

**ORDINANCE NO. 2023-8**  
**ORDINANCE VACATING PUBLIC WAY/ALLEY**

WHEREAS, a petition has been filed with the Town of Westport to vacate a certain public way/alley;

WHEREAS, notices have been given to all owners of land which about the property proposed to be vacated and published prior to the hearing on the petition as required by law;

WHEREAS, the Westport Town Council has determined that the vacation of this public way/alley will not hinder the development of the area nor hinder the public's access to a church, school, or other public building.

NOW THEREFORE BE IT ORDAINED by the Town Council of Westport, Indiana that

1. The following public way/alley shall be vacated:

The public way/alley running east to west, South of parcel 16-17-06-220-037.000-014 and North of parcel 16-17-06-220-038.000-014 starting at South Walnut Street and ending at South Poplar Street. (More specifically depicted on Exhibit "A")

This land shall become the property of and shall be assessed for tax purposes to those owners of land adjoining the vacated public way/alley.

These vacations are subject to the right of any public utility which is now using this property for the location and operation of its facilities to continue to do so.

2. This ordinance shall be in full force and effect from and after its passage.

ADOPTED AND PASSED by the Town Council of the Town of Westport, Indiana, this 11<sup>th</sup> day of September, 2023.

Ayes

Harry Probst III

Joyce Burdley

Gloria Alumbaugh

Attest: Gloria Alumbaugh  
Gloria Alumbaugh, Clerk-Treasurer

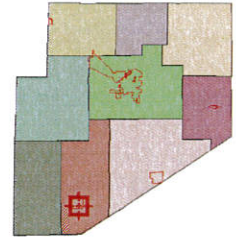
Nays

\_\_\_\_\_




\_\_\_\_\_



Overview



Legend

-  Railroad
-  Parcels
-  Centerlines

Parcel ID	16-17-06-220-038.000-014	Alternate ID	016-19024-00	Owner Address	TEVIS CATHERINE A
Sec/Twp/Rng	n/a	Class	1 Family Dwell - Platted Lot		310 S WALNUT
Property Address	310 S WALNUT ST WESTPORT	Acreeage	n/a		WESTPORT, IN 47283
District	WESTPORT TOWN				
Brief Tax Description	Combine W/ 016-19025-00 For Gis <i>(Note: Not to be used on legal documents)</i>				

Date created: 8/17/2023  
 Last Data Uploaded: 8/17/2023 2:24:41 AM

Developed by  Schneider  
 GEOSPATIAL

**ALLEY/STREET PETITION CHECKLIST**

✓ Received signed petition and application fee

✓ Received copies of property owners warranty deeds

✓ All property owners notified

w/A Contacted utility companies

w/A Are there any utilities located within the alley/street?

w/A Will the Utility companies have adequate access to the easement?

**Traffic Control Committee Response**

Council Approved vacating the Alley 8/14/23

Submit Ordinance Sept 2023

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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## Regulations for Alley/Street Closing

- The \$50 application fee is due when application is returned.
- The actual property owner must sign petition. Any person leasing or renting property must have the owner of the property to sign petition.
- Include a copy of the property owners warranty deed (legal description of property)
- A list of all property owners within the block (available in the Decatur County Auditor's Office). The Town of Westport will send Certified Notifications to all property owners within the block area.
- When the alley/street is closed, half the alley/street will be added to real estate for tax purposes.
- If the alley/street is closed and there are utilities located within the alley/street, then the alley/street will become an easement for utility purposes only. Therefore, the placement of any temporary or permanent building, fencing or structures is not permitted within the easement.

Please return to Westport Town Hall, 207 E Johnson Ave. Westport, Indiana 47283

PETITION FOR ALLEY/STREET CLOSING

DATE: 7-18-23

We, the adjoining property owner(s) of certain real estate (property) located in the Town of Westport hereby request that said alley/street as described below, be closed. Application fee of \$50.00 is enclosed.

PLEASE PRINT OR TYPE

1. Please list all adjoining Property Owner(s):

Name Catherine Tevis Telephone 812-614-9873

Address 310 S. Walnut St Westport IN

Name Telephone

Address

Name Telephone

Address

Name Telephone

Address

If more space is required, please list on a separate sheet of paper

2. List the physical location of the alley/street to be closed: between 308 and 310 S. Walnut St.

3. Reason for closing alley/street and list any future improvements: divides my property. I own 308 + 310 S. Walnut properties

4. We have received and understand the regulations for alley/street closings therefore, we the undersigned, realize that if utilities are located within the alley, the alley will remain as a utility easement. Therefore, no temporary or permanent building or fencing will be allowed on the easement.

Catherine Tevis Owner

Owner

Owner

Owner



DULY ENTERED FOR TAXATION  
SUBJECT TO FINAL ACCEPTANCE  
FOR TRANSFER 7-11-2023

NOT TAXABLE \_\_\_\_\_  
HAS ALREADY BE LISTED  
FOR TAXATION \_\_\_\_\_

Sarit S Chadwell  
DECATUR CO. AUDITOR

# Warranty Deed

THIS INDENTURE WITNESSETH, That GLEN A. McCULLOUGH, of the County of Decatur, State of Indiana, Grantor herein:

## CONVEY AND WARRANT

to CATHERINE A. TEVIS, Individually, of the County of Decatur, State of Indiana, and Grantee herein, for One Dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, the following described parcel of real estate located in Decatur County, in the State of Indiana, to-wit:

Lot Number One Hundred and Ten (110) in Sharp and Back's Addition to the Town of Westport, as per plat thereof recorded in the Office of the Recorder of Decatur County, Indiana.

Subject to any and all easements, agreements, liens and restrictions of record.

**PARCEL # 016-16010-00/16-17-06-220-037.000-014**

Commonly known as: **308 South Walnut Street, Westport, IN 47283**

As a further consideration, Grantee herein assumes and agrees to pay the Spring installment of the 2023 real estate taxes due and payable in May, 2024 and all subsequent taxes thereon.

IN WITNESS WHEREOF, the said GLEN A. McCULLOUGH, Grantor herein, has hereunto set his hand and seal this 6th day of July, 2023.

Glen A. McCullough  
GLEN A. McCULLOUGH

STATE OF INDIANA )  
 ) SS:  
COUNTY OF DECATUR )

Before me, the undersigned, a Notary Public within and for said county and state, this 6th day of July, 2023, personally appeared GLEN A. McCULLOUGH, Grantor in the above conveyance, and acknowledged the execution of the above and foregoing Warranty Deed as his voluntary act and deed, and who, having been duly sworn, stated that any representations contained therein are true.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my seal this 6th day of July, 2023.  
My Commission No. NP0742002  
Expires: June 26, 2030



Sarah L. Fry  
Printed Name Sarah L. Fry  
Notary Public residing in Decatur Co, IN  
Ripley

THIS INSTRUMENT PREPARED AT THE REQUEST OF FORD ABSTRACT CORP. BY:

Stephen T. Taylor, Attorney at Law #818-69  
114 North Franklin Street, P.O. Box 125  
Greensburg, Indiana 47240-0125  
Telephone: 812-663-2636  
staylorlaw@gmail.com

I affirm, under the penalties for perjury that I have taken reasonable care to redact each Social Security number in this document, unless required by law.  
Stephen T. Taylor

RETURN DEED AND FORWARD TAX STATEMENTS TO:

Catherine & Travis  
3108 Walnut St  
Westport, IN 47283

GRANTEE'S STREET or RURAL ADDRESS:

Same