

STATE OF INDIANA
COUNTY OF CLARK
BEFORE THE BOARD OF COMMISSIONERS

IN THE MATTER OF THE PETITION OF)
SCHMITT-ZURSCHMIEDE DEVELOPERS, LLC)
TO VACATE AN EXISTING EASEMENT)
LOCATED IN THE FIELDS OF ST. JOE)
SUBDIVISION, PLAT BOOK 14, PAGE 41,)
CLARK COUNTY, INDIANA)

ORDINANCE NO. 18 - 2012

**ORDINANCE GRANTING PETITION TO VACATE
A PORTION OF A DRAINAGE AND RIPARIAN CORRIDOR EASEMENT**

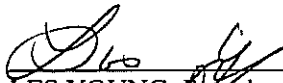
Now Comes Schmitt-Zurschmiede Developers, LLC, and Indiana limited liability company, hereinafter referred to as the "Owner," and the Owner having heretofore filed a Petition to Vacate a Portion of a Drainage and Riparian Corridor Easement, and notice of said petition and the time and place of the hearing on the same having been given by the Petitioner, pursuant to the provisions of I.C. 5-3-1, and the Board of Commissioners of Clark County, Indiana previously examined and heard evidence on said petition on November 16, 2006.

Owner has tendered a letter from Brian Dixon in accordance with the minutes of the Board of Commissioners of Clark County and the undersigned being duly advised in the premises now finds that said petition should be granted.

IT IS THEREFORE ORDAINED by the Board of Commissioners of Clark County, Indiana, that the easement located in the Fields of St. Joe subdivision, 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 is hereby vacated by the Board of Commissioners of Clark County, Indiana and that the fee simple title to the real property subject to the easement shall vest in Owner free and clear of said easement.

SO ORDERED this 26th day of April, 2012.

BOARD OF COMMISSIONERS, CLARK COUNTY, INDIANA


LES YOUNG, President


ED MEYER, Commissioner


JOHN PERKINS, Commissioner

Attest:

R. MONTY SNELLING, Clark County Auditor

EXHIBIT "A"

**DESCRIPTION OF EASEMENT TO BE VACATED
IN THE FIELDS OF ST. JOE**

Being a 20-foot wide drainage and riparian corridor easement on Lots 30 and 31 in the Fields of St. Joe, as shown in Plat Book 14, Page 41, of the Clark County, Indiana records and being further described as follows:

Beginning at the north corner of said Lot 30; Thence S.25°07'24"E., along the line dividing Lots 30 and 31, 20.38 feet to THE TRUE PLACE OF BEGINNING:

Thence N.54°11'52" E., 10.17 feet;

Thence S.25°07'24" E., 86.50 feet;

Thence S.54°11'52" W., 20.35 feet;

Thence N.25°07'24" W., 86.50 feet;

Thence N.54°11'52" E., 10.17 feet to THE TRUE PLACE OF BEGINNING.

Containing 1730 square feet.