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FLOYD CO. IN RECORDER - LOIS ENDRIS

08/30/2010 10:35:59AM

201009080 Pages:3

Transaction # 9123

Fee Amount: \$15.00

TOWN OF GREENVILLE  
ORDINANCE NO. 2010-T-040

**ORDINANCE CONCERNING THE VACATING OF TWO UNIMPROVED  
PUBLIC WAYS WITHIN THE TOWN OF GREENVILLE, INDIANA  
CORPORATE LIMITS**

WHEREAS, the Town Council for the Town of Greenville, Indiana has received a request from Paul and Lisa Muench of 9423 Harrison Street Greenville, Indiana to vacate two unimproved public ways adjoining their property and;

WHEREAS, the Town Council for the Town of Greenville, Indiana is granted the authority to vacate public ways by I.C. 36-7-3-12 and;

WHEREAS, the Town Council for the Town of Greenville, Indiana Published notification in the New Albany Tribune and held a Public Hearing on July 20<sup>th</sup>, 2010 and;

WHEREAS, the Two Unimproved Public Ways to be vacated are more particularly described as per a Land Survey Drawing Provided by Paul and Lisa Muench {attached} of 9423 Harrison Street preformed by William B. Gibson Civil Engineer & Land Surveyor, 5421 State Road 62, Georgetown, Indiana 47122, of Plat No. 133, Part of NW ¼ Section 5-2S-5E recorded with Floyd County Recorders Office on January 23<sup>rd</sup>, 2010 and presented to the Greenville Town Council;

**PUBLIC WAY NO. 1**

Being a Sixteen foot wide public way 132 feet in length between Tract "C" and Tract "D" of Floyd County Plat No. 133 Part of NW ¼ Section 5-2S-5E. Being more particularly described as follows: Beginning at the Northeast corner of Tract "C" of Plat No. 133. Thence with the South Line of Harrison Street South 26 Degree, 41 Minutes, 53 Second West to a Public Way, East 16.00 Feet to the Southwest Corner of Tract "D" of Plat No. 133, Thence with the West Line of Tract "D", North 26 Degree, 41 Minutes, 53 Second West to Harrison Street.

**PUBLIC WAY NO. 2**

Being a Sixteen foot wide public way 574.70 feet in length between Tract "A", Tract "C", Tract "D", Tract "B" and Tract "E" of Floyd County Plat No. 133 Part of NW ¼ Section 5-2S-5E. Being more particularly described as follows: Beginning at the Northwest corner of Tract "B" of Plat No. 133. Thence with the North Line of Tracts "B" and "E" South 63 Degree, 14 Minutes, 00 Seconds East to South 26 Degrees, 25 Minutes, 26 Seconds West, North 16.00 Feet, Thence with the South Line of Tracts "D", "C", and "A" South 63 Degree, 14 Minutes, 00 Seconds East to North 26 Degrees, 41 Minutes, 48 Seconds East.

Duly Entered For Taxation  
Subject To Final Acceptance  
For Transfer

AUG 30 2010

*Jeresa A. Plaiss*  
AUDITOR FLOYD CO. IND.

**TOWN OF GREENVILLE  
ORDINANCE NO. 2010-T-040**

WHEREAS, the Two Unimproved Public Ways to be vacated shall be subject to any and all easements and/or restrictions of public record that may apply to the Vacated Public ways and to the Real Estate contiguous to them and;

WHEREAS, Paul and Lisa Muench of 9423 Harrison Street has provided a Land Survey Drawing {attached} preformed by William B. Gibson Civil Engineer & Land Surveyor 5421 State Road 62 Georgetown, Indiana 47122 of Plat No. 133, Part of NW ¼ Section 5-2S-5E recorded with Floyd County Recorders Office on January 23<sup>rd</sup>, 2010 and presented to the Greenville Town Council.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF  
THE TOWN OF GREENVILLE, INDIANA, AS FOLLOWS:**

