

ORDINANCE TO VACATE

A PART OF NORTH STREET, BLUE JAY DRIVE FORMERLY KNOWN AS MULBERRY STREET, AND UNIMPROVED ALLEYS IN MONROE TOWNSHIP, DELAWARE COUNTY, INDIANA

WHEREAS, The Andersons, Inc., an Ohio corporation (“Petitioner”), filed its Petition for Vacation of a part North Street, an unimproved street, Blue Jay Drive, formerly known as Mulberry Street, and certain unimproved alleys in Monroe Township, Delaware County, Indiana; and

WHEREAS, Petitioner is proposing to vacate the following described part of North Street:

Beginning at the northwest corner of Lot 1 in Pleasant Hill, now Oakville, as shown by the Records of Delaware County, Indiana, and being on the easterly right-of-way line of the Norfolk & Southern Railroad; thence north 00 degrees 38 minutes 56 seconds west 60.00 feet; thence north 89 degrees 54 minutes 00 seconds east 338.00 feet; thence south 00 degrees 38 minutes 56 seconds east 60.00 feet; thence south 89 degrees 54 minutes 00 seconds west 338.00 feet along the north line of Lots 1 and 13 in Pleasant Hill to the point of beginning

which portion of North Street is bounded on the north, east and south by real estate owned by Petitioner, an unused portion of Blue Jay Drive being 60 feet wide to the south, and by the easterly right-of-way line of the Norfolk & Southern Railroad to the west, as shown on Petitioner’s Exhibit A; and

WHEREAS, Petitioner is also proposing to vacate the following described part of Blue Jay Drive:

Beginning at the northeast corner of Lot 4 in Pleasant Hill, now Oakville, as shown by the Records of Delaware County, Indiana; then north 00 degrees 38 minutes 56 seconds west 146.00 feet along the east line of Lots 1 and 2 in Pleasant Hill; thence north 89 degrees 54 minutes 00 seconds east 60.00 feet to the northwest corner of Lot 13 in Pleasant Hill; thence south 00 degrees 38 minutes 56 seconds east 146.00 feet along the west line of Lots 13 and 14 in Pleasant Hill; thence south 89 degrees 54 minutes 00 seconds west 60.00 feet to the point of beginning

which portion of Blue Jay Drive is bounded by real estate owned by Petitioner and by certain unused and unimproved alleys on the east and west, the above-referenced unused and unimproved portion of North Street to the north, and by the continuance of Blue Jay Drive to the South, as shown on Petitioner’s Exhibit A; and

WHEREAS, Petitioner is also proposing to vacate the following unimproved alley (“Alley 1”):

Beginning at the northwest corner of Lot 3 in Pleasant Hill, now Oakville, as shown by the Records of Delaware County, Indiana; then north 00 degrees 38 minutes 56 seconds west 14.00 feet to the southwest corner of Lot 2 in Pleasant Hill; thence north 89 degrees 54 minutes 00 seconds east 132.00 feet along the south line of Lot 2 in Pleasant Hill; thence south 00 degrees 38 minutes 56 seconds east 14.00 feet to the northeast corner of Lot 4 in Pleasant Hill; thence south 89 degrees 54 minutes 00 seconds west 132.00 feet along the north line of Lots 3 and 4 in Pleasant Hill to the point of beginning

which Alley 1 is bounded by real estate owned by Petitioner to the north and south, by the easterly right-of-way line of the Norfolk & Southern Railroad to the west, and by Blue Jay Drive to the east as shown on Petitioner’s Exhibit A; and

WHEREAS, Petitioner is also proposing to vacate the following unimproved alley (“Alley 2”):

Beginning at the northeast corner of Lot 13 in Pleasant Hill, now Oakville, as shown by the Records of Delaware County, Indiana; thence north 89 degrees 54 minutes 00 seconds east 14.00 feet; thence south 00 degrees 38 minutes 56 seconds east 132.00 feet; thence south 89 degrees 54 minutes 00 seconds west 14.00 to the southeast corner of Lot 14 in Pleasant Hill; then north 00 degrees 38 minutes 56 seconds west 132.00 feet to the place of beginning

which Alley 2 is bounded by real estate owned by Petitioner to the north and west, and by that certain real estate owned by First Brethren Church of Oakville, Indiana, Inc. f/k/a First Bethel Church of Oakville to the east and south, as shown on Petitioner’s Exhibit A; and

WHEREAS, Petitioner is also proposing to vacate the following unimproved alley (“Alley 3”):

Beginning at the northwest corner of Lot 15 in Pleasant Hill, now Oakville, as shown by the Records of Delaware County, Indiana; then north 00 degrees 38 minutes 56 seconds west 14.00 feet to the southwest corner of Lot 14 in Pleasant Hill; thence north 89 degrees 54 minutes 00 seconds east 115.50 feet along the south line of Lot 14 in Pleasant Hill; thence south 00 degrees 38 minutes 56 seconds east 14.00 feet; thence south 89 degrees 54 minutes 00 seconds west 115.50 feet along the north line of Lots 15 and 16 in Pleasant Hill to the point of beginning

which Alley 3 is bounded by real estate owned by Petitioner to the north, by Blue Jay Drive to the west, by Lot 15 and a portion of Lot 16 of Pleasant Hill owned by Charles M. and Dorothy Holsinger to the south, and by that certain real estate owned by First Brethren Church of Oakville, Indiana, Inc. f/k/a First Bethel Church of Oakville to the east, as shown on Petitioner's Exhibit A;

WHEREAS, Petitioner, Norfolk Southern Railway Company, Charles M. and Dorothy Holsinger, and First Brethren Church of Oakville, Indiana, Inc. f/k/a First Bethel Church of Oakville are the owners of land which abuts the public ways proposed for vacation; and

WHEREAS, a public hearing was held, after due notice was given as required by law, on May 4, 2015; and

