



DocId:8060138
Tx:4051125

202500001186
FILED FOR RECORD IN
CLAY COUNTY INDIANA
SUSAN MAESCH

05/05/2025 11:58:22 AM
ORD: 0.00
OR BOOK 230 PAGE 1381
NUMBER OF PAGES: 12

ORDINANCE NO. 2025-08

AN ORDINANCE VACATING
STREETS IN COALMONT, INDIANA

WHEREAS on April 18, 2025 a petition pursuant to Indiana Code Section 36-7-3-12 to vacate a part of streets in Coalmont, Lewis Township, Clay County was duly filed with the Secretary of the Board of Commissioners of the County of Clay, and

WHEREAS the petition was set for hearing on Monday, May 5, 2025 at 9:00 A.M. before the Board of Commissioners of the County of Clay after notice by publication was given as required by law in Indiana Code Chapter 5-3-1, and

WHEREAS the petition was found to be in due form and content and that the closing and vacating of the road would in no way be adverse to the best interests of Clay County, Indiana or to any other person, the Board of Commissioners of the County of Clay now finds that the petition should be granted.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF CLAY as follows:

SECTION ONE
Vacating of County Road

The following described unused streets located in Coalmont, Lewis Township, Clay County, Indiana be and hereby is vacated as a public way:

All that part of Diamond Place Street in Coalmont Proper running east and west and more particularly described as follows: Beginning at the northwest corner of Lot 41 in Coalmont Proper; thence east 450 feet to the northeast corner of Lot 49; thence north 30 feet or to the southeast corner of Lot 50; thence west 450 feet to the southwest corner of Lot 58; thence south 30 feet to the place of beginning.

ALSO, all that part of an unnamed street in Coalmont Proper running north and south and more particularly described as follows: Beginning at the southeast corner of Lot 49 in Coalmont Proper; thence north 150 feet to the southeast corner of Lot 50; thence east 40 feet; thence south 150 feet; thence west 40 feet to the place of beginning.

SECTION TWO
Repeal of Conflicting Ordinances

All ordinances or any parts thereof previously enacted which are in conflict with the provisions of this ordinance are hereby repealed.

SECTION THREE
Effect of Ordinance

This ordinance shall be in full force and effect from and after its passage and publication, if any, as required by law.

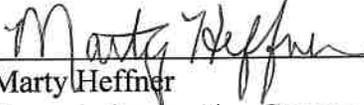
SECTION FOUR
Recordation of Ordinance

The Secretary of the Board of Commissioners of the County of Clay shall furnish a copy of this ordinance to the Clay County Recorder for recording and to the Clay County Auditor for transfer.

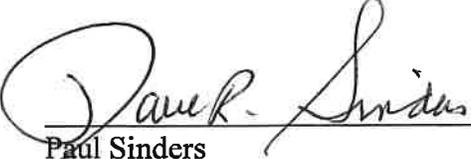
ORDERED AND ESTABLISHED this 5th day of May, 2005.



Bryan Allender
Commissioner, Clay County, Indiana



Marty Heffner
Commissioner, Clay County, Indiana



Paul Sindars
Commissioner, Clay County, Indiana



Patricia A. Foxx
Secretary of Board of Commissioners of the
County of Clay

STATE OF INDIANA)
) SS:
COUNTY OF CLAY)

PETITION FOR PARTIAL VACATION
OF STREETS IN COALMONT

TO: The Board of Commissioners of the County of Clay, State of Indiana

Comes now Amy Michelle Sittig, by counsel, and pursuant to Indiana Code Section 36-7-3-12 petition that the Board of Commissioners of the County of Clay to vacate the following streets located in Coalmont, Lewis Township, Clay County, Indiana:

All that part of Diamond Place Street in Coalmont Proper running east and west and more particularly described as follows: Beginning at the northwest corner of Lot 41 in Coalmont Proper; thence east 450 feet to the northeast corner of Lot 49; thence north 30 feet or to the southeast corner of Lot 50; thence west 450 feet to the southwest corner of Lot 58; thence south 30 feet to the place of beginning.