1. The following described two unimproved public ways located between Tracts "A", "B", "C", "D" and "E" on Plat No.133 part of NW ¼ Section 5-2S-5E in accordance with a Land Survey Drawing Provided by Paul and Lisa Muench {attached} of 9423 Harrison Street preformed by William B. Gibson Civil Engineer & Land Surveyor, 5421 State Road 62, Georgetown, Indiana 47122, of Plat No. 133, Part of NW ¼ Section 5-2S-5E recorded with Floyd County Recorders Office on January 23<sup>rd</sup>, 2010 and presented to the Greenville Town Council;

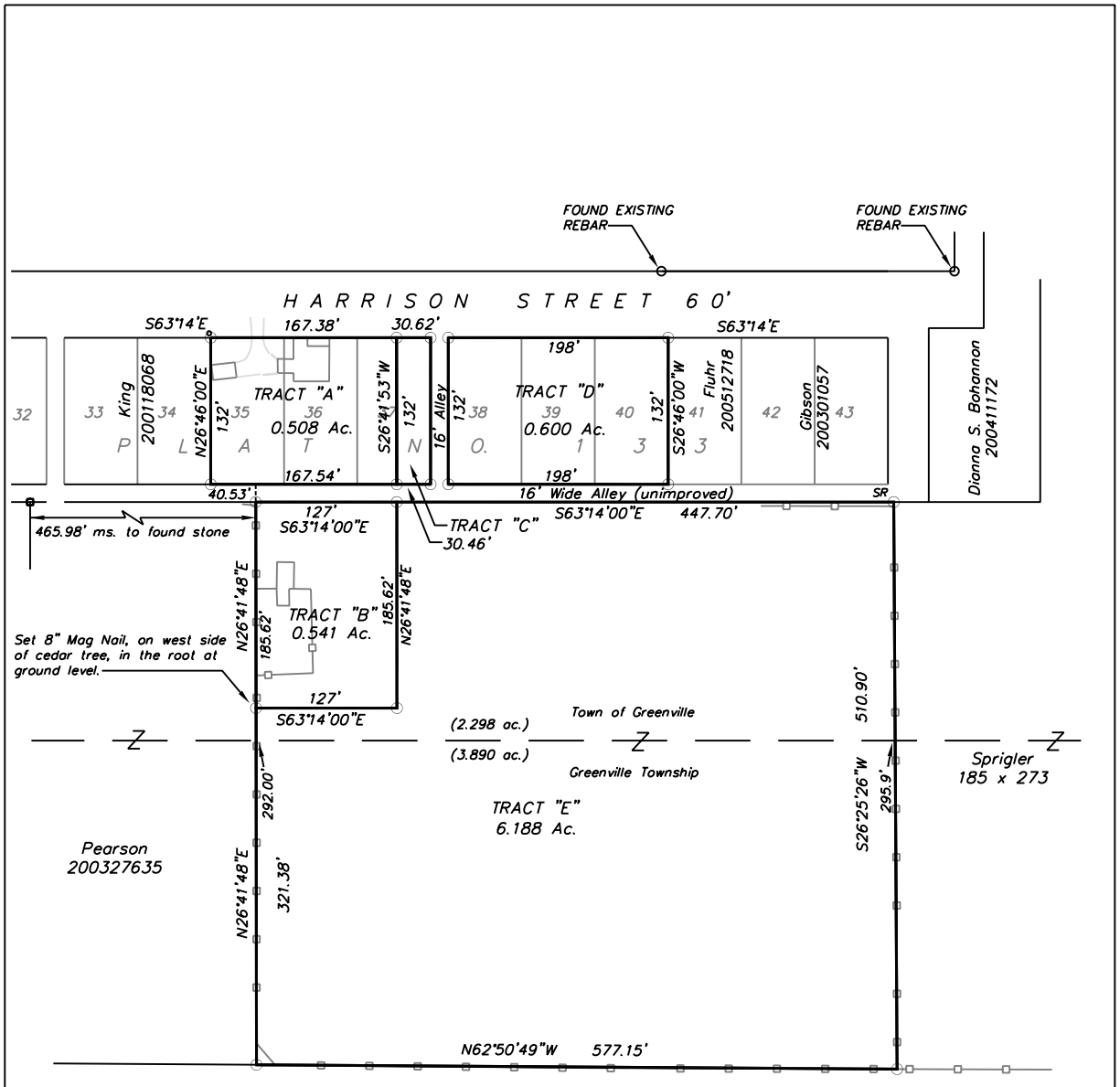
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**PUBLIC WAY NO. 2**

