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ONLY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER

JUL 28 11 24 AM '99

JUL 28 1999

WAYNE E. EULER
RECORDER LAPORTE CO.

99-16823

Wayne E. Euler
LAPORTE COUNTY AUDITOR

ORDINANCE NO. 99-7

Enacted on the 27th day of July, 1999

AN ORDINANCE PROVIDING FOR THE VACATION OF A PORTION OF WILD CHERRY DRIVE LYING BETWEEN LOTS 33 AND 34 IN RUSTIC HILLS II AND III SUBDIVISION IN THE COUNTY OF LAPORTE, INDIANA.

WHEREAS, James Butler and Kelley Butler have filed a petition with the LaPorte County Board of Commissioners, under the provisions of Indiana Code 36-7-3-12 and 36-7-3-13 for the vacation of a portion Wild Cherry Drive, lying between Lots 33 and 34 in Rustic Hills II and III Subdivisions as recorded in Plat Book 19 Page 58 and in Plat Book 20, Page 1 respectively, and legally described as shown in Exhibit A attached hereto and made a part hereof by reference, as now located; and

WHEREAS, notice of a hearing before said Board has been published in the LaPorte Herald Argus in its issue of May 14, 1999, said publication being at least ten (10) days before the date of this hearing; and

WHEREAS, no remonstrances to the vacation of said portion of Wild Cherry Drive have been filed with the Auditor of the County of LaPorte, Indiana; and

WHEREAS, your petitioner has paid for the costs of publication of the notice of this hearing, as provided by statute; and

WHEREAS, it is desirable and in the best interests of the County of LaPorte, Indiana, to vacate said portion of Wild Cherry Drive and this will not materially damage the adjoining property, and will relieve the County of the responsibility of maintaining the same, and will add the property vacated to the tax rolls of the County of LaPorte, Indiana.

NOW THEREFORE, BE IT ORDAINED BY THE LAPORTE COUNTY BOARD OF COMMISSIONERS of LaPorte County, Indiana, as follows:

SECTION 1.

That portion of Wild Cherry Drive lying between Lots 33 and 34

in Rustic Hills II and III Subdivisions said portion Wild Cherry Drive being more particularly described as follows:

See Exhibit A

is hereby vacated, and in accordance with the law of the State of Indiana, the fee simple title to the vacated portion of Wild Cherry Drive reverts to the adjoining property owners.

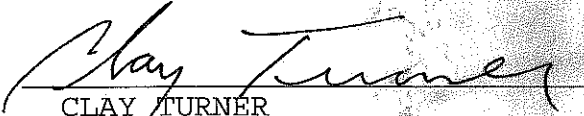
SECTION 2.

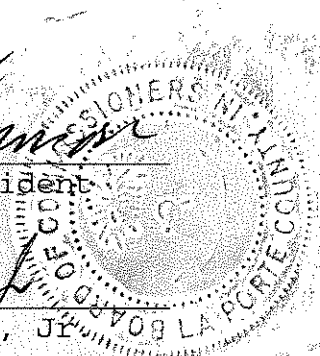
This ordinance shall be in full force and effect after the date of its passage and approval.

PASSED AND ADOPTED by the LAPORTE COUNTY, BOARD OF COMMISSIONERS of LaPorte County, Indiana, this 27th day of July, 1999.

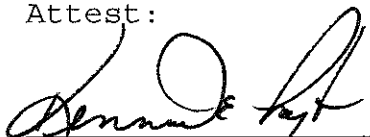

MARLOW HARMON, President


H.C. 'Bud' Kintzele, Jr.


CLAY TURNER



Attest:


KENNETH E. LAYTON, Auditor

Description For:

Vacation of Wild Cherry Drive

A parcel of land being part of Wild Cherry Drive, as shown on the Recorded Plat of Rustic Hills Third Addition, as recorded in Plat Book 20, page 1 in the Office of the Recorder, more particularly described as follows:

Starting at the Southeast Corner of Lot 33 in Rustic Hills Third Addition, for the point of beginning;

THENCE: S 00° 26' 15" E , along the East line of Rustic Hills Third Addition, a distance of 50.00' to the Northeast corner of Lot 34 in Rustic Hills Second Addition, as recorded in Plat Book 19, page 58, in the Office of the LaPorte County Recorder;

THENCE: S 89° 33' 45" W , along the Northerly line of Lot 34, also being the Southerly line of Wild Cherry Drive, a distance of 47.77' to the point of curvature to the left;

THENCE: NORTHWESTERLY , continuing along the Northerly line of Lot 34 and the Southerly line of Wild Cherry Drive a distance of 131.04', chord of said curve bears N 71° 14' 14" W, a distance of 126.24' and has a radius of 191.93;

THENCE: NORTHWESTERLY , continuing along the curved Northerly line of Lot 34 and the Southerly line of Wild Cherry Drive, a distance of 51.95', chord of said curve bears N 59° 52' 12" W, a distance of 51.79' and has a radius of 190.00';

THENCE: SOUTHWESTERLY , continuing along the curved Northerly line of Lot 34 and the Southerly line of Wild Cherry Drive a distance of 86.89', chord of said curve bears S 50° 03' 26" W, a distance of 70.79' and has a radius of 40.00', said point lying on the Easterly line of Rustic Drive;

THENCE: N 14° 35' 30" W , a distance of 140.96' to a point on the Easterly line of Rustic

Drive and the Southerly line of
Lot 33 in Rustic Hills Third
Addition;

- THENCE: SOUTHEASTERLY , along the curved southerly line
of Lot 33 and the Northerly line
of Wild Cherry Drive a distance
of 39.26', chord of said curve
bears S 46° 31' 40" E, a distance
of 39.26', and has a radius of
30.00';
- THENCE: SOUTHEASTERLY , continuing along the curved
southerly line of Lot 33 and the
Northerly line of Wild Cherry
Drive, a distance of 148.15',
chord of said curve bears S 69°
43' 45" E, a distance of 145.81'
and has a radius of 240.00';
- THENCE: SOUTHEASTERLY , continuing along the curved
Southerly line of Lot 33 and the
Northerly line of Wild Cherry
Drive, a distance of 95.18',
chord of said curve bears S 71°
14' 14" E, a distance of 93.41'
and has a radius of 141.93';
- THENCE: N 89° 33' 45" E , continuing along the southerly
line of Lot 33 and the Northerly
line of Wild Cherry Drive, a
distance of 47.77' to the point
of beginning.

Containing 0.38 Acres, more or less, subject to all legal easements.