WHEREAS, the vacation will not hinder the growth or orderly development of the neighborhood in which it is located; it will not make access to the lands of any person by public way difficult or inconvenient; it will not hinder the public's access to any church, school, or other public building or place; and it will not hinder the use of any public way by the public in the neighborhood in which it is located or to which it is contiguous.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Delaware, Indiana, as follows:

Section 1. That the public ways more particularly described as follows:

That portion of North Street beginning at the northwest corner of Lot 1 in Pleasant Hill, now Oakville, as shown by the Records of Delaware County, Indiana, and being on the easterly right-of-way line of the Norfolk & Southern Railroad; thence north 00 degrees 38 minutes 56 seconds west 60.00 feet; thence north 89 degrees 54 minutes 00 seconds east 338.00 feet; thence south 00 degrees 38 minutes 56 seconds east 60.00 feet; thence south 89 degrees 54 minutes 00 seconds west 338.00 feet along the north line of Lots 1 and 13 in Pleasant Hill to the point of beginning;

That portion of Blue Jay Drive beginning at the northeast corner of Lot 4 in Pleasant Hill, now Oakville, as shown by the Records of Delaware County, Indiana; then north 00 degrees 38 minutes 56 seconds west 146.00 feet along the east line of Lots 1 and 2 in Pleasant Hill; thence north 89 degrees 54 minutes 00 seconds east 60.00 feet to the northwest corner of Lot 13 in Pleasant Hill; thence south 00 degrees 38 minutes 56 seconds east 146.00 feet along the west line of Lots 13 and 14 in Pleasant Hill; thence south 89 degrees 54 minutes 00 seconds west 60.00 feet to the point of beginning;

That portion of that certain alley (Alley 1) beginning at the northwest corner of Lot 3 in Pleasant Hill, now Oakville, as shown by the Records of Delaware County, Indiana; then north 00 degrees 38 minutes 56 seconds west 14.00 feet to the southwest corner of

Lot 2 in Pleasant Hill; thence north 89 degrees 54 minutes 00 seconds east 132.00 feet along the south line of Lot 2 in Pleasant Hill; thence south 00 degrees 38 minutes 56 seconds east 14.00 feet to the northeast corner of Lot 4 in Pleasant Hill; thence south 89 degrees 54 minutes 00 seconds west 132.00 feet along the north line of Lots 3 and 4 in Pleasant Hill to the point of beginning;

That portion of that certain alley (Alley 2) beginning at the northeast corner of Lot 13 in Pleasant Hill, now Oakville, as shown by the Records of Delaware County, Indiana; thence north 89 degrees 54 minutes 00 seconds east 14.00 feet; thence south 00 degrees 38 minutes 56 seconds east 132.00 feet; thence south 89 degrees 54 minutes 00 seconds west 14.00 to the southeast corner of Lot 14 in Pleasant Hill; then north 00 degrees 38 minutes 56 seconds west 132.00 feet to the place of beginning; and

That portion of that certain alley (Alley 3) beginning at the northwest corner of Lot 15 in Pleasant Hill, now Oakville, as shown by the Records of Delaware County, Indiana; then north 00 degrees 38 minutes 56 seconds west 14.00 feet to the southwest corner of Lot 14 in Pleasant Hill; thence north 89 degrees 54 minutes 00 seconds east 115.50 feet along the south line of Lot 14 in Pleasant Hill; thence south 00 degrees 38 minutes 56 seconds east 14.00 feet; thence south 89 degrees 54 minutes 00 seconds west 115.50 feet along the north line of Lots 15 and 16 in Pleasant Hill to the point of beginning;

are hereby vacated as public ways.

Section 2. That the vacated parts of North Street, Blue Jay Drive, and those unimproved alleys in Monroe Township, Delaware County, Indiana described herein shall be subject to the right of any and all public utilities to construct, add to, maintain, replace and renew any facilities which are now located in the area vacated with the same rights with respect to said facilities as if this vacation proceeding had not been had.

Section 3. That the entirety of the vacated portions of North Street, Blue Jay Drive and Alley 1 shall become a part of the Petitioner's abutting real estate.

Section 4. That the entirety of the vacated portion of Alley 2 shall become part of Petitioner's abutting real estate known as Lots 13 and 14 of Pleasant Hill, now called Oakville, as shown in the Records of Delaware County, Indiana, where the east line of said vacated portion of Alley 2 is the east boundary line of the original plat.

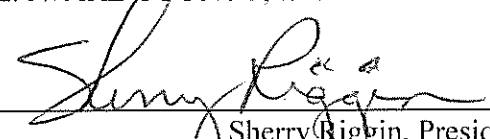
Section 5. That the north half of the vacated portion of Alley 3 (7 feet) shall become part of Petitioner's abutting real estate known as Lot 14 of Pleasant Hill, now called Oakville, as shown in the Records of Delaware County, Indiana, and the southerly half of the vacated portion of Alley

3 (7 feet) shall become part of the abutting real estate owned by Charles M. and Dorothy Holsinger and known as Lots 15 and 16 of Pleasant Hill, now called Oakville, as shown in the Records of Delaware County, Indiana.

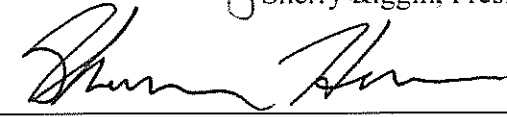
Section 6. That this ordinance shall be in full force and effect from and after its passage by the Board of Commissioners of Delaware County, Indiana and such publication as required by law.

Section 7. That this ordinance is hereby passed this 18 day of May, 2015.