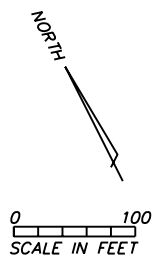
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**SHALL BE AND ARE VACATED.**



File No. 20100123\_Lamb

Prepared by:  
**WILLIAM B. GIBSON**  
 CIVIL ENGINEER & LAND SURVEYOR  
 5421 STATE ROAD 62  
 GEORGETOWN, IN 47122  
 812/945-4669



BASIC WORKSHEET FOR  
 PLAT OF SURVEY FOR  
 RON LAMB  
 PART OF NW 1/4  
 SECTION 5-2s-5e  
 PART OF PLAT 133  
 9423 HARRISON STREET  
 TOWN OF GREENVILLE  
 IN FLOYD COUNTY, INDIANA  
 JANUARY 23, 2010

**PETITION FOR VACATING OF UNIMPROVED ALLEYWAY  
WITHIN THE TOWN OF GREENVILLE, INDIANA PURSUANT TO  
I.C. 36-9-2-5, 36-7-3-12, 5-3-1 AND 5-14-1.5**

Comes now Paul and Liza Muench hereby petitions the Town of Greenville, Indiana to vacate the following described unimproved alleyway real estate that divides their property in Floyd County, Indiana within the Town of Greenville, Indiana:

See Exhibit "A"

Paul Muench Date: 7-6-10

PAUL MUENCH

Liza Muench Date: 7-6-10

LIZA MUENCH

7/6/10 Received By\*  
Amy Stone

## **EXHIBIT "A"**

WHEREAS, the Two Unimproved Public Ways to be vacated are more particularly described as per a Land Survey Drawing Provided by Paul and Lisa Muench {attached} of 9423 Harrison Street preformed by William B. Gibson Civil Engineer & Land Surveyor, 5421 State Road 62, Georgetown, Indiana 47122, of Plat No. 133, Part of NW ¼ Section 5-2S-5E recorded with Floyd County Recorders Office on January 23<sup>rd</sup>, 2010 and presented to the Greenville Town Council;

### **PUBLIC WAY NO. 1**

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### **PUBLIC WAY NO. 2**

Being a Sixteen foot wide public way 574.70 feet in length between Tract "A", Tract "C", Tract "D", Tract "B" and Tract "E" of Floyd County Plat No. 133 Part of NW ¼ Section 5-2S-5E. Being more particularly described as follows: Beginning at the Northwest corner of Tract "B" of Plat No. 133. Thence with the North Line of Tracts "B" and "E" South 63 Degree, 14 Minutes, 00 Seconds East to South 26 Degrees, 25 Minutes, 26 Seconds West, North 16.00 Feet, Thence with the South Line of Tracts "D", "C", and "A" South 63 Degree, 14 Minutes, 00 Seconds East to North 26 Degrees, 41 Minutes, 48 Seconds East.

WHEREAS, the Two Unimproved Public Ways to be vacated shall be subject to any and all easements and/or restrictions of public record that may apply to the Vacated Public ways and to the Real Estate contiguous to them and;

WHEREAS, Paul and Lisa Muench of 9423 Harrison Street has provided a Land Survey Drawing {attached}preformed by William B. Gibson Civil Engineer & Land Surveyor 5421 State Road 62 Georgetown, Indiana 47122 of Plat No. 133, Part of NW ¼ Section 5-2S-5E recorded with Floyd County Recorders Office on January 23<sup>rd</sup>, 2010 and presented to the Greenville Town Council.

