

AN ORDINANCE OF THE CITY OF ROCKPORT, INDIANA TO VACATE A CERTAIN ALLEY IN THE CITY OF ROCKPORT, INDIANA

BE IT ORDAINED by the Common Council of the City of Rockport, Spencer County, Indiana, as follows, to-wit:

Section One. That pursuant to I.C. Section 36-7-3-12, a Petition to Vacate Alley has been presented to the Common Council of the City of Rockport, Indiana by Robert L. Lindsey and Betty J. Lindsey of 311 South Eighth Street, Rockport, Indiana 47635.

Section Two. That the alley petitioned to be vacated is more particularly described as follows:

Beginning at the southwest corner of Lot A of the Subdivision of Lot Two (2) in Lewis G. Smith's Addition to the Town (now City) of Rockport, running thence east 166 feet to the southeast corner of Lot C of Subdivision Lot Two (2) in Lewis G. Smith's Addition to the Town (now City) of Rockport, thence south 12 feet to the northeast corner of Lot D in the Subdivision of Lot Two (2) in Lewis G. Smith's Addition to the Town (now City) of Rockport, thence west 166 feet to the northwest corner of Lot D in Subdivision of Lot Two (2) in Lewis G. Smith's Addition the Town (now City) of Rockport, thence north 12 feet to the place of beginning which is .057 acres, more or less.

Section Three. That after due and proper notice, a timely public hearing was convened by the Common Council of the City of Rockport, Indiana, at which time all interested person were permitted to address the Council regarding the vacation thereof.

Section Four. That the Common Council of the City of Rockport, Spencer County, Indiana, after due investigation and consideration, has determined that the above-described alley has not been used by the public, that the alley, running east from South Eighth Street, in not a through alley, and that the alley serves no public purpose, use, or interest. The Common Council further determines that the above-described alley has no use for municipal utilities.

THEREFORE, Common Council of the City of Rockport, Spencer County, Indiana, does hereby find that the above-described alley is not required for public use and that the public interest will be served by the vacation of such alley, and the Common Council of the City of Rockport, Spencer County, Indiana does hereby vacate said alley described above.

ADOPTED this 7th day of February, 2011. This ordinance shall be in full force and effect upon and after its passage, approval, and publication in accordance with law.

Common Council:

Jackie N. Morrison

Ferman Yearby, III

Ferman Yearby, III

Julie F. Payne

Julie F. Payne

Robert C. Mack

Robert C. Mack

Connie L. Hargis

Connie L. Hargis

Presented by me to the Mayor of the City of Rockport, Indiana on the 16th day of February, 2011 at 4:35 o'clock p.m.

Elizabeth S. Naef

Elizabeth S. Naef

Clerk-Treasurer

Approved and signed by me this 16th day of February, 2011 at 4:36 o'clock p.m.

Harold Goffinet

Harold Goffinet, Mayor

City of Rockport