

STATE OF INDIANA

BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

IN THE MATTER OF THE PETITION OF )  
NUGENT SAND AND GRAVEL COMPANY )  
TO VACATE AN EXISTING PUBLIC WAY )

Ordinance 17-2020

**ORDINANCE VACATING A PORTION OF EXISTING CAMP CREEK ROAD, A  
PUBLIC WAY**

Comes now Nugent Sand Company, a Kentucky general partnership, hereinafter referred to as the "Owner," and the Owner having heretofore filed a Petition to Vacate a Public Way, and notice of said petition and the time and place of the hearing on the same having been given by the Petitioner, pursuant to the provisions of Ind. Code § 5-3-1, and the Board of Commissioners of Clark County, Indiana, having examined and heard evidence on said petition, and otherwise being duly advised in the premises, now finds that the petition should be granted as the proposed vacation will not:

1. Hinder the growth or orderly development of Clark County or neighborhood in which it is located or to which it is contiguous.
2. Make access to the lands of any aggrieved person by means of public way difficult or inconvenient.
3. Hinder the public's access to a church, school, or other public building or place.
4. Hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous.

**BE IT THEREFORE ORDAINED** by the Board of Commissioners of Clark County, Indiana, as follows:

A. Those portions of the public way formerly known as Camp Creek Road, Clark County, Indiana, and more particularly described in Exhibit "A" and shown in Exhibit "B" attached to and made a part of this Ordinance, shall be and hereby are vacated in accordance with

the provisions of Ind. Code § 36-7-3- 12.

B. Fee simple title to the vacated real property shall hereinafter equally vest in the owners of the real property adjoining said public way free and clear of any rights of the public in and to said public way.

C. The Auditor shall record a copy of this Ordinance in the office of the Clark County Recorder promptly after its adoption in accordance with provisions of Ind. Code 36-7-3-12(e).

SO ORDERED this 20<sup>th</sup> day of August, 2020.

**BOARD OF COMMISSIONERS  
OF CLARK COUNTY, INDIANA**



JACK COFFMAN, Commissioner



CONNIE SELLERS, Commissioner



BRYAN GLOVER, Commissioner

*Attested by:*

  
DANNY YOST, Clark County Auditor

# EXHIBIT "A"

## ROAD VACATION LAND DESCRIPTION

A portion of Camp Creek Road right-of-way, being a part of the Northwest Quarter of Section 17, Township 1 North, Range 10 East of the Second Principal Meridian, Bethlehem Township, Clark County, Indiana, being shown on the attached Exhibit "B", the centerline being more particularly described as follows:

COMMENCING at the northeast corner of said Northwest Quarter of Section 17; thence South 88 degrees 15 minutes 46 seconds West (bearing based upon a survey by David R. Blankenkaker as recorded in Instrument Number 201811901 in the Office of Recorder of Clark County, Indiana) along the north line of said Northwest Quarter a distance of 1337.14 feet to the east right-of-way of relocated Camp Creek Road, the following eight (8) courses being along said east right-of-way; (1) thence South 01 degree 25 minutes 47 seconds East a distance of 438.60 feet; (2) thence North 88 degrees 34 minutes 13 seconds East a distance of 82.59 feet; (3) thence South 01 degree 25 minutes 19 seconds East a distance of 30.00 feet; (4) thence South 88 degrees 34 minutes 13 seconds West a distance of 82.59 feet to the point of curvature of a non-tangent curve to the right having a radius of 1040.00 feet, said curve being subtended by a chord bearing of South 21 degrees 55 minutes 53 seconds West and a chord distance of 834.53 feet; (5) thence southwesterly along said curve an arc length of 858.71 feet; (6) thence North 44 degrees 24 minutes 55 seconds West a distance of 5.00 feet; (7) thence South 45 degrees 35 minutes 05 seconds West a distance of 421.45 feet to the point of curvature of a curve to the right having a radius of 285.00 feet, said curve being subtended by a chord bearing of South 52 degrees 02 minutes 36 seconds West and a chord distance of 64.12 feet; (8) thence southwesterly along said curve an arc length of 64.25 feet to the centerline of Camp Creek Road and the POINT OF BEGINNING, the following five (5) courses being along the centerline of said Camp Creek Road; (1) thence North 88 degrees 28 minutes 01 second East a distance of 226.67 feet; (2) thence South 87 degrees 59 minutes 08 seconds East a distance of 97.32 feet to the southwest corner of a tract of land as described in Instrument Number 200625213; (3) thence South 86 degrees 59 minutes 52 seconds East along the south line of said tract a distance of 392.96 feet to the southeast corner of said tract; (4) thence North 88 degrees 43 minutes 57 seconds East a distance of 491.41 feet; (5) thence North 88 degrees 23 minutes 23 seconds East a distance of 904.57 feet to the TERMINUS. Intended to be all that portion of existing Camp Creek Road right-of-way east of the relocated Camp Creek Road and to the Terminus.