BOARD OF COMMISSIONERS
DELAWARE COUNTY, INDIANA



Sherry Riggan, President



Shannon Henry, Vice President

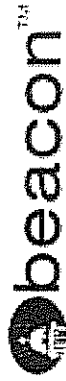
James King, Member

ATTEST:

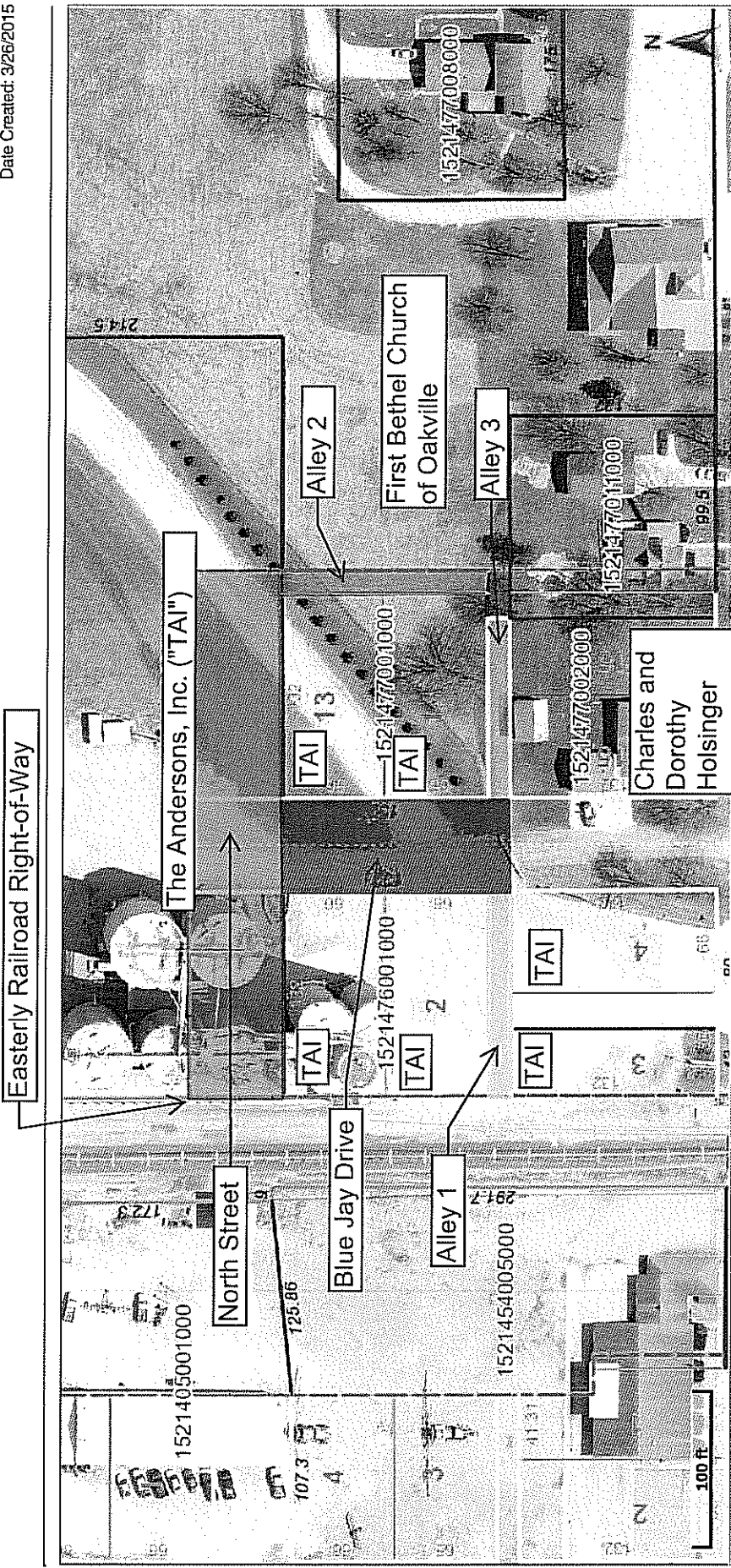

Steven G. Craycraft, Auditor
Delaware County, Indiana

Delaware County, IN

PETITIONER'S EXHIBIT A

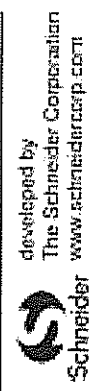


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Right of Way: Road right of way (Road ROW) are symbolized in the cadastral lines layer on the map (yellow). Only Road ROW in platted areas are shown. For un-platted areas, contact the Delaware County Engineering Department at (765) 747-7765 or in the City of Muncie contact the City Engineer's Office at (765) 747-4878.



