

FCR 2011 - III
A Resolution concerning the vacation of a public way in Plat No. 759
and disclaiming a proportionate share upon that vacation

WHEREAS, Floyd County, Indiana, owns a certain tract of real property adjacent to Linda Drive in Floyd County, Indiana, as set forth in Deed Book 18, p. 71; and

WHEREAS, this tract of real property is adjacent to a disused public way; and

WHEREAS, the City of New Albany has communicated to the Floyd County Commissioners its intention to abandon the existing disused public way in Plat No. 759, being more particularly described in the documents prepared by William B. Gibson, dated September 8, 2010, in connection with the application for vacation of the public way made by Cynthia L. Townsend-Dickey; and

WHEREAS, Ind. Code 36-7-3-14 provides that upon the vacation of a public way, the land subject to the public way shall be allotted proportionately to the surrounding landowners; and

WHEREAS, the Floyd County Commissioners have hereby determined that the strip that would be proportionately allocated to Floyd County's adjoining lot has no use or benefit to the citizens of Floyd County, does not significantly improve or benefit its adjoining lot in any way, has no real market value, its ownership by an arm of the municipal government would decrease the property tax base, and that taking title to the same would be a burden rather than a benefit to Floyd County and its citizens and taxpayers;

NOW, THEREFORE, the Floyd County Commissioners, for and on behalf of Floyd County, Indiana, hereby disclaim any right, title, or interest in their proportionate share of the public way proposed to be abandoned. This Resolution disclaiming any interest in this land may be recorded as a part of the abandonment process.


DATE: 2-1-11

MARK SEABROOK
President


STEPHEN BUSH
Commissioner


CHARLES A. FREIBERGER
Commissioner

ATTEST:



Floyd County Auditor