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Jana K Gray
Morgan County Recorder IN
Recorded as Presented

ORDINANCE #2023-20

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF MORGAN COUNTY,
INDIANA UPON THE APPLICATION OF: **James E. Tout, Tammy Tout, Lisa Chase; Jeffery H. Richards and Cynthia Richards; James McClain, Jr., and Lorie McClain; Clayton McClain; Shirley J. Allore; Kris A. Mobley; Kelly D. Mobley; Scott A. Cook; Scott Allen Cook; Brittany Ann Cook; and Patton Park, Inc.**

AN ORDINANCE VACATING EASEMENTS within the R.R. Kinton's Sub-Division, and the Patton Park Sub-Division, Sub-Divisions located in Jefferson Township, Morgan County, Indiana.

WHEREAS, public hearings were held on the 2nd day of October 2023, and on the 6th day of November, 2023, with notice given as required by law upon the application of James E. Tout, Tammy Tout, Lisa Chase; Jeffery H. Richards and Cynthia Richards; James McClain, Jr., and Lorie McClain; Clayton McClain; Shirley J. Allore and Kris A. Mobley and Kelly D. Mobley; Scott A. Cook, Scott Allen Cook and Brittany Ann Cook and Patton Park, Inc., for the vacation of easements within the jurisdiction of Morgan County, Indiana;

WHEREAS, the Petitioners presented evidence at said public hearings in which they are owners of property described in attached Exhibit A;

WHEREAS, pursuant to Indiana Code 36-7-3-12, the Petitioners made a valid application to the Board of County Commissioners in Morgan County, stated that they were owners of property within Morgan County, stated the circumstances of their requests for vacation of the easements, that they specifically described the property

proposed to be vacated, and they provided proof that they are owners of land that adjoin the property proposed to be vacated, and all notices according to law were made;

WHEREAS, the Board of County Commissioners in Morgan County, after diligent review of the matter pertaining to the vacation, such review having occurred at the public hearings.

WHEREAS, The Patton Park, Inc., is a Petitioner in this cause of action and therefore has no objections to the vacation.

WHEREAS, the Board of County Commissioners in Morgan County now finds that the following easements shall be vacated: one half of the easement which travels between Lot 19E and Lot 20E owned by James E. Tout, Tammy Tout, Lisa Chase, Shirley J. Allore, Kris A. Mobley and Kelly D. Mobley shall be awarded to James E. Tout, Tammy Tout, and Lisa Chase and Shirley J. Allore, Kris A. Mobley and Kelly D. Mobley, shall be awarded the other half of the easement which travels between Lots # 19 E and 20E in R. R. Kinton's Sub-Division

James E. Tout, Tammy Tout, and Lisa Chase shall be awarded one-half of the easement which travels between Lots # 12E, 21E, 32E, and 19E, and Scott A. Cook, Scott Allen Cook and Brittany Ann Cook shall be awarded the other half in R. R. Kinton's Sub-Division.

Scott A. Cook, Scott Allen Cook and Brittany Ann Cook, owns all the Lots located between 21E and 26E and 27E and 32E, and therefore, shall be awarded ownership of the easement located between those Lots in R. R. Kinton's Sub-Division.

James E. Tout, Tammy Tout, and Lisa Chase, shall be awarded one-half of the easement located between Lots # 16E thru 19E and 27E thru 32E, and Scott A. Cook,

Scott Allen Cook and Brittany Ann Cook shall be awarded the other half of that particular easement in R.R. Kinton's Sub-Division.

Jeffery H. Richards and Cynthia Richards should be awarded one-half of the easement which travels between their properties located in Block G and Block F of the Patton Park Sub-Division.

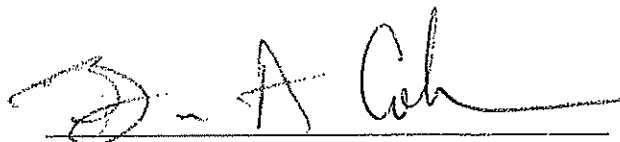
James McClain, Jr., and Lorie McClain should be awarded one-half of the easements running between their Lots located between Lots # 1C through 14C and Lots # 6D through 8D in the Patton Park Sub-Division.

Clayton McClain should be awarded one-half of the easement which runs beside his Lots # 15C and 16C in the Patton Park Sub-Division.

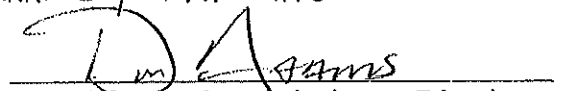
Patton Park, Inc. should be awarded one-half of the easements which runs between its property Lots # 1E through 6E; 5F through 7F; 1D through 5D; and 9D through 10D in the Patton Park Sub-Division.

NOW, THEREFORE, BE IT ORDAINED that the easements identified above, shall be vacated, and shall from this date forward be considered private property of the applicants.