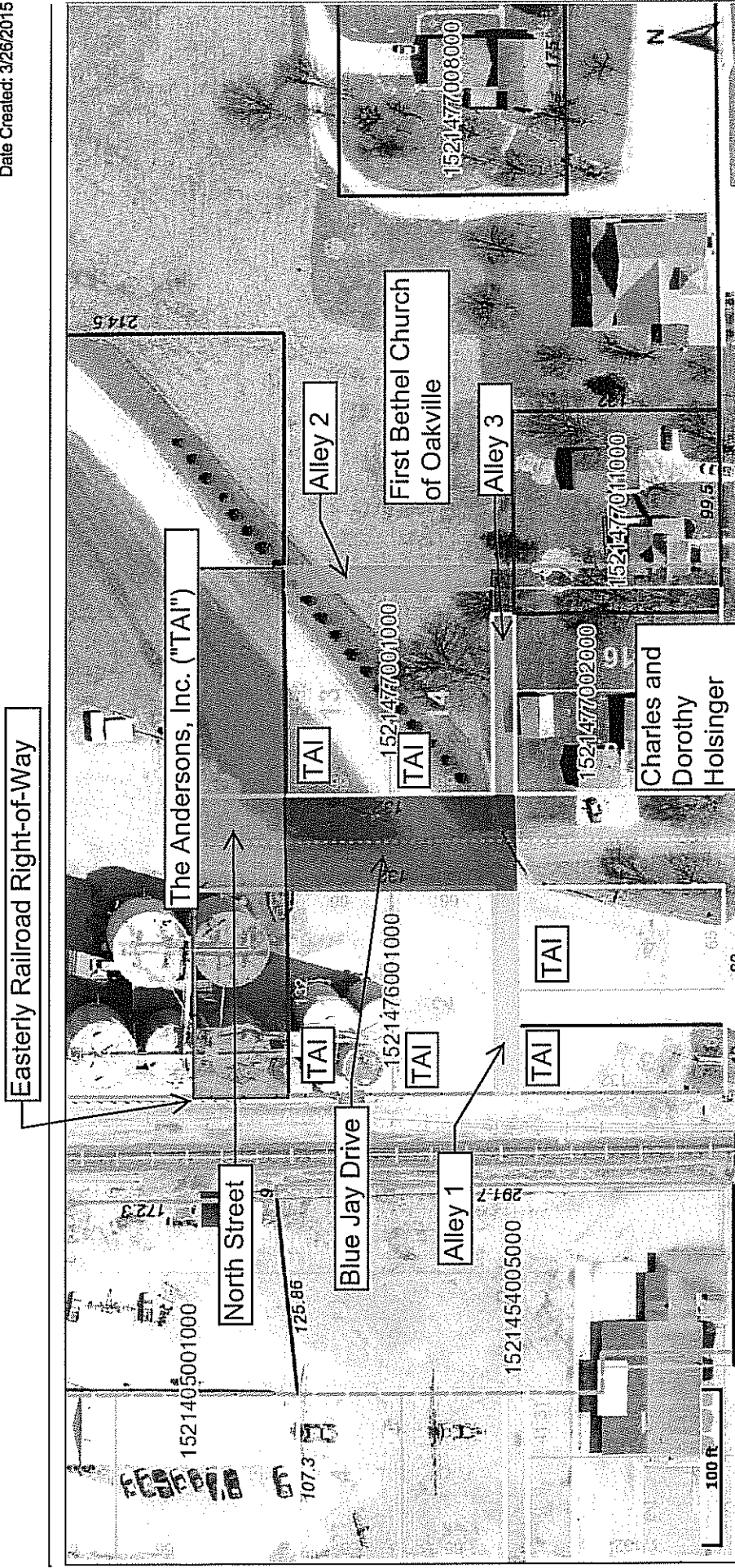
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Delaware County, IN

PETITIONER'S EXHIBIT A



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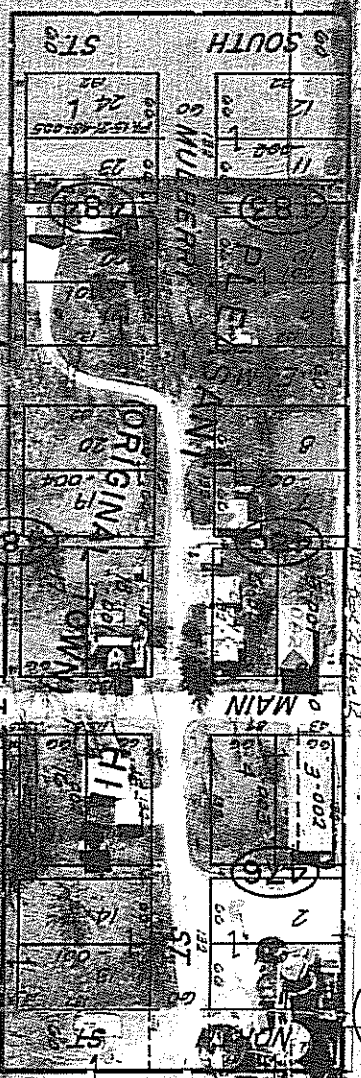
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1954 PL
2271 C
1150
20.97

485



Hill Station

500

15-22E
1075

426

1116.8
127 PL
15.15

15-22E

814

Plat of Pleasant Hill in Delaware County, Indiana.

From Boundary South East Quarter of Section No 21, T. 19 - R. 10.

		<i>North</i>	<i>St</i>	<i>60ft</i>	
		1			13
		2			14
		3	4	15	16
		<i>Main</i>	<i>St</i>	<i>60ft</i>	
		5	6	18	17
			<i>Street</i>		
		7			19
		8	<i>Malberry</i>		20
		<i>Elm</i>	<i>St</i>	<i>60ft</i>	
		9			21
		10			22
		11			23
		12			24
		<i>South</i>	<i>St</i>	<i>60ft</i>	

1/2

1/2

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The fifth of these is the fact that the defendant... (faint handwritten text)

State of Indiana, County of Delaware, I, George E. Durgan, Recorder... (printed text)

Geo. E. Durgan, Recorder

ORIGINAL

STATE OF INDIANA)
) SS:
DELAWARE COUNTY)

BEFORE THE BOARD OF COMMISSIONERS
OF THE COUNTY OF DELAWARE, INDIANA

IN RE: PETITION TO VACATE

BY THE ANDERSONS, INC, an Ohio corporation

NOTICE OF PUBLIC HEARING

On May 4, 2015 the Board of Commissioners of Delaware County, Indiana, will hold a public hearing on the matter of a petition to vacate certain public ways filed by The Andersons, Inc., an Ohio corporation requesting vacation of a part or parts of a public way, more particularly described as follow:

North Street (unimproved)

A part of the east half of the northeast quarter and a part of the east half of the southeast quarter of Section 21, Township 19 North, Range 10 East in Monroe Township, Delaware County, Indiana, described as:

Beginning at the northwest corner of Lot 1 in Pleasant Hill, now Oakville, as shown by the Records of Delaware County, Indiana, and being on the easterly right-of-way line of the Norfolk & Southern Railroad; thence north 00 degrees 38 minutes 56 seconds west 60.00 feet; thence north 89 degrees 54 minutes 00 seconds east 339.00 feet; thence south 00 degrees 38 minutes 56 seconds east 60.00 feet; thence south 89 degrees 54 minutes 00 seconds west 339.00 feet along the north line of Lots 1 and 13 in Pleasant Hill to the point of beginning.