ALSO, all that part of an unnamed street in Coalmont Proper running north and south and more particularly described as follows: Beginning at the southeast corner of Lot 49 in Coalmont Proper; thence north 150 feet to the southeast corner of Lot 50; thence east 40 feet; thence south 150 feet; thence west 40 feet to the place of beginning.

This portion of the road is not in use.

The names and addresses of all owners of land that abuts the property proposed to be vacated are:

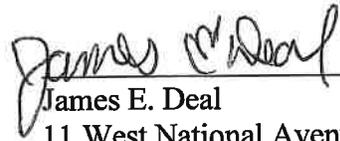
Amy Michelle Sittig
3451 W. County Road 1300 S
Jasonville, IN 47438-8764

Billy Bob Clark
6038 W. County Road 1200 S
Jasonville, IN 47438-8868

Earnest Miller and Wilma Jo Miller, husband and wife
PO Box 31
Coalmont, IN 47845-0031

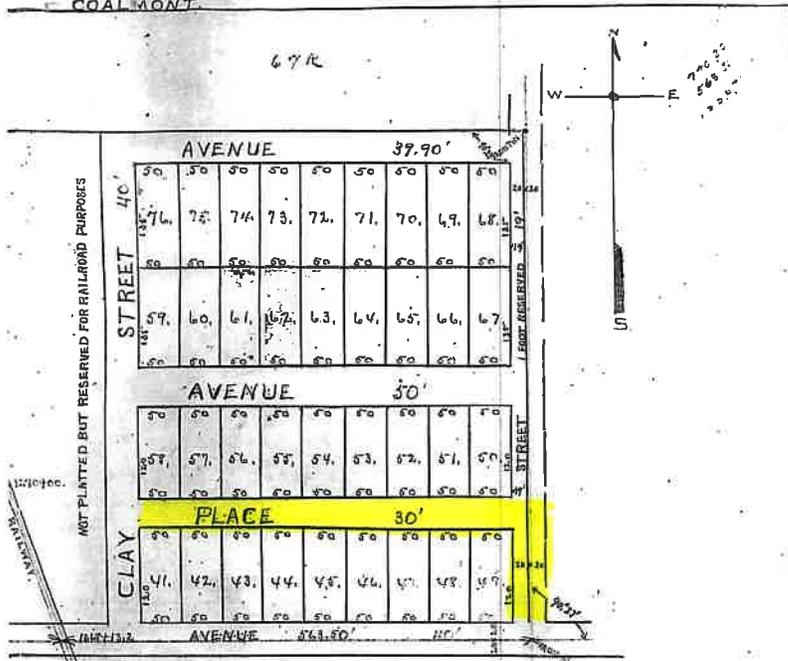
Jeffrey Dale Crosby
12872 S. County Road 500 W
Jasonville, IN 47438-8823

Respectfully submitted this April 18, 2025.

A handwritten signature in black ink that reads "James E. Deal". The signature is written in a cursive style and is positioned above a horizontal line.

James E. Deal
11 West National Avenue
Brazil, Indiana 47834-2536
(812) 448-2505
ATTORNEY-AT-LAW

67R



State of Illinois, County of Cook;
 Personally appeared before the undersigned,
 a Notary Public in and for said county and
 State, this 13th day of August 1900, John R. Walsh,
 President of the Southern Indiana Railway
 Company, a corporation, who acknowledged the
 execution of the foregoing instrument to be the
 voluntary act of said corporation and that he
 executed said instrument by its authority and
 on its behalf.

