

**MCCORDSVILLE TOWN COUNCIL
ORDINANCE NO. 031125**

**AN ORDINANCE VACATING CERTAIN PUBLIC RIGHT-OF-WAY
WITHIN THE TOWN OF MCCORDSVILLE**

WHEREAS, a Petition for Vacation of Right-of-Way within the Town of McCordsville, Indiana, pursuant to Ind. Code § 36-7-3 *et. seq.* ("Petition") was filed with the McCordsville Town Council ("Town"), requesting the Town vacate certain right-of-way, more particularly described and depicted in Exhibit "1" ("Vacation Territory");

WHEREAS, pursuant to Ind. Code § 36-7-3-12, the Town received a Petition for Vacation from persons "who (1) own or are interested in any lots or parts of lots; and (2) want to vacate all or part of a public way or public place in or contiguous to those lots or parts of lots."

WHEREAS, the Vacation Territory consists of approximately 6,900 square feet, and is located wholly within the existing Town boundaries;

WHEREAS, prior to adoption of this Ordinance, the Town Council held a public hearing on March 11, 2025 at 6:00 p.m. on the proposed vacation pursuant to proper notice, and undertaken all other actions as required by applicable law; and

WHEREAS, the Town, by and through its Town Council, now finds that it is desirable and in the best interests of the Town and its citizens to vacate the Vacation Territory.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MCCORDSVILLE, INDIANA, THAT:

Section 1. The foregoing recitals are fully incorporated herein by reference.

Section 2. Pursuant to Ind. Code § 36-7.3.12 and other applicable laws, the Vacation Territory, specifically described and depicted in Exhibit "1" is hereby vacated by the Town of McCordsville, and thereby the ownership thereof shall be equally divided between all adjoining landowners.

Section 3. After adoption, the Clerk-Treasurer shall furnish a copy of this Ordinance to the county recorder for recording and the county auditor.

Section 4. Within thirty (30) days after the adoption of this Ordinance, any aggrieved person may appeal the ordinance to the circuit court, superior court, or probate court.

Section 5. This Ordinance shall be in effect from and after its adoption, execution, filing, and recording as required by law.

[The remainder of this page is intentionally blank.]

ADOPTED BY THE COUNCIL OF THE TOWN OF MCCORDSVILLE, INDIANA this
_____ day of _____, 2025.

MCCORDSVILLE TOWN COUNCIL

FOR:

AGAINST:

_____ Gregory J. Brewer _____

_____ Scott Jones _____

_____ Dr. Bryan Burney _____

_____ Chad D. Gooding _____

_____ Dr. John Price _____

ATTEST:

Stephanie Crider, Clerk-Treasurer

This Ordinance was prepared by: Beth Copeland, Copeland Law LLC, 11650 Olio Rd. Suite 1000-184, Fishers, IN 46037; Telephone: (317) 691-6461.

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. Beth Copeland

Exhibit 1
Legal Description

INDIANA STREET

PART OF SECTION 25, TOWNSHIP 17 NORTH, RANGE 5 EAST OF THE SECOND PRINCIPAL MERIDIAN, HANCOCK COUNTY, INDIANA, BEING PART OF INDIANA STREET IN THE PLAT OF MCCORDSVILLE AS RECORDED IN BOOK 1, PAGES 51-52 IN THE OFFICE OF THE RECORDER FOR HANCOCK COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 5, IN SAID PLAT; THENCE SOUTH 34 DEGREES 55 MINUTES 40 SECONDS EAST 4.00 FEET ALONG THE WEST LINE OF SAID LOT 5 TO THE POINT OF BEGINNING, ALSO BEING THE NORTHEAST CORNER OF THE RIGHT OF WAY LINE OF INDIANA STREET; THENCE CONTINUING SOUTH 34 DEGREES 55 MINUTES 40 SECONDS EAST ALONG THE EAST RIGHT OF WAY LINE OF INDIANA STREET 219.82 FEET TO A POINT BEING 50 FEET NORTHWEST OF LINE "F" AS SHOWN ON A LOCATION CONTROL ROUTE SURVEY PLAT RECORDED AS INSTRUMENT NUMBER 201806621; THENCE SOUTH 60 DEGREES 38 MINUTES 18 SECONDS WEST PARALLEL WITH SAID LINE "F" 15.07 FEET TO THE CENTER OF INDIANA STREET; THENCE SOUTH 34 DEGREES 55 MINUTES 40 SECONDS EAST ALONG SAID CENTER 20.10 FEET TO A PROJECTION OF THE SOUTH LINE OF LOT 21 IN SAID MCCORDSVILLE PLAT; THENCE SOUTH 60 DEGREES 38 MINUTES 18 SECONDS WEST ALONG SAID PROJECTION 15.07 FEET TO THE SOUTHEAST CORNER OF SAID LOT 21, BEING ON THE WEST RIGHT OF WAY LINE OF INDIANA STREET; THENCE NORTH 34 DEGREES 55 MINUTES 40 SECONDS WEST ALONG SAID WEST RIGHT OF WAY LINE OF INDIANA STREET 241.61 FEET TO THE NORTHEAST CORNER OF LOT 5; THENCE NORTH 56 DEGREES 15 MINUTES 13 SECONDS EAST 15.00 FEET TO THE CENTER OF INDIANA STREET; THENCE SOUTH 34 DEGREES 55 MINUTES 40 SECONDS EAST ALONG SAID CENTER 4.00 FEET; THENCE NORTH 56 DEGREES 15 MINUTES 13 SECONDS EAST 15.00 FEET TO THE POINT OF BEGINNING. CONTAINING 6,921 SQUARE FEET, MORE OR LESS.