DELAWARE CO. AUDITOR
[Signature]

Blue Jay Drive
2015

A part of the east half of the northeast quarter and a part of the east half of the southeast quarter of Section 21, Township 19 North,

Range 10 East in Monroe Township, Delaware County, Indiana, described as:

Beginning at the southeast corner of Lot 2 in Pleasant Hill, now Oakville, as shown by the Records of Delaware County, Indiana; then north 00 degrees 38 minutes 56 seconds west 146.00 feet along the east line of Lots 1 and 2 in Pleasant Hill; thence north 89 degrees 54 minutes 00 seconds east 60.00 feet to the northwest corner of Lot 13 in Pleasant Hill; thence south 00 degrees 38 minutes 56 seconds east 146.00 feet along the west line of Lots 13 and 14 in Pleasant Hill; thence south 89 degrees 54 minutes 00 seconds west 60.00 feet to the point of beginning.

Unimproved Alleys

A part of the east half of the northeast quarter and a part of the east half of the southeast quarter of Section 21, Township 19 North, Range 10 East in Monroe Township, Delaware County, Indiana, described as:

Alley 1

Beginning at the northwest corner of Lot 3 in Pleasant Hill, now Oakville, as shown by the Records of Delaware County, Indiana; then north 00 degrees 38 minutes 56 seconds west 14.00 feet to the southwest corner of Lot 2 in Pleasant Hill; thence north 89 degrees 54 minutes 00 seconds east 132.00 feet along the south line of Lot 2 in Pleasant Hill; thence south 00 degrees 38 minutes 56 seconds east 14.00 feet to the northeast corner of Lot 4 in Pleasant Hill; thence south 89 degrees 54 minutes 00 seconds west 132.00 feet along the north line of Lots 3 and 4 in Pleasant Hill to the point of beginning.

Alley 2


Beginning at the northwest corner of Lot 15 in Pleasant Hill, now Oakville, as shown by the Records of Delaware County, Indiana; then north 00 degrees 38 minutes 56 seconds west 14.00 feet to the southwest corner of Lot 14 in Pleasant Hill; thence north 89 degrees 54 minutes 00 seconds east 116.00 feet along the south line of Lot 14 in Pleasant Hill; thence south 00 degrees 38 minutes 56 seconds east 14.00 feet; thence south 89 degrees 54 minutes 00 seconds west 116.00 feet along the north line of Lots 15 and 4 in Pleasant Hill to the point of beginning.

Alley 3

Beginning at the northeast corner of Lot 13 in Pleasant Hill, now Oakville, as shown by the Records of Delaware County, Indiana; thence north 89 degrees 54 minutes 00 seconds east 14.00 feet along; thence south 00 degrees 38 minutes 56 seconds east 132.00 feet; thence south 89 degrees 54 minutes 00 seconds west 14.00 to the southeast corner of Lot 14 in Pleasant Hill; then north 00 degrees 38 minutes 56 seconds west 132.00 feet to the place of beginning.

The public hearing will take place at 9:00 (~~AM~~) (PM) on the above date, in the Commissioners Courtroom, Delaware County Building, 100 West Main Street, Muncie, Indiana. Interested persons may appear and voice their opinions. Copies of the Petition to Vacate may be examined at the Delaware County Auditor's Office, Delaware County Building, Room 103, 100 West Main Street, Muncie, Indiana, during normal office hours.

Dated this May 16 day of _____, 2015.



Steven G. Craycraft, Delaware County Auditor
Delaware County, Indiana

ORIGINAL

STATE OF INDIANA)
) SS:
DELAWARE COUNTY)

**BEFORE THE BOARD OF COMMISSIONERS
OF THE COUNTY OF DELAWARE, INDIANA**

**PETITION FOR VACATION
OF A PUBLIC WAY**

The Andersons, Inc., an Ohio corporation (“**Petitioner**”), submits this petition to the Board of Commissioners of Delaware County, Indiana, requesting the vacation of a public way as follows:

1. Petitioner is the owner of that certain land located in Delaware County, Indiana, and more particularly described as follows:

Parcel 3

Lots 3 and 4 in Pleasant Hill, now called Oakville, as shown in the Records of Delaware County, Indiana.

Parcel 4

Lots 1 and 2 in Pleasant Hill, now called Oakville, as shown in the Records of Delaware County, Indiana, also part of the east half of the southeast quarter of Section 21, Township 19 North, Range 10 East in the Town of Oakville, Delaware Indiana, described as follows:

Beginning at a 5/8 inch rebar at the northwesterly corner of a public street formerly called Mulberry Street and Main Street as shown on the Original Plat of Pleasant Hill now called Oakville; then south 89 degrees 54 minutes 00 seconds west 132.00 feet along the northerly line of Main Street to a spike; thence north 00 degrees 38 minutes 56 minutes west 201.00 feet along the easterly right-of-way line of the railroad to a chiseled “X” at the point of beginning; south 89 degrees 28 minutes 00 seconds west 4.00 feet to a 5/8 inch rebar; thence north 00 degrees 38 minutes 56 seconds west 137.07 to a chiseled “X” in concrete; thence north 89 degrees 28 minutes 00 seconds east 4.00 feet to a 5/8 inch rebar; thence south 00 degrees 38 minutes 56 seconds east 137.07 feet to the point of beginning.

Parcel 5

Lots 13 and 14 in Pleasant Hill, now called Oakville, as shown in the Records of Delaware County, Indiana.

