

SPECIAL ORDINANCE NO. 6, 2023
BEING AN ORDINANCE VACATING A PORTION OF SCHULER AVENUE
IN THE CITY OF WABASH, INDIANA

WHEREAS, the petitioner, City of Wabash, Indiana has petitioned the common council of the City of Wabash, Indiana to vacate a public way within the City of Wabash, Indiana, more fully described as follows:

Part of Schuler Avenue in the Amended Plat of the Wabash Business Complex as recorded on Document 2012R424624 on file in the office of the Wabash County, Indiana Recorder, being that 0.88 acre parcel surveyed by John H. Stephens, Indiana Professional Surveyor #LS80040428 and shown on the plat of an original boundary survey certified on September 27, 2023 as job number 23239, being more particularly described as follows:

Beginning at the southeast corner of Schuler Avenue; thence South 89 degrees 18 minutes 13 seconds West, grid bearing (North American Datum 1983, Indiana East Zone), along the south line of said Wabash Northeast Business Complex, 171.98 feet to the southeast corner of Lot 13 in said subdivision; thence traversing the easterly boundary of said Lot 13, the following Four (4) courses: 1) North 00 degrees 57 minutes 46 seconds East, 74.13 feet to the point of curvature of a curve to the right; 2) northeasterly along a curve having a radius of 86.00 feet, an arc length of 112.26 feet and subtended by a chord bearing North 35 degrees 22 minutes 48 seconds East, a chord length of 104.46 feet to the point of compound curvature of a curve to the left; 3) northeasterly along a curve having a radius of 14.00 feet, an arc length of 18.02 feet an subtended by a chord bearing North 35 degrees 54 minutes 24 seconds East, a chord length of 16.80 feet; 4) North 00 degrees 57 minutes 46 seconds West, 112.80 feet to the northeast corner of said Lot 13; thence North 89 degrees 18 minutes 13 seconds East, 100.00 feet to an iron stake with JHSRLS #80040428 identification on the west line of a 2.00 acre tract of land owned by McKillip Machinery, Inc. as recorded on Document 2021R470104; thence South 00 degrees 57 minutes 46 seconds East, along said west line, 284.85 feet to the POINT OF BEGINNING.

Containing 0.88 of an acre, more or less.

Subject to easements, rights of way, and restrictions of record.

And which portion of Schuler Avenue is depicted on Exhibit A attached hereto.

WHEREAS, The Petitioner is the owner of lots contiguous thereto and are interested therein; and,

WHEREAS, Notice of the City's petition and the public hearing thereon has been provided by publication as required by law, and,

NOW, THEREFORE BE IT ORDAINED THAT:

That a portion of Schuler Avenue in the City of Wabash, Indiana identified as:

Part of Schuler Avenue in the Amended Plat of the Wabash Business Complex as recorded on Document 2012R424624 on file in the office of the Wabash County, Indiana Recorder, being that 0.88 acre parcel surveyed by John H. Stephens, Indiana Professional Surveyor #LS80040428 and shown on the plat of an original boundary survey certified on September 27, 2023 as job number 23239, being more particularly described as follows:

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Containing 0.88 of an acre, more or less.

Subject to easements, rights of way, and restrictions of record.

And which portion of Schuler Avenue is depicted on Exhibit A attached hereto.

is hereby vacated and the fee thereof shall revert to the adjoining or abutting property owners in accordance with the law.

The Clerk-Treasurer shall furnish a copy of this Ordinance to the County Recorder for recording and to the County Auditor, as required by Indiana Code 36-7-3-12.

PASSED BY THE COMMON COUCIL OF THE CITY OF WABASH, INDIANA, THIS 13TH DAY OF NOVEMER 2023.

David Monroe, President
Common Council

PRESENTED BY ME TO THE MAYOR OF THE CITY OF WABASH ON THE THIS 13TH DAY OF NOVEMBER 2023, AT THE HOUR OF SIX O'CLOCK PM.

