

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO VACATE A PORTION OF NEVER-CONSTRUCTED  
MORRIS STREET IN THE E.D. MORSE'S ADDITION TO YORKTOWN, INDIANA**

WHEREAS, Anthoney R. Terry, Petitioner herein, has filed his Petition with the Clerk/Treasurer of the Town of Yorktown, Indiana to vacate a portion of never-constructed Morris Street in the Plat of E.D. Morse's Addition to Yorktown, Indiana, a plat of which is recorded in Plat Book 3, page 10 in the records of Plats of Delaware County, Indiana. Said portion of Morris Street to be vacated is more specifically described as follows, to-wit:

Beginning at the Southeast corner of Lot Number One (1) in Block Number One (1) in E.D. Morse's Addition to Yorktown, Indiana, a plat of which is recorded in Plat Book 3, page 10 in the records of plats of Delaware County, Indiana and thence Southeasterly along the West line of Vine Street to the Northeast corner of Lot Number One (1) in Block Number Five (5) in E.D. Morse's Addition to Yorktown, Indiana; thence Southwesterly along the North line of Lots Numbered One (1), Two (2), Three (3), Four (4), Five (5), Six (6) and Seven (7) in Block Number Five (5) in E.D. Morse's Addition to Yorktown, Indiana, the same being the Northwest corner of said Lot Number Seven (7); thence Northwesterly along the East line of Plum Street to the Southwest corner of Lot Number Seven (7) in Block Number One (1) in E.D. Morse's Addition to Yorktown, Indiana; thence Northeastwardly along the South line of Lots Numbered Seven (7), Six (6), Five (5), Four (4), Three (3), Two (2) and One (1) in Block Number One (1) in E.D. Morse's Addition to Yorktown, Indiana to the place of beginning;

and

WHEREAS, notice of the Petition has been published in *The Star Press* as required by law and notice has been given to all adjoining property owners by certified mail, return receipt requested; and

WHEREAS, said public way was never constructed or used for the purpose for which it was dedicated and is not now used for such purpose; and

WHEREAS, said public way is not necessary to the growth of the Town of Yorktown, Indiana; and

WHEREAS, the vacation of said portion of said Morris Street will not leave the real estate of any other owner of real estate without ingress or egress by means of a public way or street; and

WHEREAS, the vacation of said Morris Street will not cut off the public's access to any church, school, or other public building or ground.

NOW, THEREFORE, BE IT ORDAINED by the Yorktown Town Council as follows:

SECTION 1: Morris Street as platted to extend from the West line of Vine Street in Yorktown, Indiana to the East line of Plum Street in Yorktown, Indiana is hereby vacated, subject to all restrictions of record and all existing public utility easements that may be in existence at this time.

SECTION 2: This Ordinance shall become effective upon its passage by the Yorktown Town Council, at which time the Clerk/Treasurer shall furnish a copy of this Ordinance to the Petitioner so that Petitioner can file the Ordinance with the County Auditor and deliver to the Recorder of Delaware County for recording.

SECTION 3: Upon the passage of this ordinance as the vacated Morris Street in the E.D. Morse's Addition to Yorktown, Indiana located between Vine Street and Plum Street as prescribed by Indiana law, the North half of said vacated Street shall be owned by Anthoney R. Terry as it adjoins property owned by Anthoney R. Terry and American Housing Trust III shall be the owner of the North half of vacated Morris Street as it adjoins property owned by American Housing Trust III. The South half of Morris Street shall be owned by James Daugherty as it adjoins property owned by James Daugherty and the South half of vacated Morris Street shall be owned by Maurice J. Masters and Beverly Sue Masters, husband and wife as it adjoins property owned by Maurice J. Masters and Beverly Sue Masters, husband and wife.

SECTION 4: A copy of the aerial photo of Delaware-Muncie Metropolitan Plan Commission showing vacated Morris Street and the owners adjoining said vacated Morris Street is incorporated and made a part of this Ordinance.