Parcel 6

A part of the east half of the northeast quarter and a part of the east half of the southeast quarter of Section 21, Township 19 North, Range 10 East in Monroe Township, Delaware County, Indiana, described as follows:

Beginning at the northwest corner of Lot 1 in Pleasant Hill, now Oakville, as shown by the Records of Delaware County, Indiana, and being on the easterly right-of-way line of the Norfolk & Southern Railroad; thence north 00 degrees 38 minutes 56 seconds west 1732.50 feet along the easterly line of the railroad to a wood post that is 415.00 feet north of a 5/8 inch rebar marking the point of intersection of said right-of-way line with the south line of the east half of the northeast quarter of said Section 21, thence south 89 degrees 44 minutes 00 seconds east 84.50 feet parallel with the south line of said quarter section to a 5/8 inch rebar; thence south 00 degrees 38 minutes 56 seconds east 415.00 feet to a 5/8 rebar; thence south 89 degrees 44 minutes 00 seconds east 1203.14 feet to a post which is 16.50 feet west of the northeast corner of the east half of said southeast quarter; thence south 00 degrees 43 minutes 03 seconds east 800.86 feet along the east line of a tract of ground described in Deed Record 406, page 445; thence north 89 degrees 15 minutes 49 seconds east 6.50 feet along said tract to the east line of said half-quarter section; thence south 00 degrees 00 minutes 42 seconds east 293.68 feet along said east line to a 5/8 inch rebar that is 214.50 feet north of a spike marking the southeast corner of the northeast quarter of the southeast quarter of said Section 21; thence south 89 degrees 54 minutes 00 seconds west 798.50 feet parallel with the south line of the northeast quarter of said southeast quarter to a 5/8 inch rebar; thence south 00 degrees 00 minutes 42 seconds east 214.50 feet to a 5/8 inch rebar on the south line of said quarter-quarter section; thence south 89 degrees 54 minutes 00 seconds west 490.95 feet along the north line of Lots 1 and 13 in Pleasant Hill to the point of beginning, containing 35.75 acres, more or less.

(hereinafter Parcels 3, 4, 5 and 6 are collectively referred to as “**Petitioner’s Real Estate**”)

2. The public ways to be vacated are:
 - a. **North Street.** Beginning at the northwest corner of Lot 1 in Pleasant Hill, now Oakville, as shown by the Records of Delaware County, Indiana, and being on the easterly right-of-way line of the Norfolk & Southern Railroad; thence north 00 degrees 38 minutes 56 seconds west 60.00 feet; thence north 89 degrees 54 minutes 00 seconds east 339.00 feet; thence south 00 degrees 38 minutes 56 seconds east 60.00 feet; thence south 89 degrees 54 minutes 00 seconds west

339.00 feet along the north line of Lots 1 and 13 in Pleasant Hill to the point of beginning.

b. **Blue Jay Drive.** Beginning at the southeast corner of Lot 2 in Pleasant Hill, now Oakville, as shown by the Records of Delaware County, Indiana; then north 00 degrees 38 minutes 56 seconds west 146.00 feet along the east line of Lots 1 and 2 in Pleasant Hill; thence north 89 degrees 54 minutes 00 seconds east 60.00 feet to the northwest corner of Lot 13 in Pleasant Hill; thence south 00 degrees 38 minutes 56 seconds east 146.00 feet along the west line of Lots 13 and 14 in Pleasant Hill; thence south 89 degrees 54 minutes 00 seconds west 60.00 feet to the point of beginning.

c. **Unimproved Alleys:**

i. **Alley 1.** Beginning at the northwest corner of Lot 3 in Pleasant Hill, now Oakville, as shown by the Records of Delaware County, Indiana; then north 00 degrees 38 minutes 56 seconds west 14.00 feet to the southwest corner of Lot 2 in Pleasant Hill; thence north 89 degrees 54 minutes 00 seconds east 132.00 feet along the south line of Lot 2 in Pleasant Hill; thence south 00 degrees 38 minutes 56 seconds east 14.00 feet to the northeast corner of Lot 4 in Pleasant Hill; thence south 89 degrees 54 minutes 00 seconds west 132.00 feet along the north line of Lots 3 and 4 in Pleasant Hill to the point of beginning.

ii. **Alley 2.** Beginning at the northwest corner of Lot 15 in Pleasant Hill, now Oakville, as shown by the Records of Delaware County, Indiana; then north 00 degrees 38 minutes 56 seconds west 14.00 feet to the southwest corner of Lot 14 in Pleasant Hill; thence north 89 degrees 54 minutes 00 seconds east 116.00 feet along the south line of Lot 14 in Pleasant Hill; thence south 00 degrees 38 minutes 56 seconds east 14.00; thence south 89 degrees 54 minutes 00 seconds west 116.00 feet along the north line of Lots 15 and 4 in Pleasant Hill to the point of beginning.

iii. **Alley 3.** Beginning at the northeast corner of Lot 13 in Pleasant Hill, now Oakville, as shown by the Records of Delaware County, Indiana; thence north 89 degrees 54 minutes 00 seconds east 14.00 feet along; thence south 00 degrees 38 minutes 56 seconds east 132.00 feet; thence south 89 degrees 54 minutes 00 seconds west 14.00 to the southeast corner of Lot 14 in Pleasant Hill; then north 00 degrees 38 minutes 56 seconds west 132.00 feet to the place of beginning.

Reserving the right to public utilities to construct, add to, maintain, replace and renew any facilities which are now located in the above-described areas with the same rights with respect to said facilities as if the same had not been vacated.

3. Petitioner is the owner of the land abutting those portions of North Street, Blue Jay Drive and the alley bounded by Lots 2, 3 and 4 in Pleasant Hill, now Oakville, as shown by the Records of Delaware County, Indiana, which are described herein. North Street and the alley are unimproved "paper" streets that exist as public ways only by virtue of the original plat for Pleasant Hill created in 1874. At the time Petitioner acquired Petitioner's Real Estate in 2004, improvements associated with the real estate encroached into these public ways, and it appears that Petitioner's predecessors-in-title have exclusively used these public ways for decades. Further, Blue Jay Drive is bounded on the east, north and west by Petitioner's Real Estate, and is not used by anyone other than Petitioner.

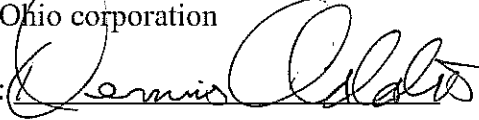
The remaining unimproved alleys described herein are also unimproved and are not used as public ways.