Wendy Frazier, Clerk-Treasurer

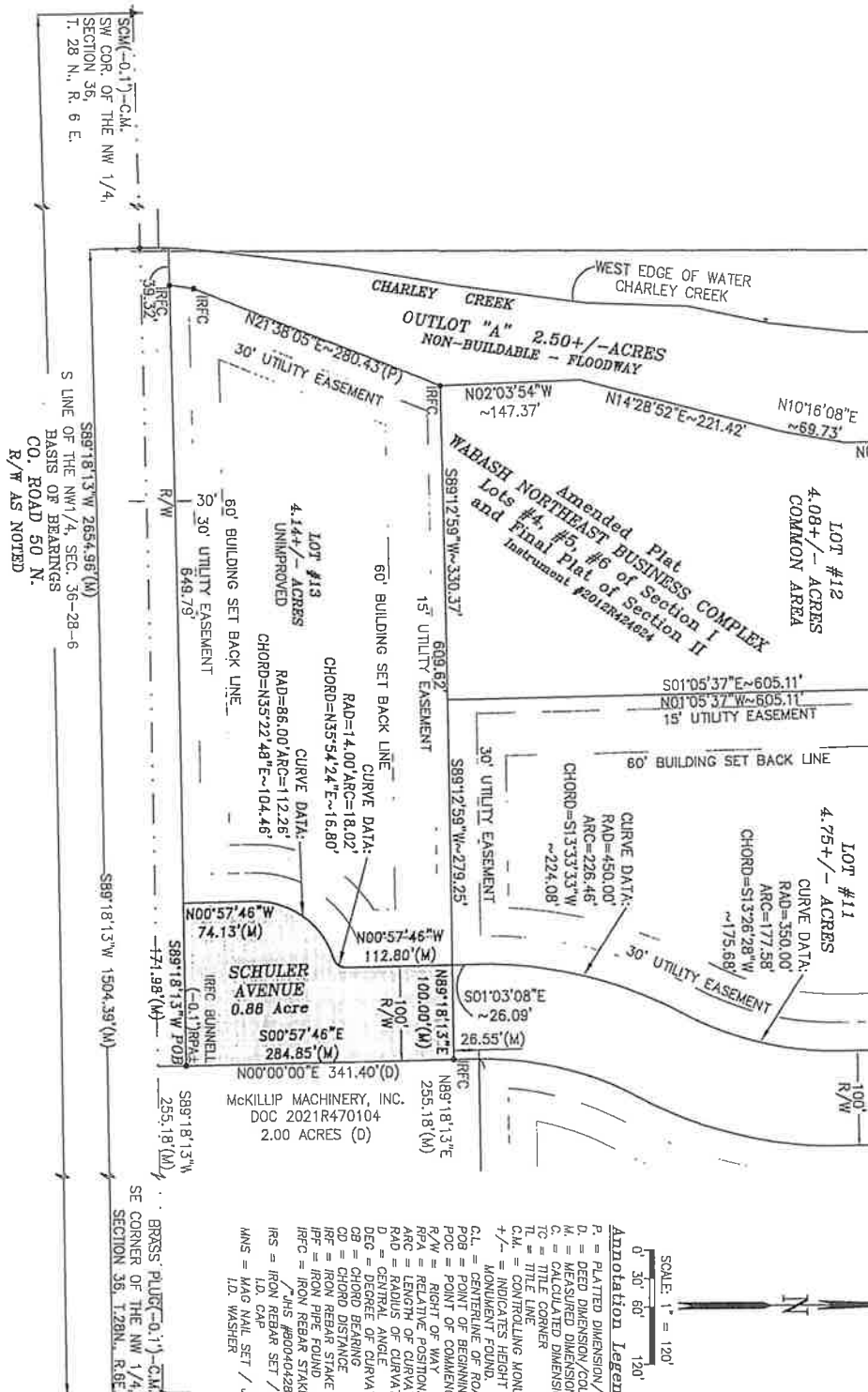
THIS ORDINANCE WAS APPROVED AND SIGNED ON THE THIS 13TH DAY OF NOVEMBER 2023, AT THE HOUR OF SIX O'CLOCK PM.

Scott A. Long, Mayor

ATTEST:

Wendy Frazier, Clerk-Treasurer

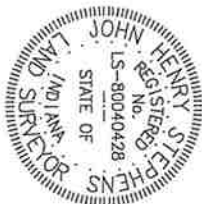
PLAT OF ORIGINAL SURVEY



THIS SURVEY IS, TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, MADE ACCORDING TO THE INSTRUCTIONS OF IAC 1-12 FOR AN URBAN CLASSIFICATION (RELATIVE POSITIONAL ACCURACIES OF 0.07 + 50 PPM), ORIGINAL SURVEY. THE WITHIN SURVEY FIELD WORK WAS COMPLETED UNDER MY DIRECT SUPERVISION ON AUGUST 04, 2023. THIS PLAT IS NOT VALID WITHOUT THE ACCOMPANYING SURVEYORS' REPORT. I AFFIRM THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

