

ORDINANCE NO. FCO 2019.36  
ORDINANCE FOR VACATION AND  
CLOSURE OF PUBLIC WAYS

BE IT ORDAINED, by the Board of County Commissioners of Floyd County, Indiana, in meeting duly assembled that:

WHEREAS, Hardin Street Marine LLC ("Hardin Street"), on the 17 day of December, 2019, filed a Petition (the "Petition") with the Board of County Commissioners of Floyd County, Indiana (the "Board"), to vacate pursuant to I.C. § 36-7-3, the following public ways within Floyd County, Indiana as depicted on the attached *Exhibit A*:

That certain segment of Old River Road commencing where it meets the northern property line of the real estate of Water Side Farm, LLC, running in a northeasterly direction through the real estate of Hardin Street to its termination at the southern property line of the real estate owned by Eastridge 2, LLC; and

WHEREAS, the vacation of this portion of Old River Road will neither hinder the growth or orderly development of the area of the county where they are located; make access to the lands of any aggrieved persons by means of a public way difficult or inconvenient; hinder the public's access to a church, school, or other public building or place; hinder the use of a public way by the area in which they are located or to which they are contiguous; nor affect governmental rights to those areas designated as floodways, flood plains, and/or flood ponding areas, or public utilities; and

WHEREAS, the Petition was filed and notice duly given pursuant to I.C. §§ 36-7-3-12, 8-20-8-6, and 5-3-1; and

WHEREAS, Hardin Street will enter into a Grant of Easement and Maintenance Agreement for Roadway (the "Easement") with Eastridge 2, LLC relating to access to and

from Eastridge's respective real estate currently accessed by Old River Road, said Easement to be filed of record contemporaneously with the recordation of this Ordinance in the office of the Recorder of Floyd County, Indiana, setting out the rights and responsibilities of each of party; and

WHEREAS, the Board has determined that the Petition should be granted, all as hereinafter provided.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Floyd County, Indiana that the following public ways within Floyd County, Indiana as depicted on the attached *Exhibit A*:

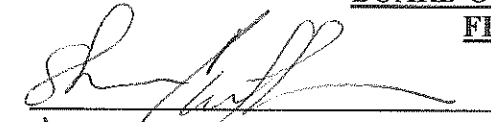
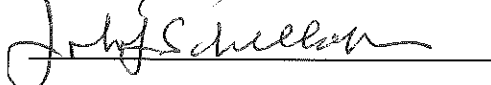
That certain segment of Old River Road commencing where it meets the northern property line of the real estate of Water Side Farm, LLC, running in a northeasterly direction through the real estate of Hardin Street to its termination at the southern property line of the real estate owned by Eastridge 2, LLC; and

be and are hereby vacated pursuant to I.C. § 36-7-3.

NOW THEREFORE, BE IT ORDAINED that the Floyd County Auditor is directed to furnish a copy of this Ordinance to the Floyd County Recorder for recording.

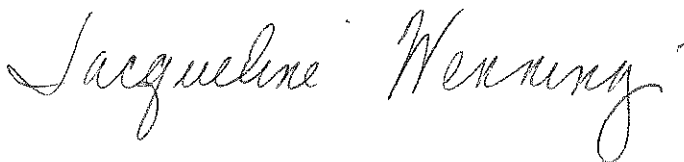
PASSED AND ADOPTED this \_\_ day of December 2019 by the Board of County Commissioners of Floyd County, Indiana.

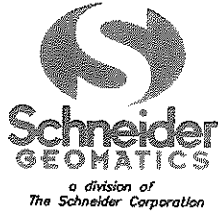
**BOARD OF COUNTY COMMISSIONERS OF**  
**FLOYD COUNTY, INDIANA**

  
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*This Document Prepared By:*  
Hardin Street Marine LLC  
539 S Main St., Findlay, OH 45840





Historic Fort Harrison  
8901 Otis Avenue  
Indianapolis, IN 46216  
317-826-7100  
317-826-7110 FAX

