

ORDINANCE NO. 03-2018

AN ORDINANCE TO VACATE A PUBLIC WAY OF PUBLIC PLACE,
LOCATED WHOLLY WITHIN THE INCORPORATED TOWN OF ROSELAND, INDIANA
TO-WIT:

That part of the Southwest Quarter of Section 25, Township 38 North, Range 2 East, Clay Township, Town of Roseland, St. Joseph County, Indiana which is described as: A 40-foot wide public street right-of-way known as Cripe Street, running from the Northwest corner of Lot # 3 as shown on the Plat of "De Grove's 1st Addition to the Town of Roseland" as recorded in the records of the St. Joseph County, Indiana Recorder's Office East for a distance of 455.5 feet to its termination point, said point also being the East Corporate Town Line of Roseland, Indiana. Subject to any utility easements of record.

WHEREAS, a petition to vacate the following described public way or public place has heretofore been filed with the Town Council of Roseland, Indiana:

That part of the Southwest Quarter of Section 25, Township 38 North, Range 2 East, Clay Township, Town of Roseland, St. Joseph County, Indiana which is described as: A 40-foot wide public street right-of-way known as Cripe Street, running from the Northwest corner of Lot # 3 as shown on the Plat of "De Grove's 1st Addition to the Town of Roseland" as recorded in the records of the St. Joseph County, Indiana Recorder's Office East for a distance of 455.5 feet to its termination point, said point also being the East Corporate Town Line of Roseland, Indiana.

Subject to any utility easements of record, and,

WHEREAS, a report or recommendation of the St. Joseph County Area Board of Zoning Appeals has heretofore been received by the Town Council of Roseland, Indiana concerning such public way or public place vacation; and,

WHEREAS, a public hearing has been held upon such petition pursuant to publication and request as required by I.C. 36-7-3-12; and,

WHEREAS, at such public hearing any persons aggrieved by the proposed vacation were allowed to state their objections to such vacation; and,

WHEREAS, the Town Council of Roseland, Indiana has determined that the vacation of such public way or public place is in the best interests of the residents of the Town of Roseland, Indiana.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE TOWN COUNCIL OF ROSELAND, INDIANA, THAT:

SECTION 1. The property described as follows:

That part of the Southwest Quarter of Section 25, Township 38 North, Range 2 East, Clay Township, Town of Roseland, St. Joseph County, Indiana which is described as: A 40-foot wide public street right-of-way known as Cripe Street, running from the Northwest corner of Lot # 3 as shown on the Plat of "De Grove's 1st Addition to the Town of Roseland" as recorded in the records of the St. Joseph County, Indiana Recorder's Office East for a distance of 455.5 feet to its termination point, said point also being the East Corporate Town Line of Roseland, Indiana. Subject to any utility easements of record.


SECTION 2. The County Recorder is hereby directed to record this Ordinance, and the St. Joseph County Auditor is hereby directed to assess each owner of property immediately adjoining the vacated area, 50% of that portion of the vacated area which immediately adjoins the property or such other portion thereof, as is equivalent to that portion of the vacated property which was taken from and off of the property presently owned by the petitioner as part of the original dedication, and shall record the same on the tax rolls of St. Joseph County.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage and approval, as required by law.

ATTEST:


Elizabeth J. McCombs, President


Martin F. Madigan, Member


Robin E. Ackerson, Clerk-Treasurer

Traci V. Newman, Member