The following owners also own land abutting the public ways over which vacation is sought:

- a. Charles M. and Dorothy Holsinger
P.O. Box 84
Oakville, Indiana 47367
 - b. First Bethel Church of Oakville
P.O. Box 307
Oakville, Indiana 47367-0307
 - c. Norfolk Southern Railway Company
Attn: Solomon Jackson
8000 Ravine's Edge Ct., Suite 100
Columbus, Ohio 43235
4. The requested vacation would not hinder the growth or orderly development of the neighborhood in which it is located or to which it is contiguous. The vacation would not make access to the lands of any person by mean of a public way difficult or inconvenient. The vacation will not hinder the public's access to a church, school, or other public building or place. Finally, the vacation will not hinder the use of a public way by the public in the neighborhood in which it is located or to which it is contiguous.

WHEREFORE, The Andersons, Inc. respectfully requests that the public ways described herein be vacated.

THE ANDERSONS, INC.,
an Ohio corporation

By: 

Its: President, Group Group

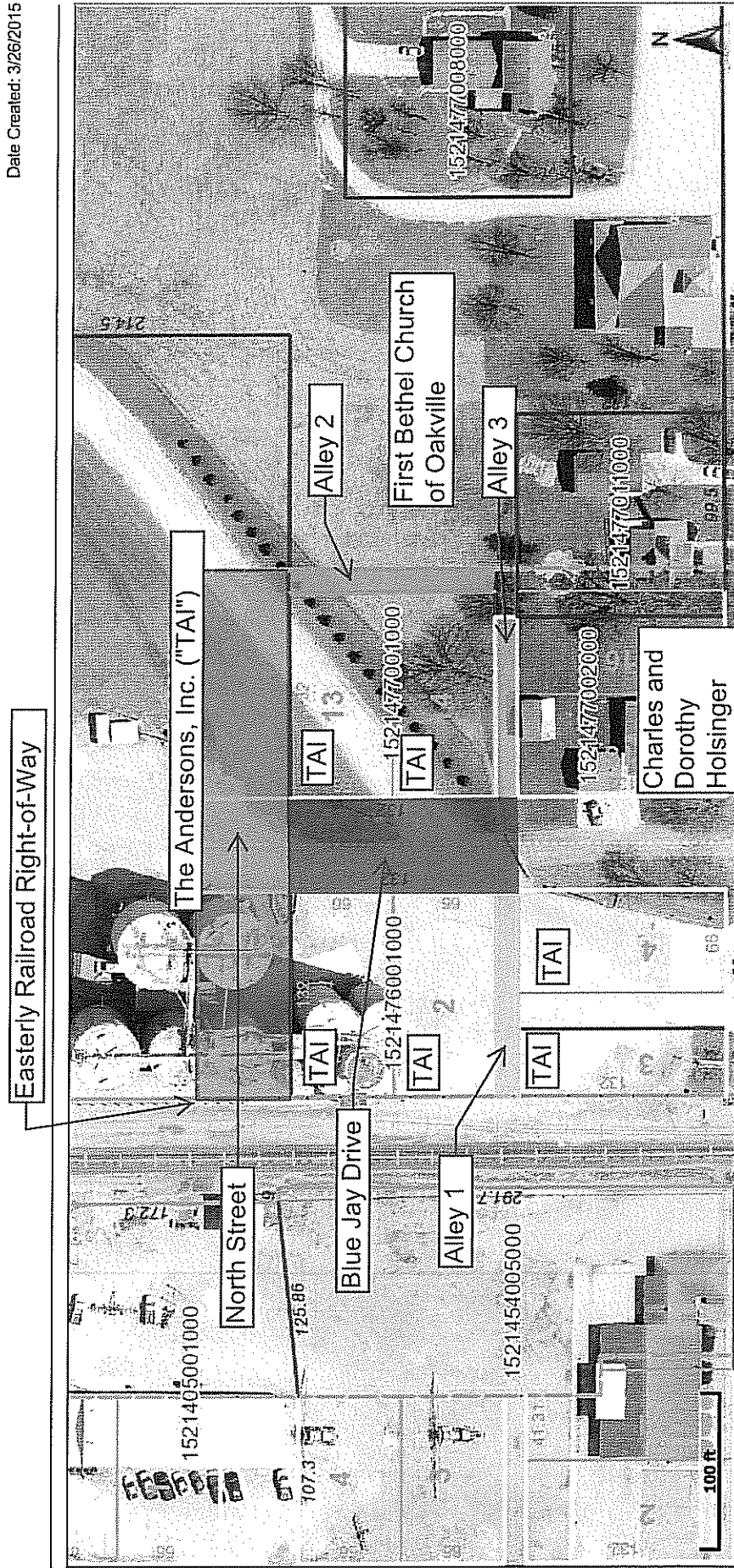
Date: April 13, 2015

Delaware County, IN

PETITIONER'S EXHIBIT A



Date Created: 3/26/2015