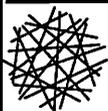
This description prepared by:

Austin K. Yake  
 Austin K. Yake  
 Professional Surveyor #20900153  
 July 27, 2020  
 E-Mail: ayake@hwcengineering.com



File Name: W:\Nugent Sand and Gravel\2016-204-S Nugent-Clark Co Camp Creek Rd Design\Easement Development\Road Vacation\16204.rvac.dwg, Layout: VAC-1  
 Plot Date: Jul 27, 2020  
 Plot Time: 3:10pm

PREPARED BY



**HWC**  
**ENGINEERING**

135 N. PENNSYLVANIA ST, SUITE 2800  
 INDIANAPOLIS, IN 46204  
 317-347-3663

INDIANAPOLIS - TERRE HAUTE  
 LAFAYETTE - MUNCIE - NEW ALBANY [www.hwcengineering.com](http://www.hwcengineering.com)

CAMP CREEK ROAD  
 PERMANENT EASEMENT  
 NW 1/4 SEC. 17-T1N-R10E  
 CLARK COUNTY, INDIANA

PG 1 OF 1

DRAWN BY  
 AKY

CHECKED BY  
 AJB

DATE  
 7/20/2020

SCALE  
 N/A

JOB NUMBER  
 2016-204

**LEGEND**

— ROAD VACATION

⊞ PROPERTY LINE



ASSUMED NORTH



SCALE: 1" = 200'

**Note:**

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

**Note:**

See Sheet 2 for Curve and Line Tables.

**EXHIBIT "B"**

POINT OF COMMENCEMENT

NE CORNER NW 1/4  
SEC. 17-T1N-R10E

NORTH LINE NW 1/4 SEC 17-T1N-R10E

S88°15'46"W 1337.14'

PARCEL #10-01-01-700-002.000-025  
LUCAS INDIANA FARMS, LLC  
AN INDIANA LIMITED LIABILITY COMPANY

PARCEL #10-01-01-700-004.000-025  
NUGENT SAND COMPANY  
A KENTUCKY GENERAL PARTNERSHIP  
WARRANTY DEED  
REC. JUNE 9, 2015  
INST. #201509698  
(PART OF PARCEL II)  
(PART OF 88.53-ACRE TRACT PER SURVEY)

PARCEL #10-01-01-700-028.000-025  
NUGENT SAND COMPANY,  
A KENTUCKY GENERAL PARTNERSHIP  
SPECIAL WARRANTY DEED  
REC. OCT. 1, 2019 - INST. #201918801  
(PARCEL 3)

PARCEL #10-01-01-700-025.000-025  
NUGENT SAND COMPANY,  
A KENTUCKY GENERAL PARTNERSHIP  
SPECIAL WARRANTY DEED  
REC. JULY 5, 2018  
INST. #201811901

PARCEL #10-01-01-700-002.000-025  
LUCAS INDIANA FARMS, LLC  
AN INDIANA LIMITED LIABILITY COMPANY

5/8" REBAR W/BLANKENBEKER CAP FOUND

5/8" REBAR W/BLANKENBEKER CAP FOUND

PARCEL #10-01-01-700-027.000-025  
NUGENT SAND COMPANY,  
A KENTUCKY GENERAL PARTNERSHIP  
SPECIAL WARRANTY DEED  
REC. OCT. 1, 2019 - INST. #201918801  
(PARCEL 2)

PARCEL #10-01-01-700-026.000-025  
LUCAS INDIANA FARMS, LLC,  
INDIANA LIMITED LIABILITY COMPANY

PARCEL #10-01-01-700-005.000-025  
NUGENT SAND COMPANY,  
A KENTUCKY GENERAL PARTNERSHIP  
WARRANTY DEED  
REC. JUNE 9, 2015  
INST. #201509698  
(PARCEL III) (PART OF 88.53-ACRE TRACT PER SURVEY)

PARCEL #10-01-01-800-001.000-025  
NUGENT SAND COMPANY  
A KENTUCKY GENERAL PARTNERSHIP  
WARRANTY DEED  
REC. NOVEMBER 5, 1992  
D.R. 24, INST. #16616  
(KATHLEEN ROSS FARM - TRACT #2)

PARCEL #10-01-01-700-003.000-025  
JESSICA R. DURBIN  
WARRANTY DEED  
REC. DECEMBER 11, 2006  
INST. #200625213

POINT OF BEGINNING  
ROAD VACATION

ROAD VACATION  
CAMP CREEK ROAD

PARCEL #10-01-01-800-001.000-025

MAG NAIL FOUND

CAMP CREEK RD.