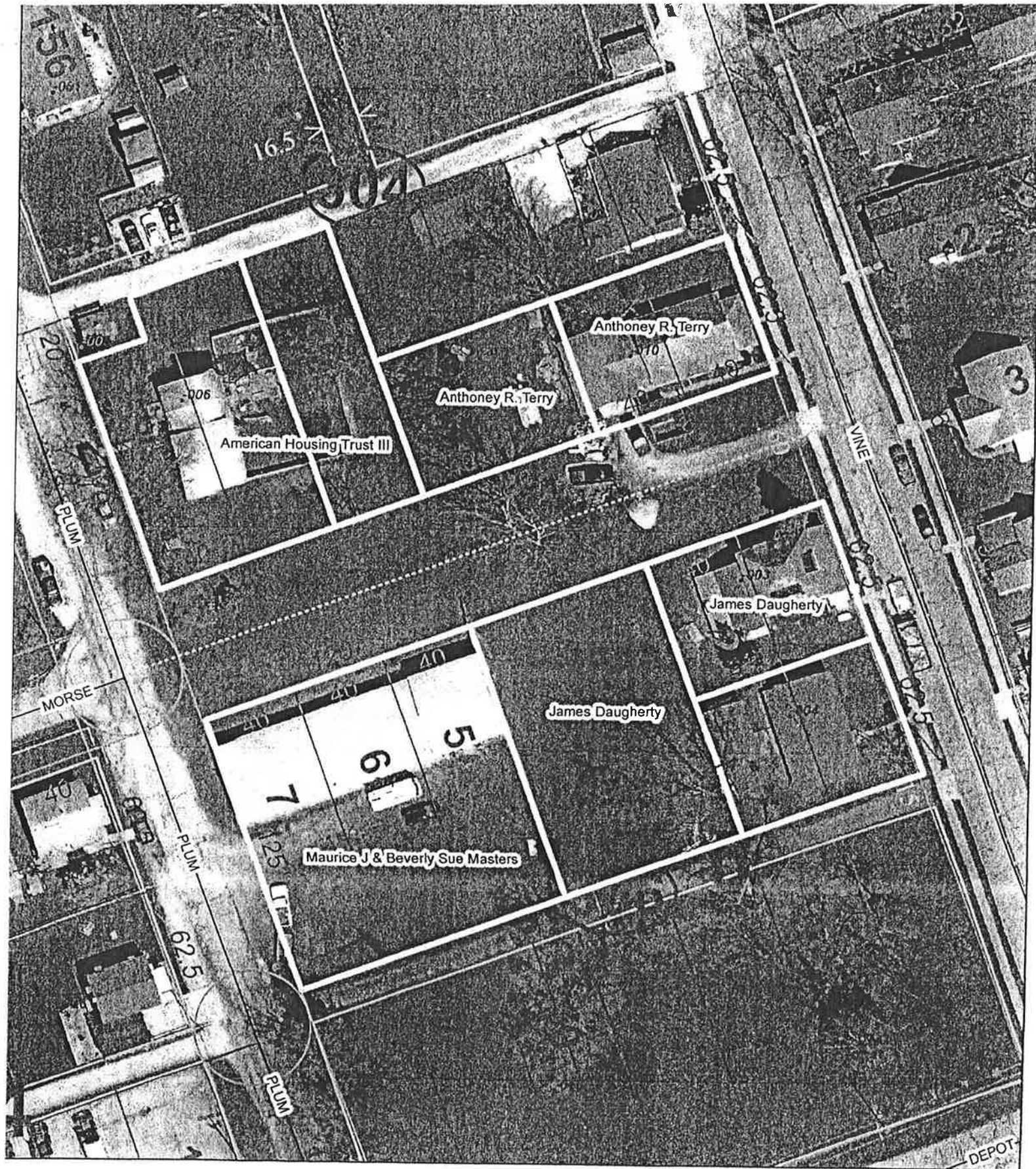
Passed by the Yorktown Town Council this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
Rich Lee, President

\_\_\_\_\_  
Robert Ratchford, Vice President

\_\_\_\_\_  
Laura Vise

\_\_\_\_\_  
Robert Flanagan



Delaware-Muncie  
Metropolitan Plan  
Commission  
180 West State Street, Room 206  
Delaware County Building  
Muncie, IN 47302-2217  
(765) 343-7776

## Delaware County

Indiana

Created using Delaware County's Geographic Information System (GIS).  
Map features are graphic representations only, refer to plats, deeds and surveys for official information.