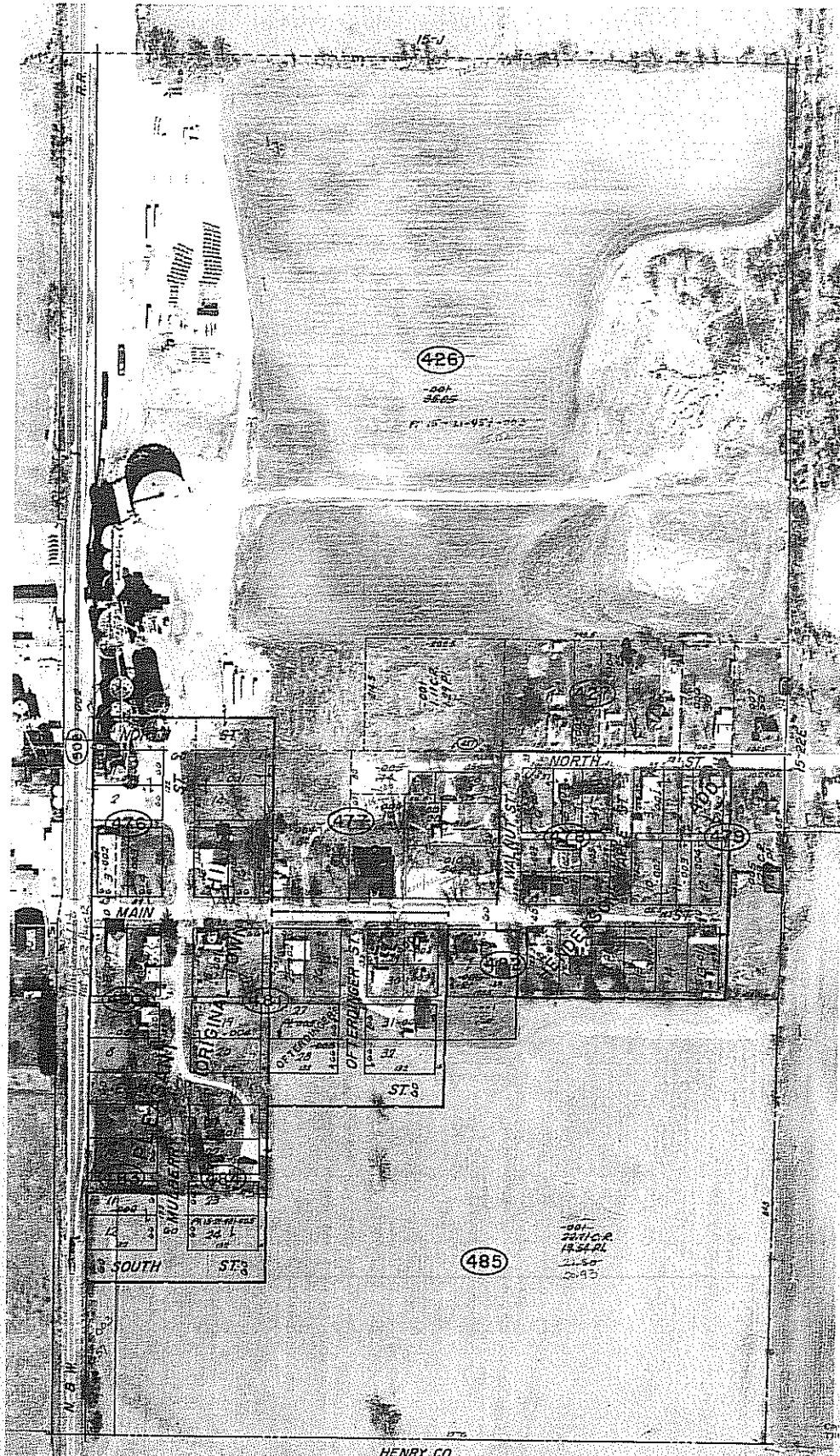
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HENRY CO.

MONROE TWP

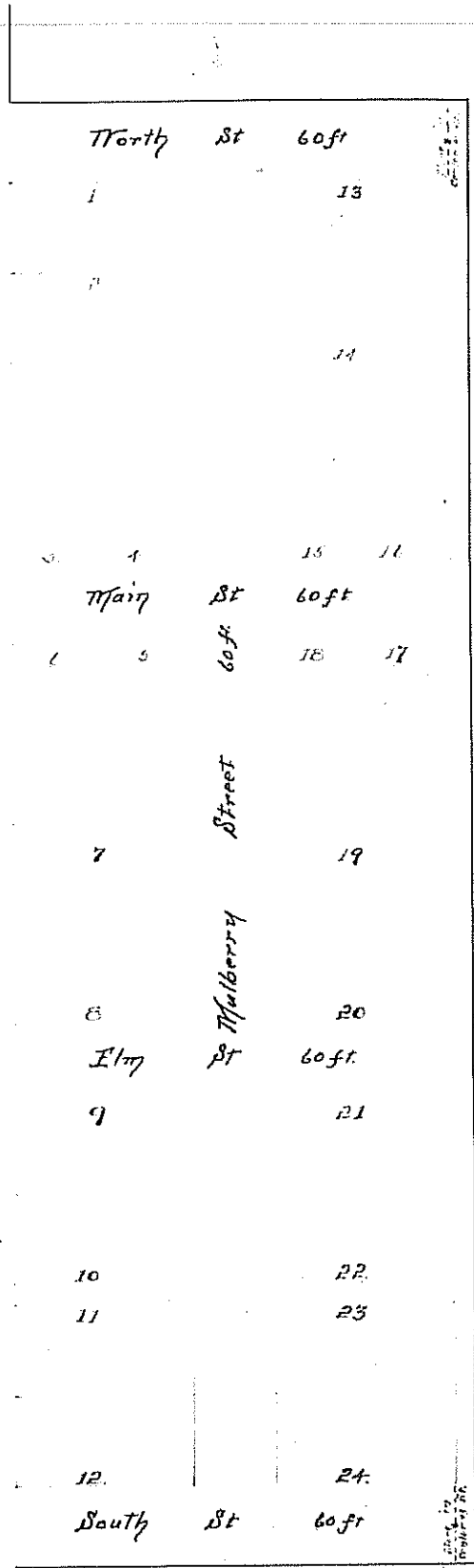
E 1/2 SE 1/4 SEC. 21 T.19N. R.10E.

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SCALE 1" = 100'

Plot of Pleasant Hill in Delaware County Indiana.

See Building South East Quarter of Section No 21, T. 19 - R. 10



The first section is the most important... (faint handwritten text)

The first section is the most important... (faint handwritten text)

The first section is the most important... (faint handwritten text)

The first section is the most important... (faint handwritten text)

The first section is the most important... (faint handwritten text)

State of Indiana,
County of Delaware, } ss:

I, George E. Dinkham, recorder
within and for said county, hereby
certify that the above and
foregoing transcript is a full,
true, correct and complete copy
of the plat and accompanying
notes of John Holmes,
addition to the same as the same
are recorded in old town plat
record No. 2 page 72.

IN WITNESS WHEREOF I HAVE
HEREUNTO SIGNED MY
NAME AND OFFICIAL SEAL THIS
3/10 DAY OF DECEMBER, 1906.
Geo. E. Dinkham, Recorder