

ORDINANCE NO. 3773

AN ORDINANCE ADOPTING PLAT DATED AUGUST 1, 2017 ESTABLISHING
SECTIONS G, H, I, J, K AND LEGION SQUARE
IN THE WEST LAWN ADDITION OF SOUTH MOUND CEMETERY

WHEREAS, the City of New Castle has a publically owned cemetery and certain portions of that cemetery are undeveloped; and,

WHEREAS, there is a need to plat the undeveloped land for additional spaces; and,

WHEREAS, a portion of these new spaces should be set aside to honor veterans who have given faithful service and sacrifice to this city, county, state, and country and this plat does so; and,

WHEREAS, due to existing soil conditions it is necessary for the City to pour cement foundations for burial monuments and markers in Sections G, H, I, J, and K as recently platted; and,

WHEREAS, fees have already been established by this council to reimburse and compensate the City for the labor and materials required to perform said service.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of New Castle as follows:

1. This Council hereby approves the plat dated August 1, 2017, establishing Sections G, H, I, J, K of West Lawn Addition of the South Mound Cemetery.

2. The Council approves that portion of the plan which establishes Legion Square. Upon presentation to the City of proper documents from the United States Military showing that the decedent was a veteran of a branch of the United States Military, he or she shall be provided with a lot in this section at no charge.

3. Due to soil conditions, the City shall be responsible for pouring foundations in Sections G, H, I, J, and K as platted and all fees previously established with regard to such foundations shall remain in full force and effect.

4. As set forth in Ordinance No. 3618 cost recovered by the City for said foundations in Sections G, H, I, J, and K and proceeds from the sale of such foundation space shall be deposited into the Cemetery Perpetual Maintenance Fund.

5. All fees and charges previously established by this Council shall remain in full force and effect. Any ordinance regarding South Mound Cemetery and the West Lawn Addition thereof not amended or changed by this Ordinance shall remain in full force and effect.

6. A true and exact copy of the plat hereby approved is attached hereto and incorporated herein as Exhibit "1" in two (2) parts.

REPEALER: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SEVERABILITY: Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation shall be inapplicable, shall be deemed omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

EFFECTIVE DATE: This Ordinance shall become effective immediately upon passage and publication as provided by law.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS _____
DAY OF _____, 2017.

Greg York, Presiding Officer
Common Council, City of New
Castle

ATTEST:

Christy York,
Clerk-Treasurer

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NAY

APPROVED BY ME THIS _____ DAY OF _____, 2017.

Greg York, Mayor of the City
Of New Castle, Indiana