

ORDINANCE NO. 3840

**AN ORDINANCE VACATING A RIGHT OF WAY
WITHIN THE CITY OF NEW CASTLE, INDIANA**

WHEREAS, the Donald W. and Carol A. Hoopingarner Keystone Trust has petitioned the City of New Castle to vacate a public right of way that is described as:

The platted alley running through and between the real estate commonly known as 1519 H Avenue (Lot 37 of Higdon's First Addition to the City of New Castle- Parcel 030-41567-00), the real estate commonly known as 1343 South 14th Street, New Castle, Indiana (Lots 38 and 39 of Higdon's First Addition to the City of New Castle- Parcel No. 030-41568-00) and the real estate known as Lot 40 of Higdon's First Addition to the City of New Castle (Parcel No. 030-41570-00)

A map depicting the area that is proposed to be vacated is attached.

WHEREAS, the area is not currently utilized by the public as a means of ingress or egress and vacating the area will not impede access to any property or negatively impact the development of the City; and,:

WHEREAS, the Common Council has held a public hearing on the petition and has provided notice of the hearing by publication and by certified mail to each owner of land that abuts the property proposed to be vacated.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of New Castle, Indiana that the petition to vacate real estate filed by the Donald W. and Carol A. Hoopingarner Keystone Trust is hereby granted.

IT IS FURTHER ORDAINED that the following public way is vacated, to-wit:

The platted alley running through and between the real estate commonly known as 1519 H Avenue (Lot 37 of Higdon's First Addition to the City of New Castle- Parcel 030-41567-00), the real estate commonly known as 1343 South 14th Street, New Castle, Indiana (Lots 38 and 39 of Higdon's First Addition to the City of New Castle- Parcel No. 030-41568-00) and the real estate known as Lot 40 of Higdon's First Addition to the City of New Castle (Parcel No. 030-41570-00)

REPEALER: All ordinances or parts of ordinances in conflict herewith are hereby repealed.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

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF NEW CASTLE THIS ____ DAY OF _____, 2020.

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

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NAY

ATTEST:

Brenda Grider, Clerk-Treasurer

APPROVED BY ME THIS ____ DAY OF _____, 2020.

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