STATE OF INDIANA)	BEFORE THE TOWN COUNCIL FOR TI	HE
DELAWARE COUNTY)	TOWN OF YORKTOWN, INDIANA	
) SS:		
IN RE:)		
PETITION TO VACATE)		

<u>PETITION TO VACATE AN UNIMPROVED PLATTED ALLEY</u> <u>IN THE TOWN OF YORKTOWN, DELAWARE COUNTY, INDIANA</u>

The Petitioner, Ronald Fauquher (the "Petitioner"), respectfully petitions the Town Council for the Town of Yorktown, Indiana, (the "Council"), to vacate the 16.5-foot-wide alley at the East side of West Street, as shown by the Original Plat of Town of Yorktown, as shown by the Records of Delaware County, Indiana, as more specifically described herein and, in support thereof, state and reference the property to be vacated as follows:

1. The Petitioner, Ronald Fauquher, owns the following real estate located in the Town of Yorktown, Delaware County, Indiana, ("Parcel A"):

LEGAL DESCRIPTION: Lots Numbered 111, 112, 113, and 114 and a strip of ground

8 feet wide heretofore vacated, the strip being a part of Canal Street adjoining said lots on the North end thereof, all in the Town of Yorktown, Indiana, excepting therefrom, the South 90 feet of Lot Numbered 111 and also excepting therefrom,

the South 90 feet of Lot Numbered 112.

COMMON ADDRESS: 2

2130 South West Street

Yorktown, Indiana 47396

PARCEL ID NOS.:

18-10-22-153-003.000-017 18-10-22-153-013.000-017

18-10-22-153-012.000-017

which Parcel A abuts a part of the platted and unimproved alley located immediately South of a portion of Parcel A and East of West Street (the "Vacation Area").

- 2. The Petitioner seeks to vacate said Vacation Area in the Town of Yorktown as shown on the survey drawing attached hereto as **EXHIBIT A**, and to have such Vacation Area revert according to the laws of the State of Indiana.
- 3. The aforementioned area of which the Petitioner seeks to vacate is legally described as follows:

Beginning at the Southeast corner of Lot 113 of the Original Plat of Yorktown; thence South 19 degrees 55 minutes 57 seconds East 16.50 feet (assumed bearing) to the Northeast corner of Lot 112 in said Yorktown; thence South 70 degrees 04 minutes 03 seconds West 132.00 feet to the Northwest corner of Lot 111; thence North 19 degrees 55 minutes 57 seconds West 16.50 feet to the Southwest corner of Lot 114; thence North 70 degrees 04 minutes 03 seconds East 132.00 feet to the point of beginning, containing 0.05 acres (2178.59 square feet), more or less.

- 4. The Vacation Area is unimproved.
- 5. The following names and mailing addresses are all of the owners of land that abuts the Vacation Area:

RONALD FAUQUHER 9001 W LONE BEECH MUNCIE, IN 47304

- 6. The vacation of the Vacation Area is subject to any easements of record or otherwise currently and lawfully enjoyed by any and all public utilities, including, but not limited to water, storm water, drainage, electricity, telecommunications, natural gas, cable television, and internet, which existing easement rights shall survive the vacation.
 - 7. The vacation of the Vacation Area will not:
 - (a) hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous;
 - (b) make access to the lands of any person by means of public way difficult or inconvenient;

- (c) hinder the public's access to a church, school, or other public building or place; or
- (d) hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous.

WHEREFORE, the Petitioner, Ronald Fauquher, respectfully requests that the abovedescribed Vacation Area be vacated and revert according to the laws of the State of Indiana, by ordinance of the Town Council for the Town of Yorktown, Delaware County, Indiana.

The undersigned Petitioner affirms under the penalties of perjury that the foregoing representations are true to the best of their respective knowledge and belief.

Bv:

Ronald Fauquher 9001 West Lone Beech Muncie, Indiana 47304

DATED: 4(5/24

For office use only.

The foregoing Petition to Vacate was received by the Town of Yorktown, Delaware County, Indiana, on the 19th day of APRIL , 2024.

By:

S: ASSISTANT

Ronald Fauquher - Petition to Vacate
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TY

A vacation of an alley at the East side of West Street as shown by the Original Plat of Yorktown and shown by the Records of Delaware County, Indiana, described as follows:

Beginning at the Southeast corner of Lat 113 of the Original Plat of Yorktown; thence South 19 degrees 55 minutes 57 seconds East 16,50 feet (assumed bearing) to the Northeast corner of Lat 112 in said Yorktown; thence South 70 degrees 04 minutes 03 seconds West 132.00 feet to the Northwest corner of Lat 111; thence North 19 degrees 55 minutes 57 seconds West 16,50 feet to the Southwest corner of Lat 111; thence North 19 degrees 55 minutes 57 seconds West 16,50 feet to the Southwest corner of Lat 114; thence North 70 degrees 04 minutes 03 seconds East 132.00 feet to the point of beginning, containing 0.05 acres (2178.59 square feet), more or less.

Dated: March 8, 2024

Fax:

5 W Washington S nicie, IN 47305 765-282-5594 x: 765-282-5596

PRO FORMA SURVEY
This drawing is not intended to be represented as a retracement or original boundary survey, a route survey, or a Surveyor Location Report

7(...) Ab. 1 Course Registered Land Surveyor LS80040149 Haldon L. Ashton

- Flood Zone: A The within that Special Flood Hazard Zone A The within tract does not like within that Special Flood Hazard Zone A as said tract plots by scale on Community Panel #18035C0235D of the Flood Insurance Rate Maps for Delaware County, Indiana (Maps Dated: 7/4/2011).

 The minimum flood risk was verified by the INDNR Flood Plain Information Parall-dated: 3/6/2024.

 Ownership shown herein is per County Records or as indicated in title work provided by others.

0	0	0	0	0	0	(A)	((9)	0	Θ
5/8" HLA	5/8" HIA	5/8" HIA	HU.	¥	MAG NAIL	1/2" REBAR	5/8" REBAR	1/2" REBAR	5/8" REBAR	5/8" REBAR
NEW	NEW	NEW	6000	0000	COOD	0000	GOOD	COOD	6000	GOOD
SET	SET	SET	3.11" OFF R/W	0.53" OFF R/W	0.39' OFF R/W	недо	HELD	5.78" N 1.52" E	0.23" N	DELWICE TOWNS
AT CRADE	AT CRADE	AT GRADE	AT GRADE	AT GRADE	AT GRADE	AT GRADE	AT GRADE	AT GRADE	AT GRADE	AT GRADE

ALLEY VACATION 2130 S WEST STREET YORKTOWN, IN

offrm, under the penalties for perjuty, that have taken reasonable care to redoct each Social Security fumber in this document. unless required by law, Holdon L. Ashton



SECTION CORNER COOKDINATES ARE BASED ON BIDMAN STATE PLANE BAST ZONE (NORTH AMERICAN DATUM OF 1983, CORS 88 EPOC 2002.000) Revisions

Drawn: 01/1/24
Labs: 2024/93
Clent: Ron Fauguher
Owner: Rondl Fauguher
Owner: Rondl Fauguher
Crew: CB
Electronic Field Book
Field Date: 03/05/24

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