

BEFORE THE BOARD OF TRUSTEES  
TOWN OF NEW PROVIDENCE (NOW BORDEN)

IN RE THE PETITION OF ]  
RONALD W. BREWER and ]  
SARAH S. BREWER ]  
and SHIRLEY J. HURST, ]

ORDINANCE NO. 98-12-08-1  
VACATING PART OF MARKET STREET

Whereas, the petitioners, having filed their petition to vacate part of Market Street; and,

Whereas, notice was published as required by law in The Evening News on November 28, 1998, being 10 days prior to this date; and,

Whereas, a hearing was held by the Board of Trustees, Tow of New Providence (now Borden) on this date at 6:00 o'clock p.m. at the Town Hall to consider the aforesaid petition; and,

Whereas, there was no opposition to said petition and the Trustees of the Town find that it is in the best interests of the Petitioners and the Town that said portion of Market Street be vacated.

NOW, BE IT RESOLVED, by the Trustees of the Town of New Providence (now Borden) that the following portion of Market Street in the Town of New Providence (now Borden), Clark County, Indiana, described as follows:

Being a part of Market Street in the Town of Borden (New Providence) in the northeast 1/4 of Section 3, T-1-S, R-5-E, Clark County, Indiana, and being further described as follows: Beginning at the southeast corner of Lot 24 in t he Town of Borden (New Providence) as shown in Plat Book 3, Page 60 of said county records, Thence S. 23 deg. 56' W., along the west Right-of-Way line of Market Street, 419.65 feet to a steel pin on the south Right-of-Way line of State Highway #60, THE TRUE PLACE OF BEGINNING. Thence S. 66 deg. 34' E., along the south Right-of-Way line, 49.5 feet; Thence S. 23 deg. 55' 55" W., 180 feet, more or less, to the centerline of Muddy Fork; Thence westerly, along said centerline, 53 feet, more or less, to the southeast corner of Lot 55 in said town; Thence N. 23 deg. 56' E., along the east line of said lot, 200 feet, more or less, to THE TRUE PLACE OF BEGINNING. Containing 9400 square feet, more or less, and being subject to all easements of record.

is hereby vacated.

Passed this 8th day of December, 1998.

BOARD OF TRUSTEES  
TOWN OF NEW PROVIDENCE  
(NOW BORDEN)

Myna W. Powell, President  
John R. Hager, Vice President  
Jack Jordan

ATTEST:

Ruth Sparks  
Ruth Sparks,  
Clerk-Treasurer

c:\client\re\vacation\ordinance

BEFORE THE BOARD OF TRUSTEES  
TOWN OF NEW PROVIDENCE (NOW BORDEN)

IN RE THE PETITION OF ]  
RONALD W. BREWER AND ]  
SARAH S. BREWER ]  
HUSBAND AND WIFE ]  
AND SHIRLEY J. HURST ]

AMENDED  
PETITION TO VACATE STREET

TO: BOARD OF TRUSTEES, TOWN OF NEW PROVIDENCE (NOW BORDEN).

1. That they are the owners of the following described real estate in the County of Clark and State of Indiana, to-wit:

Lot No. 54 in the town of New Providence commonly called Borden, Indiana..

ALSO, Being a part of Lot 55 in the Town of New Providence (commonly called Borden), Indiana.

2. That your petitioners respectfully petition the Board to vacate a portion of a street more particularly described as follows:

Being a part of Market Street in the Town of Borden (New Providence) in the northeast 1/4 of Section 3, T-1-S, R-5-E, Clark County, Indiana, and being further described as follows: Beginning at the southeast corner of Lot 24 in the Town of Borden (New Providence) as shown in Plat Book 3, Page 60 of said county records, Thence S. 23 deg. 56' W., along the west Right-of-Way line of Market Street, 419.65 feet to a steel pin on the south Right-of-Way line of State Highway #60, THE TRUE PLACE OF BEGINNING. Thence S. 66 deg. 34' E., along the south Right-of-Way line, 49.5 feet; Thence S. 23 deg. 55' 55" W., 180 feet, more or less, to the centerline of Muddy Fork; Thence westerly, along said centerline, 53 feet, more or less, to the southeast corner of Lot 55 in said town; Thence N. 23 deg. 56' E., along the east line of said lot, 200 feet, more or less, to THE TRUE PLACE OF BEGINNING. Containing 9400 square feet, more or less, and being subject to all easements of record.

3. That said street sought to be vacated is bound on each side as follows:

A. On the westerly side by real estate owned by Shirley J. Hurst, the unmarried widow

of Wayne E. Hurst, deceased.

B. On the easterly side by real estate owned by Ronald W. Brewer and Sarah S. Brewer, husband and wife.

C. On the southerly side by real estate owned by Ronald W. Brewer and Sarah S. Brewer, husband and wife.

D. On the northerly side by State Road 60.

4. That Petitioners would further that said street sought to be vacated is not necessary to the growth of the community or Town of New Providence; that it is not needed in its present location as a means of ingress and egress to other real estate, or churches, schools, or other public places or grounds.

WHEREFORE, your petitioners pray that the above mentioned street as shown in the Town of New Providence, as hereinabove described, be vacated and they be granted all other further proper relief in the premises.

Dated: November 12, 1998.

Ronald W. Brewer (SEAL)  
Ronald W. Brewer  
Sarah S. Brewer by  
Ronald W. Brewer her Guardian (SEAL)  
Sarah S Brewer, by Ronald W. Brewer  
Her Guardian

Shirley J. Hurst (SEAL)  
Shirley J. Hurst