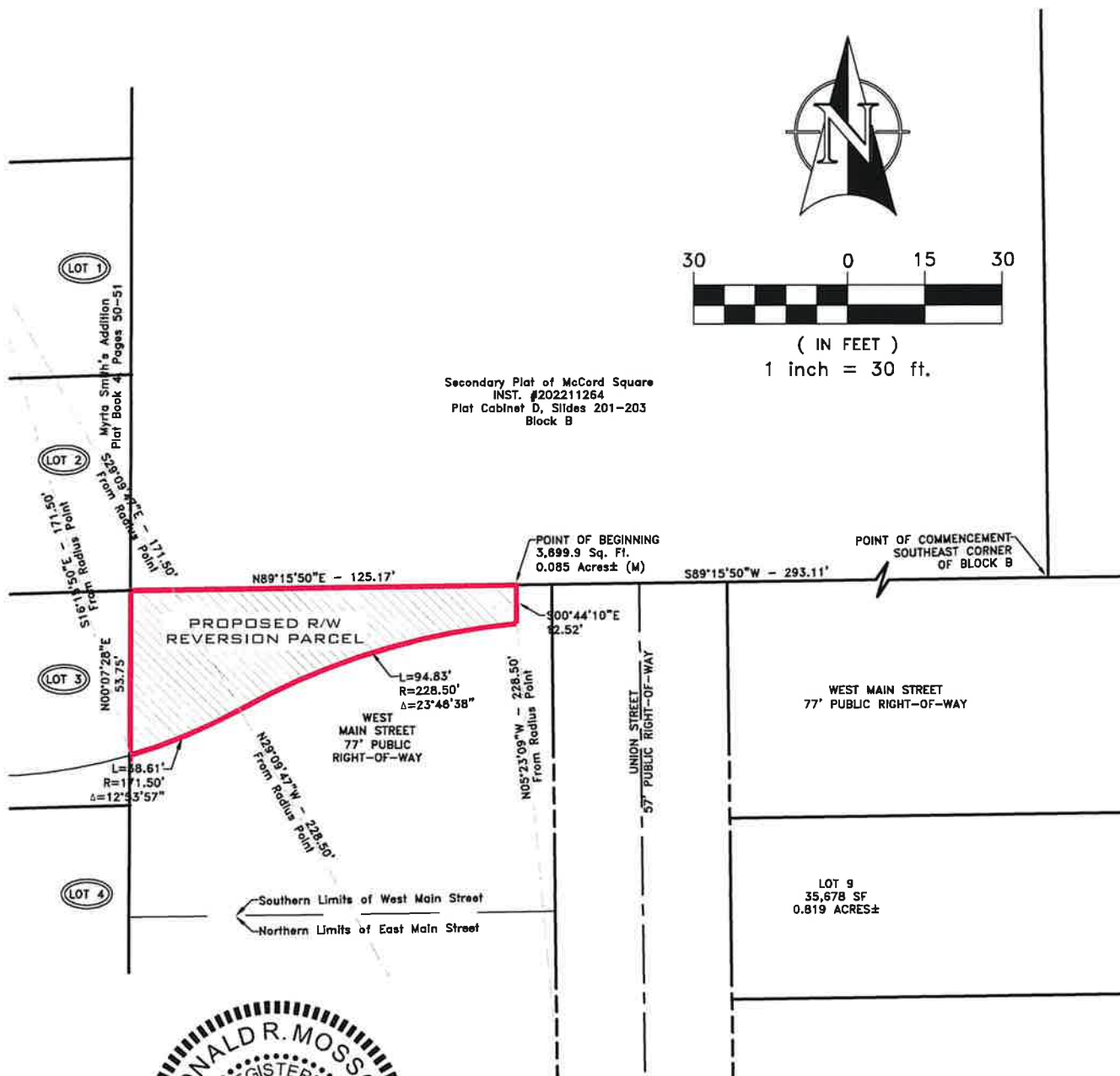
Commencing at the southeastern corner of Block B of said Plat on the northern right-of-way line of West Main Street; thence South 89 degrees 15 minutes 50 seconds West (Basis of Bearings: Indiana State Plane, East Zone, NAD 83) 293.11 feet along the common boundary of said Block B and West Main Street to the POINT OF BEGINNING of this description; thence South 00 degrees 44 minutes 10 seconds East 12.52 feet to the point of curvature of a non-tangent curve concave to the south, lying North 05 degrees 23 minutes 09 seconds West 228.50 feet from the radius point thereof; thence westerly and southwesterly 94.83 feet along said curve to a point of reverse curvature lying North 29 degrees 09 minutes 47 seconds West 228.50 feet from said radius point and South 29 degrees 09 minutes 47 seconds East 171.50 feet from the radius point of said reverse curve; thence southwesterly 38.61 feet along said curve to a point on the western right-of-way line of West Main Street on the eastern boundary of Myrta Smith's Addition ("Addition"), recorded in Plat Book 4, Pages 50-51 in said Recorder's Office, said point lying South 16 degrees 15 minutes 50 seconds East 171.50 feet from the radius point of said reverse curve; thence North 00 degrees 07 minutes 28 seconds East 53.75 feet along the common boundary of said Addition and western right-of-way to the southwestern corner of said Block B; thence North 89 degrees 15 minutes 50 seconds East 125.17 feet along the common boundary of said Block B and said West Main Street right-of-way to the POINT OF BEGINNING, containing 3,699.9 square feet (0.085 acres), more or less.



This description was prepared for Kimley-Horn by Donald R. Mosson, State of Indiana, Professional Surveyor No. 9600013 on the 7th 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		
	R/W REVERSION EXHIBIT "A" McCORD SQUARE McCORDSVILLE, INDIANA	
	DATE 07-07-2023	PROJECT NUMBER 23-031
	DWN. BY DRM	
	CHKD. BY JLM	
SCALE 1" = 20'	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: 317-342-2857



R/W REVERSION  
EXHIBIT "B"  
McCORD SQUARE  
McCORDSVILLE, INDIANA

DATE 07-07-2023  
DWN. BY DRM  
CHKD. BY JLM  
SCALE 1" = 20'

PROJECT NUMBER  
23-031  
SHEET 2 OF 2