Dated this 6th day of November, 20 23.


Bryan Collier, Commissioner District #1
AKA Bryan A. Collier


Kenny Hale, Commissioner District #2


Don Adams, Commissioner District #3

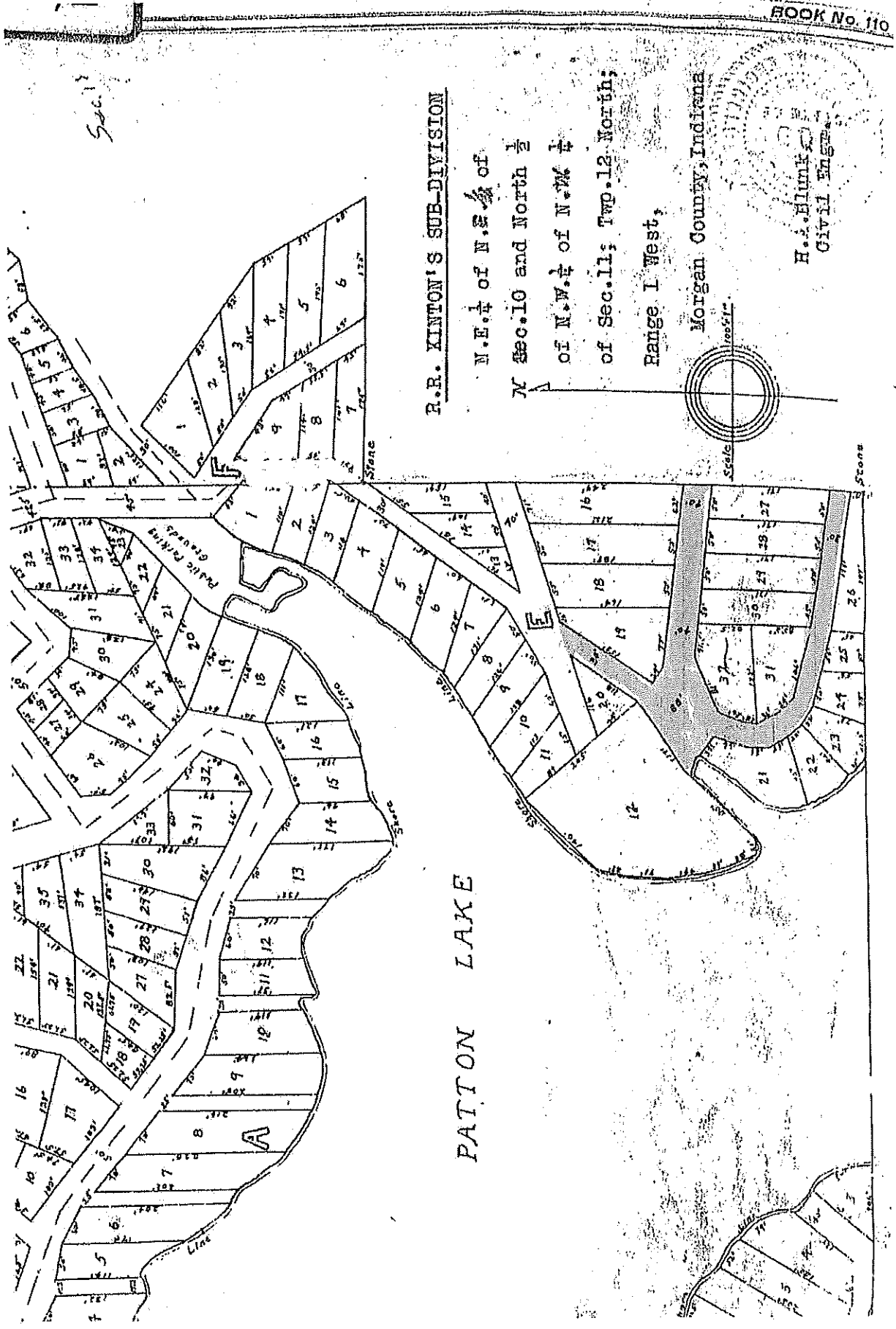
ATTEST:



Linda Pruitt, Auditor

Prepared By:

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R.R. KINTON'S SUB-DIVISION

N.E. $\frac{1}{4}$ of N.E. $\frac{1}{4}$ of
 N Sec. 10 and North $\frac{1}{2}$
 of N.W. $\frac{1}{4}$ of N.W. $\frac{1}{4}$
 of Sec. 11; Twp. 12 North;
 Range 1 West,

Morgan County, Indiana

H.A. Blunk
 Civil Engineer

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

11 DAY OF Jan 2024

Conda Pruitt
AUDITOR, MORGAN COUNTY

Patton Park Subdivision

Yellow
Closed
SP1, + Eaton owners

28

20