SURVEYOR'S STATEMENT

John Henry Stephens, No. 80040422B
JOHN H. STEPHENS R.L.S., INC.
BY: JOHN H. STEPHENS
PROFESSIONAL SURVEYOR
INDIANA LS #8004042B



SURRENDERED FOR:
THE CITY OF WABASH, INDIANA
ATTN: DOUG LEHMAN, CITY ATTORNEY
202 S. WABASH STREET
WABASH, IN 46992
JOB NO. 23235
OWNER: THE CITY OF WABASH, IN
BRIEF DESCRIPTION: PT. ADJUDICATED PLAT
OF WABASH NORTHEAST BUSINESS
COMPLEX
PROPERTY ADDRESS:
50 N. WABASH,
WABASH, IN, 46992

1. MONUMENTS WITH NO RELATIONSHIP TO HEIGHT OR DEPTH (ABOVE/BELOW GROUND, AS SHOWN ON THE WITHIN GROUND LEVEL). MONUMENTS WITH NO RELATIONSHIP TO THE CORNER (ERROR) ARE WITHIN RELATIVE POSITIONAL ACCURACY STANDARDS FOR THIS CLASSIFICATION OF SURVEY.

2. MONUMENTS SET THIS SURVEY AS DEPICTED "RS" ARE 5/8" DIAMETER IRON REBAR STAKES 2' LONG.

3. IDENTIFICATION CARDS ON IRON REBAR STAKES AND IDENTIFICATION WASHERS ON MASONRY NAILS AS SET THIS SURVEY ARE MARKED "MS RLS, L5900-40-428".

4. THE BASIS OF EVIDENCE THIS SURVEY WAS DETERMINED FROM A GRID BEARING (AND 83 INDIANA EAST ZONE) BETWEEN MONUMENTS DEPICTED ON THE WITHIN PLAT.

5. THE PROFESSIONAL SERVICES PROVIDED DO NOT INCLUDE AND SHOULD NOT BE CONSTRUED TO BE AN OPINION OF THE TITLE, NO TITLE COMMITMENT WAS PROVIDED THIS SURVEY.

Annotation Legend

P = PLATTED DIMENSION/COURSE
D = DEED DIMENSION/COURSE
M = MEASURED DIMENSION
C = CALCULATED DIMENSION
TC = TITLE CORNER
T = TIER CORNER
C.M. = CONTROLLING MONUMENT
+/- = INDICATES HEIGHT OR DEPTH OR MONUMENT FOUND.
C.L. = CENTRELINE OF ROADWAY
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
R/W = RIGHT OF WAY
R = RADIUS
ARC = ARC
L = LENGTH OF CURVATURE
RAD = RADIUS OF CURVATURE
D = CENTRAL ANGLE
DEG = DEGREE OF CURVATURE
CB = CHORD BEARING
C/O = CHORD DISTANCE
D = DIAGONAL DISTANCE
D = DIAGONAL BEARING FOUND
IPF = IRON PIPE FOUND
IRFC = IRON REBAR SET FOUND
JHS #00404282 = I.D. CAP
IRF = IRON REBAR SET / JHS - RLS
I.D. CAP
MNS = MAG NAIL SET / JHS - RLS
I.D. WASHER

SCALE: 1" = 120'

0' 30' 60' 120'

NUMERICAL DESIGN

D. = DEED DIMENSION/COURS
M = MEASURED DIMENSION

TC = TILE CORNER

C.M. = CONTROLLING MONUMENT

MONUMENT FOUND.

POB = POINT OF BEGINNING

R/W = RIGHT OF WAY

ARC = LENGTH OF CURVATURE
RAD = RADIUS OF CURVATURE

D = CENTRAL ANGLE
DEG = DEGREE OF CURVATURE

CD = CHORD DISTANCE

IPF = IRON PIPE FOUND

✓ JHS #80040428" I.D. 0

I.D. CAP

I.D. WASHER

CORNER OF THE NW 1/4.

SECTION 36, I.28N., R.6E.

SJR

ATTN:

WABA

OWNER

OF W

PROP

WABA

100

[illegible]

JOHN H. STEPHENS R.L.S., INC.
19 N. Wabash Street
Wabash, IN 46792
Phone: 260.563.8800
jhsrls.com



JOB NO. 23239	CLIENT: ATTORNEY DOUGLAS LEHMAN	
SCALE: 1" = 120'	REVISED:	SHEET 6 OF TWO
DATE: 09/27/2023		
DRAWN BY: JOS		
CHECKED BY: JHS		