N88°43'57"E 491.41'

MATCH LINE SEE SHEET 2

PREPARED BY



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**CAMP CREEK ROAD  
ROAD VACATION**  
NW 1/4 SEC. 17-T1N-R10E  
CLARK COUNTY, INDIANA

DRAWN BY

AKY

CHECKED BY

AJB

DATE

7/27/2020

SCALE

1" = 200'

PG 1 OF 2

JOB NUMBER  
2016-204

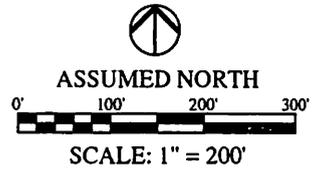
© 2020

Plot Date: Jul 27, 2020 3:53pm File Name: W:\Nugent Sand and Gravel\2016-204-S Nugent-Clark Co Camp Creek Rd\Design\Easement Development\Road Vacation\16204.rvac.dwg. Layout: VAC-2 By: oyska

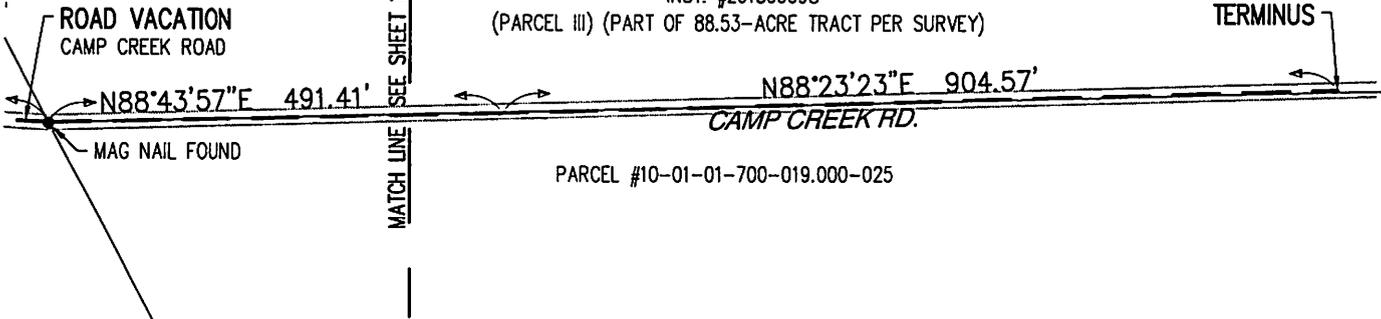
# LEGEND

- ROAD VACATION
- ▭ PROPERTY LINE

# EXHIBIT "B"



PARCEL #10-01-01-700-005.000-025  
 NUGENT SAND COMPANY,  
 A KENTUCKY GENERAL PARTNERSHIP  
 WARRANTY DEED  
 REC. JUNE 9, 2015  
 INST. #201509698  
 (PARCEL III) (PART OF 88.53-ACRE TRACT PER SURVEY)



PARCEL #10-01-01-700-019.000-025

Line Table		
Line #	Direction	Length
L1	S01°25'47"E	438.60'
L2	N88°34'13"E	82.59'
L3	S01°25'19"E	30.00'
L4	S88°34'13"W	82.59'
L5	N44°24'55"W	5.00'
L6	S45°35'05"W	421.45'
L7	N88°28'01"E	226.67'
L8	S87°59'08"E	97.32'
L9	S86°59'52"E	392.96'

Curve Table				
Curve #	Arc Length	Radius	Chord Bearing	Chord Length
C1	858.71'	1040.00'	S21°55'53"W	834.53'
C2	64.25'	285.00'	S52°02'36"W	64.12'

File Name: W:\Nugent Sand and Gravel\2016-204-S Nugent-Clark Co Camp Creek Rd\Design\Easement Development\Road Vacation\1820a.rvac.dwg, Layout: VAC-3  
 Plot Date: Jul 28, 2020  
 Plot Time: 12:47pm  
 By: ayoko

PREPARED BY  

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 PERMANENT EASEMENT  
 NW 1/4 SEC. 17-T1N-R10E  
 CLARK COUNTY, INDIANA

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