

**ORDINANCE NO: 2023-BC-O-20**

**ORDINANCE OF THE MADISON COUNTY BOARD OF COMMISSIONERS  
APPROVING APPLICATION TO VACATE RIGHT-OF-WAY/ALLEY**

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After conducting a public hearing on Bruce Wihebrink and Kimberly Wihebrink's Application for Vacation of Plat/Alley, the Board of Commissioners now finds that the vacation of the following described public right-of-way in unincorporated Madison County, Indiana, located between parcels as well as touching parcels: 48-06-19-300-196.000-021; 48-06-19-300-207.000-021; 48-06-19-300-206.000-021; 48-06-19-300-197.000-021; 48-06-19-300-198.000-021; 48-06-19-300-199.000-021; 48-06-19-300-200.000-021; 48-06-19-300-201.000-021; 48-06-19-300-202.000-021; 48-06-19-300-203.000-021; 48-06-19-300-204.000-021; 48-06-19-300-205.000-021; more particularly described as follows:

**PARCEL "A"**

A parcel of ground, being a 14.00 foot Alley being located on the East side of Lots 144 - 148 and being on the West side of Lots 149 - 153 in Phillips Land and Gas Company's First Addition, the plat of which is recorded in Plat Book 5, Page 7 in the Office of the Recorder of Madison County, Indiana, being more particularly described as follows:

**BEGINNING** at the Northwest corner of said Lot 149; thence South 00 degrees 00 minutes 00 seconds East, a distance of 250.00 feet to the Southwest corner of Lot 153; thence South 90 degrees 00 minutes 00 seconds West, a distance of 14.00 feet to the Southeast corner of said Lot 144; thence North 00 degrees 00 minutes 00 seconds West, a distance of 250.00 feet to the Northeast corner of said Lot 148; thence North 90 degrees 00 minutes 00 seconds East, a distance of 14.00 feet to the POINT OF BEGINNING. Contains 0.080 Acres, more or less.

**PARCEL "B"**

A parcel of ground, being a 12.00 foot Alley being located on the South side of Lots 144 and 153 and being on the North side of Lots 143 and 154 in Phillips Land and Gas Company's First Addition, the plat of which is recorded in Plat Book 5, Page 7 in the Office of the Recorder of Madison County, Indiana, being more particularly described as follows:

**BEGINNING** at the Southwest corner of said Lot 144; thence North 90 degrees 00 minutes 00 seconds East, a distance of 268.00 feet to the Southeast corner of said Lot 153; thence South 00 degrees 00 minutes 00 seconds East, a distance of 12.00 feet; thence South 90 degrees 00 minutes 00 seconds West, a distance of 268.00 feet to the Northwest corner of said Lot 143; thence North 00 degrees 00 minutes 00 seconds West, a distance of 12.00 feet to the POINT OF BEGINNING. Contains 0.074 Acres, more or less.

will not hinder the growth or development of Madison County or in or around the contiguous area being vacated; will not hinder access to any person, by way of making a public way difficult or inconvenient, will not hinder public's access to a church, school or other public building or place; and will not hinder the use of any public way by the surrounding neighborhood in which the vacation is granted.

The Board of Commissioners further finds that no citizens of Madison County, Indiana, would be denied ingress or egress by the vacation of the above set forth plat/alley, nor will the public as a whole, be damaged in any manner whatsoever by this vacation.

The Board of Commissioners further finds that all notices required by Indiana law have been properly given.

**IT IS THEREFORE ORDAINED BY THE BOARD OF COMMISSIONERS OF MADISON COUNTY, INDIANA,** that the following described plat/alley in unincorporated Madison County, Indiana,

**PARCEL "A"**

A parcel of ground, being a 14.00 foot Alley being located on the East side of Lots 144 - 148 and being on the West side of Lots 149 - 153 in Phillips Land and Gas Company's First Addition, the plat of which is recorded in Plat Book 5, Page 7 in the Office of the Recorder of Madison County, Indiana, being more particularly described as follows:

**BEGINNING** at the Northwest corner of said Lot 149; thence South 00 degrees 00 minutes 00 seconds East, a distance of 250.00 feet to the Southwest corner of said Lot 153; thence South 90 degrees 00 minutes 00 seconds West, a distance of 14.00 feet to the Southeast corner of said Lot 144; thence North 00 degrees 00 minutes 00 seconds West, a distance of 250.00 feet to the Northeast corner of said Lot 148; thence North 90 degrees 00 minutes 00 seconds East, a distance of 14.00 feet to the POINT OF BEGINNING. Contains 0.080 Acres, more or less.

**PARCEL "B"**

A parcel of ground, being a 12.00 foot Alley being located on the South side of Lots 144 and 153 and being on the North side of Lots 143 and 154 in Phillips Land and Gas Company's First Addition, the plat of which is recorded in Plat Book 5, Page 7 in the Office of the Recorder of Madison County, Indiana, being more particularly described as follows:

**BEGINNING** at the Southwest corner of said Lot 144; thence North 90 degrees 00 minutes 00 seconds East, a distance of 268.00 feet to the Southeast corner of said Lot 153; thence South 00 degrees 00 minutes 00 seconds East, a distance of 12.00 feet; thence

South 90 degrees 00 minutes 00 seconds West, a distance of 268.00 feet to the Northwest corner of said Lot 143; thence North 00 degrees 00 minutes 00 seconds West, a distance of 12.00 feet to the POINT OF BEGINNING. Contains 0.074 Acres, more or less.

be and that the same is hereby vacated as a plat/alley in Madison County, Indiana.

**IT IS FURTHER ORDAINED** that the vacated plat/alley shall vest in Bruce Wihebrink and Kimberly Wihebrink, as the abutting landowners pursuant to statute.

**IT IS FURTHER ORDAINED** that the Madison County Auditor is directed to record a certified copy of this Ordinance with the Madison County Recorder.

**PASSED AND ADOPTED** by the Madison County Board of Commissioners this 17th day of October, 2023.

**MADISON COUNTY BOARD OF COMMISSIONERS**

\_\_\_\_\_  
John Richwine, President



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Darlene Likens, Vice-President



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Olivia Pratt

Attest:

  
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Rick Gardner, Auditor

Prepared by:

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