

STATE OF INDIANA
BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 20-2024

IN RE: PETITION TO VACATE PORTIONS OF A PUBLIC WAY AND PUBLIC
EASEMENTS IN UNDERWOOD, AN UNINCORPORATED AREA OF CLARK COUNTY,
INDIANA

WHEREAS, the Petitioner, Christopher Robertson, has filed a petition pursuant to the provisions of IC 36-7-3-12 for the vacation of an unimproved, unnamed platted alley situated along Lot 1 through Lot 7 to the West, and Lot 16 to the East, as shown on "Exhibit B", attached hereto; and,

WHEREAS, Christopher Robertson has properly notified the owners of all real property abutting the alley and caused a notice of public hearing on such petition before this Board to be properly published in accordance with Indiana law;

WHEREAS, the owners of property abutting the alley, namely Lori A. Spellman, 310 Smith Road, Underwood, IN 47177.

WHEREAS, the area of land which is the subject of this Petition, is an undeveloped right-of-way. As such, Petitioner is hindered in making practical use of the subject property and vacating said right-of-way would give Petitioner the ability to put the land to use;

WHEREAS, this Board having held such public hearing at the date and time as stated in such published notification; and,

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF THE COUNTY
COMMISSIONERS FOR CLARK COUNTY, INDIANA as follows:

1. The Board hereby finds all of the following:

- a. The proposed vacations will not hinder the growth or orderly development of Clark County, Indiana.
 - b. The proposed vacations will not make access to the lands of any aggrieved person by means of public way difficult or inconvenient.
 - c. The proposed vacations will not hinder the public's access to a church, school, or other public building or place.
 - d. Vacating portions of the public easements will not hinder any utility company's ability to provide utility services to the residents in the surrounding area.
2. Pursuant to Ind. Code §36-7-3-12, Christopher Robertson's petition for vacation of the unnamed and unimproved platted alley is hereby granted, and the portions of the unnamed public way lying within the unincorporated areas of Clark County, Indiana as depicted and described in the metes and bounds description and associated drawings attached hereto as Exhibits "A" and "B" are hereby vacated.
 3. Christopher Robertson shall cause a certified copy of this Ordinance to be recorded in the office of the Recorder of Clark County, Indiana, in accordance with the provisions of Ind. Code §36-7-3-12(e), and thereafter shall file a recorded copy with the office of the Auditor of Clark County, Indiana.
 4. This ordinance shall be in force and effect upon its adoption.

So Ordered by majority vote of the entire membership of the Board of the County Commissioners for Clark County, Indiana at a properly noticed and convened public meeting held the 12th day of September, 2024 at 5:00 pm.

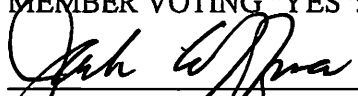
MEMBER VOTING "NO":

Jack Coffman, Commissioner

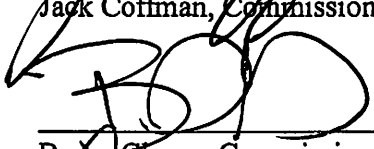
Bryan Glover, Commissioner

Connie Sellers, Commissioner

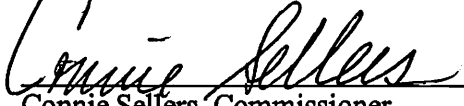
MEMBER VOTING "YES":



Jack Coffman, Commissioner



Bryan Glover, Commissioner

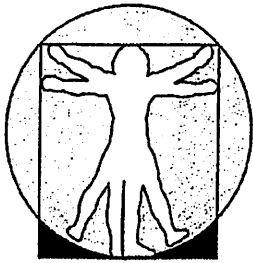


Connie Sellers, Commissioner

ATTESTED BY:



Danny Yost, Clark County Auditor



RENAISSANCE DESIGN BUILD, INC.

