

ORDINANCE NO. 2019-16
ORDINANCE VACATING AN UNUSED PORTION OF A CERTAIN ALLEY
IN THE CITY OF BORDEN, FLOYD COUNTY, INDIANA

WHEREAS, Aaron Kincade and Sara Kincade, duly filed their Petition for Vacation of an unused portion of a certain alley in Floyd County, Indiana, with the Floyd County Board of Commissioners pursuant to I.C. §36-7-3-12; and

WHEREAS, said area proposed to be vacated contains no improved street, alley or roadway and is unused by the public as a street, alley or roadway; and

WHEREAS, notice of the filing of said Petition and of the time and place of the hearing thereon was duly given in the manner prescribed by law, and;

WHEREAS, the alley sought to be vacated is not necessary for the growth of the City; that the vacation will in no way leave any other real estate without right of ingress and egress; and that said vacation will not cut off the public's access to any church, school, or other public buildings or grounds; and

WHEREAS, the Floyd County Board of Commissioners, at a public hearing held on July 2, 2019, considered all evidence in support thereof, and there being no objections to said proposed vacation, and after due consideration,

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Board of Commissioners of the County of Floyd, Indiana, that:

SECTION I: The following described real estate located in the City of Borden, Floyd County, Indiana, to-wit:

A 10 foot wide alley way bordering Lots Numbered Eighteen (18), Nineteen (19), Twenty-six (26), Twenty-seven (27) and Twenty-eight (28) all in Plat number Twenty-five (25), being part of the East half of the Northwest quarter in Section Twenty-five (25), Township one (1) South, Range five (5) East, of the Floyd County, Indiana Records.

is hereby vacated and fee simple title to said vacated real estate is hereby set off to Aaron

Kincade and Sara Kincade, as shown on Exhibit "A" attached hereto and made a part hereof.

EXHIBIT A

Parcel Number: 22-04-02-500-004.000-006

Property Address: 8851 Scottsville Rd, Borden, In 47119

ENTIRE LEGAL DESCRIPTION OF KINCADE PROPERTY

Lots Numbered Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-three (23), Twenty-four (24), Twenty-five (25) Twenty-six (26), Twenty-seven (27) and Twenty-eight (28) all in Plat number Twenty-five (25), being part of the East half of the Northwest quarter in Section Twenty-five (25), Township one (1) South, Range five (5) East, of the Floyd County, Indiana Records.

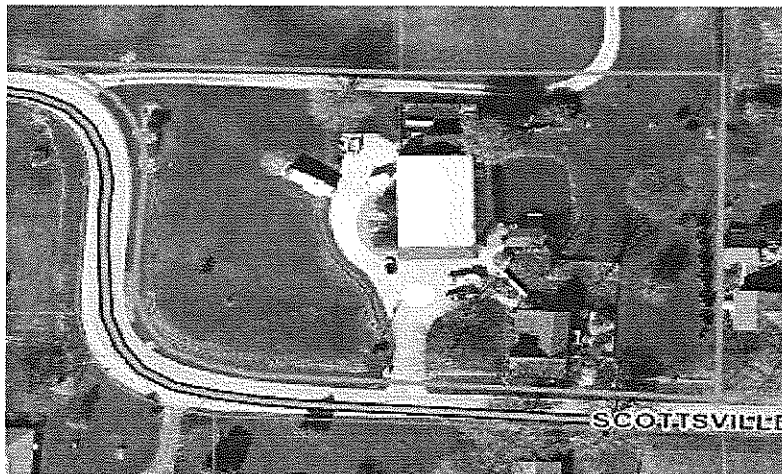
DEPICTION OF VACATED ALLEY (HIGHLIGHTED IN ORANGE)

	<p>JOHN SCOTT'S PLAT OF SCOTTSVILLE PART OF E 1/2 OF N.W. 1/4 OF SEC. 25. 1. 6</p>	
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">WEST STREET 30 FEET WIDE</p>		<p style="writing-mode: vertical-rl; transform: rotate(180deg);">MAIN STREET 30 FEET WIDE</p>
<p><i>Being Part of the East half of the North West Quarter of Section 25. in Town 1 South Range 5 East of the lands in Floyd County, Ind. The foregoing plat of Scottsville with lots, streets and alleys is this day made by John Scott Sr for Record the lots are all (except 11, 12 and 28, 30 feet in front and rear by 100 feet deep, said lots 11, 12 & 23 are each 80 feet in front and rear by 100 feet deep, the streets are each 50 feet wide and 160' alleys 18 feet wide each and said streets and alleys are given for the use of the public forever, Witness the hand and seal of said Scott this 23rd of March 1883</i></p> <p style="text-align: right;">JOHN SCOTT (Sen.)</p> <p><i>State Of Indiana</i> <i>Record County Ind</i> <i>Before me the undersigned Recorder of said County on this day came John Scott the above Grantor and acknowledged the foregoing indenture for his Plat. In testimony whereof I hereby set my hand and official seal of said County this 23rd day of March A.D. 1883</i></p> <p style="text-align: right;">JAMES H. OWEN Recorder Floyd County</p> <p><i>Filed for Record and Recorded Wednesday March 23rd 1883 at 2 o'clock P.M. on page 22 & 23 of Plat Book "A"</i></p>		

400' total
X
240' total

**PLAT NO. 26
NORTH ALBANY**

AERIAL VIEW OF ENTIRE KINCADE PROPERTY



SECTION II: That a copy of this Ordinance shall be entered into the records of the
Floyd County Auditor and thereafter recorded in the Office of the Floyd County Recorder.

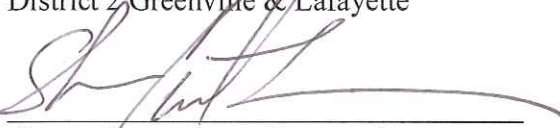
SECTION III: That this Ordinance shall be in full force and effect from and after its
passage.

PASSED AND ADOPTED by the Floyd County Commissioners, this 6 day of July,
2019.

BOARD OF FLOYD COUNTY COMMISSIONERS:


Billy Stewart, Commissioner
District 3 Georgetown and Franklin


John Schellenberger, Commissioner
District 2 Greenville & Lafayette


Shawn Carruthers, Commissioner
District 1 New Albany

ATTEST:

Scott L. Clark, Floyd County Auditor