### **ADJOINING PROPERTY OWNERS**

1. Janice & Robert Gibson {or current owner}  
9415 Harrison Street  
Greenville, Indiana 47124

2. Lee & Delma Lamb {or current owner}

P.O. Box 63  
Greenville, Indiana 47124

3. First Harrison Bank {or current owner}  
Greenville Branch, Attn: Liza Matchuny  
9849 Highway 150  
Greenville, Indiana 47124

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TOWN OF GREENVILLE

ORDINANCE NO.

2010-T-040

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WHEREAS, the Town Council for the Town of Greenville, Indiana is granted the authority to vacate public ways by I.C. 36-7-3-12 and;

WHEREAS, the Town Council for the Town of Greenville, Indiana Published notification in the

<http://newstribune.classifieds.neighborsink.com/index.php?view=detail&id=2459390008bb...> 9/2/2010

New Albany Tribune and held a Public Hearing on July 20th, 2010 and;

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**TOWN OF GREENVILLE**

**ORDINANCE NO. 2010-T-040**

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2



TOWN OF GREENVILLE  
ORDINANCE NO. 2010-T-040

2. This Ordinance shall be in full force and effect from and after its approval by The Greenville Town Council of Greenville, Indiana.
3. The Greenville Town Clerk shall provide a copy of this signed Ordinance upon its approval to the Floyd County Recorder, Floyd County Auditor and Paul & Lisa Muench, 9423 Harrison Street, Greenville, Indiana.
4. This Ordinance replaces Ordinance 2010-T-021. Ordinance 2010-T-021 shall be placed in the voided Ordinance file.

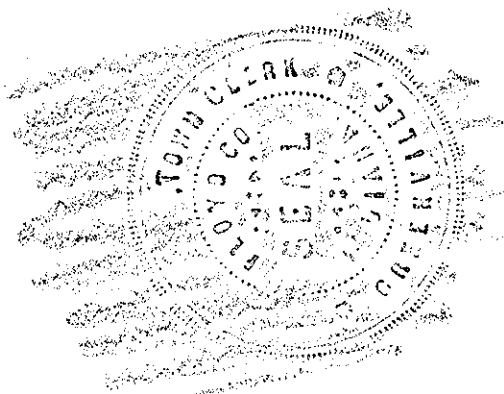
ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE 9th DAY OF AUGUST, 2010.

PRESIDENT OF THE TOWN  
COUNCIL OF GREENVILLE,  
INDIANA

  
TALBOTTE RICHARDSON,

  
JACK TRAVILLIAN,  
CLERK/TREASURER

PREPARED BY:  
RANDAL JOHNES



TOWN OF GREENVILLE  
ORDINANCE NO. 2010-T-040  
SHALL BE AND ARE VACATED.

2. This Ordinance shall be in full force and effect from and after its approval by The Greenville Town Council of Greenville, Indiana.

3. The Greenville Town Clerk shall provide a copy of this signed Ordinance upon its approval to the Floyd County Recorder, Floyd County Auditor and Paul & Lisa Muench, 9423 Harrison Street, Greenville, Indiana.

4. This Ordinance replaces Ordinance 2010-T-021. Ordinance 2010-T-021 shall be placed in the voided Ordinance file.

ADOPTED BY THE TOWN COUNCIL OF GREENVILLE, INDIANA, ON THE 9th DAY OF AUGUST, 2010. PRESIDENT OF THE TOWN COUNCIL OF GREENVILLE, INDIANA TALBOTTE RICHARDSON, JACK TRAVILLIAN,  
CLERK/TREASURER

PREPARED BY: RANDAL JOHNES

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