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117 S Indiana Avenue
Sellersburg, IN 47172
Tel: 812-246-5897

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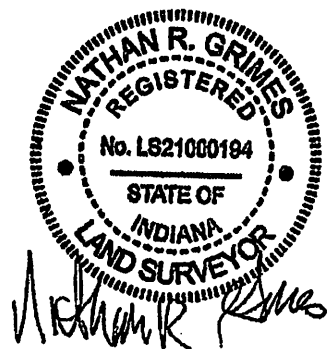


Exhibit "A"
Job #2024-096
0.04 Acres

Alley Vacation Legal Description

Being part of A 10 foot alley in Fairview Addition to the Town of Underwood, P.B. 4, Pg. 96 in the Clark County Recorder's Office, this description is certified by Nathan R. Grimes, PS #LS21000194 on 7-23-2024 (no revisions) as Renaissance Design Build, Inc., Project No. 2024-096 (all references to monuments and courses herein are as shown on said plat of survey); more particularly described as follows:

Beginning at a Grimes Pin & Cap in the Northeast corner of the original lot 1 of said Fairview Addition;
thence leaving said lot 1, North 86 degrees 55 minutes 09 seconds East, 10.14 feet to a found Brinkworth Pin & Cap in the Northwest corner of lot 16 of said Fairview Addition;
thence with the Westerly line of said lot 16, South 12 degrees 34 minutes 51 seconds East, 173.85 feet;
thence leaving said lot 16, South 86 degrees 55 minutes 09 seconds West, 10.14 feet, passing a 1/2" pipe at 8.47 feet, to the Southeast corner of said lot 1;
thence North 12 degrees 34 minutes 51 seconds West, 173.85 feet to The True Point of Beginning containing 0.04 acres (1738.50 S.F.) of land more or less. Being subject to any and all easements & rights-of-ways whether of record or not.