Engineering  
Surveying  
GIS LIS

# Exhibit "A"

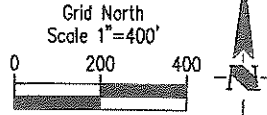
## LEGEND



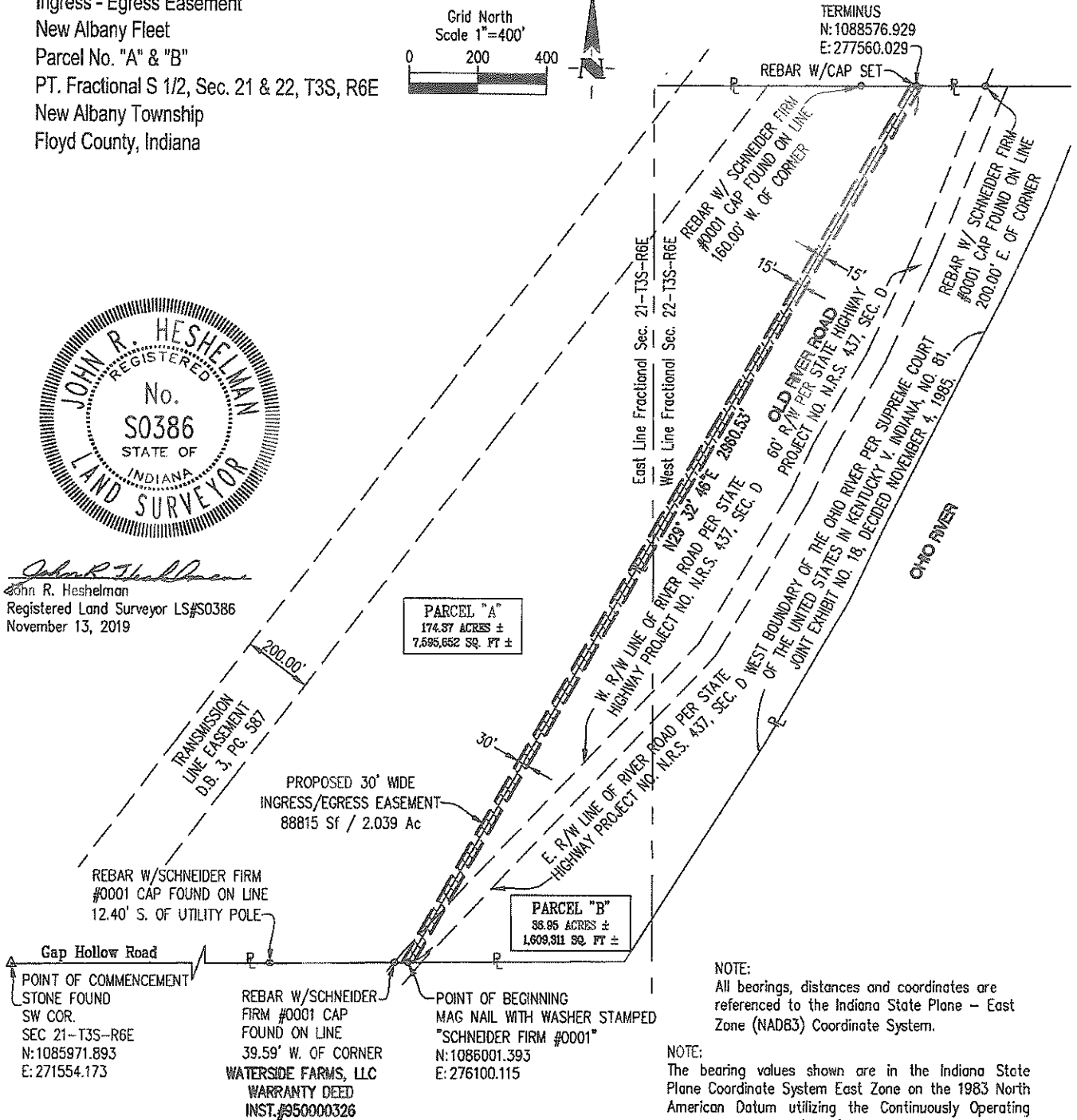
Denotes Deed Line  
or Ownership Change

Parcel Number

Ingress - Egress Easement  
New Albany Fleet  
Parcel No. "A" & "B"  
PT. Fractional S 1/2, Sec. 21 & 22, T3S, R6E  
New Albany Township  
Floyd County, Indiana



*John R. Heshelman*  
John R. Heshelman  
Registered Land Surveyor LS#S0386  
November 13, 2019



NOTE:  
All bearings, distances and coordinates are referenced to the Indiana State Plane - East Zone (NAD83) Coordinate System.

NOTE:  
The bearing values shown are in the Indiana State Plane Coordinate System East Zone on the 1983 North American Datum utilizing the Continuously Operating Reference Stations (CORS) adjustment as determined by NGS (NAD 83, 2011, EPOCH 2010.0000, US Survey feet).

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

Job No. 6186.003  
File No. T:\6k\6186\003\CAD\Exhibits\Easement Exhibit.dwg  
Date November 13, 2019 KMV