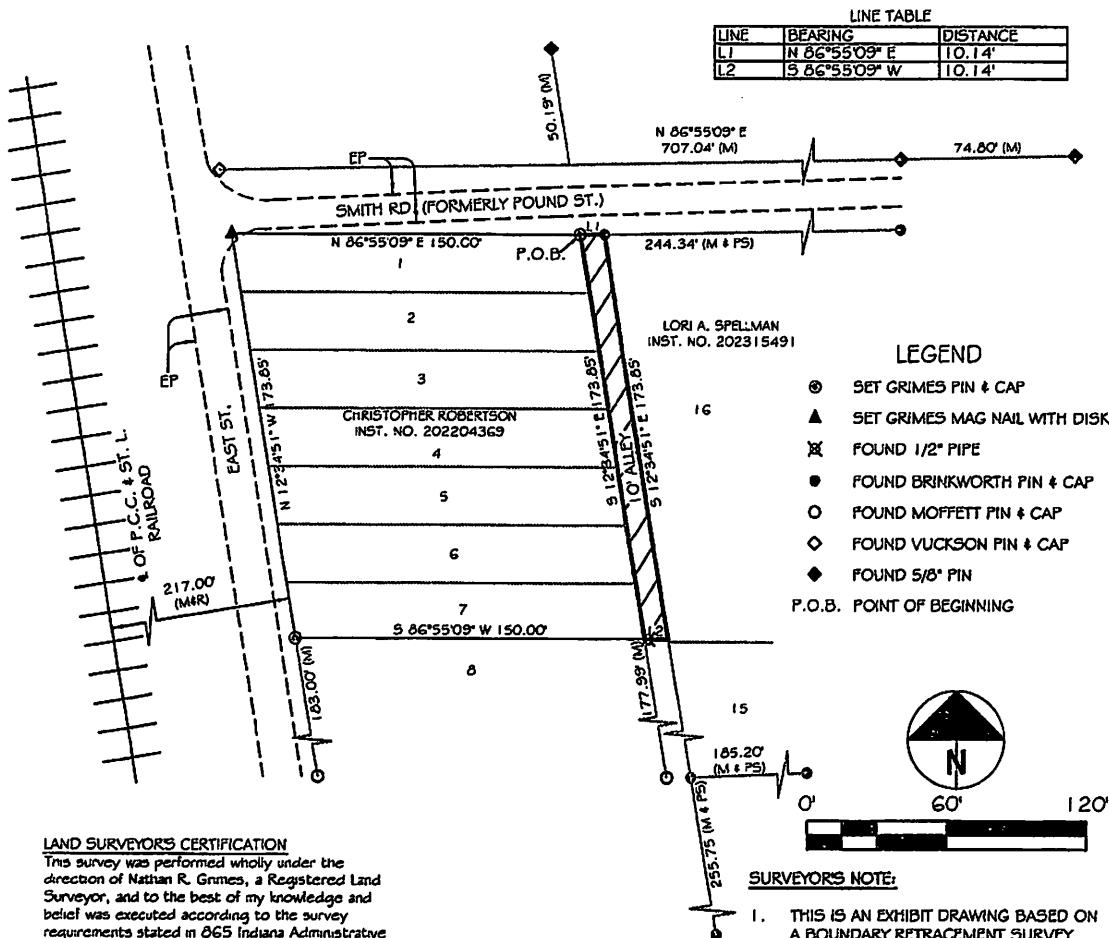


BEING A 10 FOOT ALLEY IN FAIRVIEW ADDITION TO THE TOWN OF UNDERWOOD,
P.B. 4, PG. 96, MONROE TOWNSHIP, CLARK COUNTY, IN

DESCRIPTION
PROPOSED ALLEY VACATION

Being part of A 10 foot alley in Fairview Addition to the Town of Underwood, P.B. 4, Pg. 96 in the Clark County Recorder's Office, this description is certified by Nathan R. Grimes, PS #LS21000194 on 7-23-2024 (no revisions) as Renaissance Design Build, Inc., Project No. 2024-096 (all references to monuments and courses herein are as shown on said plat of survey); more particularly described as follows:

Beginning at a Grimes Pin & Cap in the Northeast corner of the original lot 1 of said Fairview Addition; thence leaving said lot 1, North 06 degrees 55 minutes 09 seconds East, 10.14 feet to a found Brinkworth Pin & Cap in the Northwest corner of lot 16 of said Fairview Addition; thence with the Westerly line of said lot 16, South 12 degrees 34 minutes 51 seconds East, 173.85 feet; thence leaving said lot 16, South 06 degrees 55 minutes 09 seconds West, 10.14 feet, passing a 1/2" pipe at 8.47 feet, to the Southeast corner of said lot 1; thence North 12 degrees 34 minutes 51 seconds West, 173.85 feet to The True Point of Beginning containing 0.04 acres (1738.50 S.F.) of land more or less. Being subject to any and all easements & rights-of-ways whether of record or not.



LAND SURVEYORS CERTIFICATION

This survey was performed wholly under the direction of Nathan R. Grimes, a Registered Land Surveyor, and to the best of my knowledge and belief was executed according to the survey requirements stated in 065 Indiana Administrative Code 1-12-1 Minimum Standards of Competent Practice of Land Surveying.

Nathan R. Grimes

NATHAN R. GRIMES, PE, PLS LS#21000194

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this Document unless required by law.

Nathan R. Grimes
NATHAN R. GRIMES



Sheet	Down by: BAS	Chk by: NG	Scale: 1" = 60'
Of	Date: 7-23-2024	Project No: 2024-096	
EXHIBIT 'B' ALLEY VACATION CHRISTOPHER ROBERTSON EAST ST. UNDERWOOD, IN 47177			
		RENAISSANCE DESIGN BUILD, INC. 117 S Indiana Avenue Sellersburg, IN 47172 Tel: 812-246-5897 www.rdbi-inc.com	
Revisions:			