Witness my hand and Notarial Seal,
 (Seal) John L. Jacobs, Notary Public,
 (Revenue Stamp 10¢)

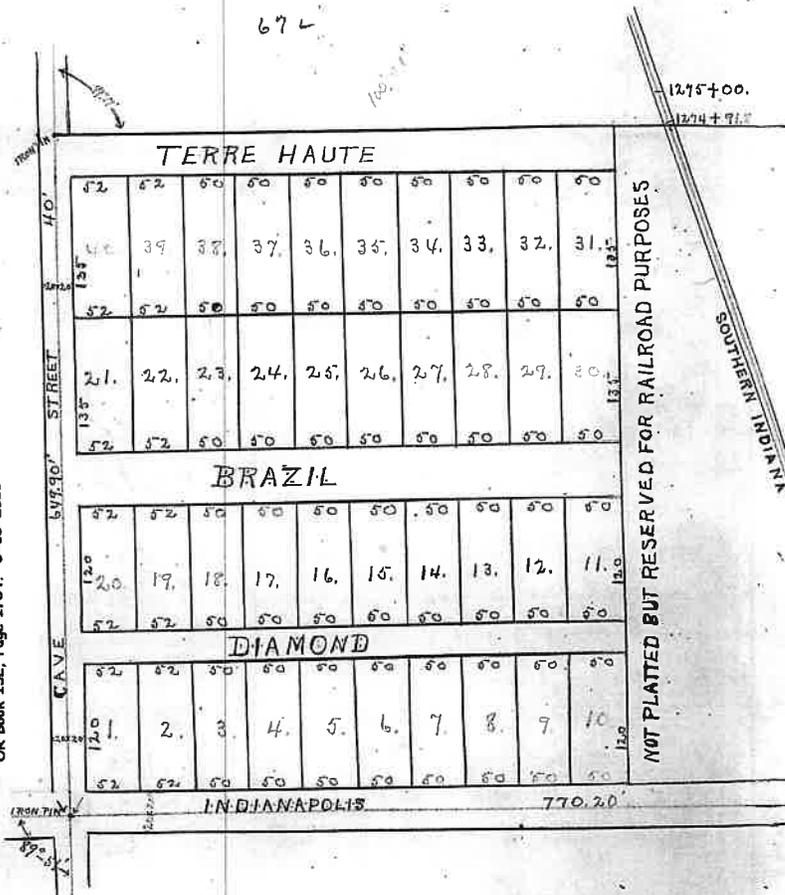
Received for record August 30th 1900 at P. O. Cook's Hill,
 and recorded in Plat Book 172 page 67,
 Emma J. Morgan Recorder,
 Duly entered for taxation August 30, 1900,
 Samuel N. Higgins, Auditor.

67

MAP OF

67

For Ordinance 17-2015 vacating street that abuts lots 1 through 20, see Just 2015-2345, OR Book 152, Page 1754, 8-03-2015



State of Indiana, DeKalb County:

The Southern Indiana Railway Company, the owner of the South half of the South West quarter of the North East quarter of Section Thirty (30) Township Nine (9) North, Range Seven (7) West, in said county of DeKalb, hereby subdivides and lays off the part of said land shown on the above map and plat into lots numbered from 1 to 76 inclusive, as a town site for a town to be called "Coalmanit", the said lots being of the size indicated on said plat, and the streets being of the width thereon shown.

In Witness Whereof said The Southern Indiana Railway Company has caused this instrument to be signed by its President and its corporate seal to be hereunto affixed and attested by its Secretary this 13th day of August, 1900.

By John R. Walsh, President.
Attest: C. W. Meinland, Secretary. (Revenue Stamp, 10¢.)



Type notes here

Printed
03/24/2025

The purpose of this map is to display the geographic location of a variety of data sources frequently updated from local government and other agencies. Neither WTH Technology nor the agencies providing this data make any warranty concerning its accuracy or merchantability. And no part of it should be used as a legal description or document.

Feature Name Prospect St
018021roads.tml

STATE OF INDIANA)
)
COUNTY OF CLAY)

NOTICE TO OWNER OF LAND
ABUTTING PROPERTY PROPOSED TO BE VACATED

TO: Amy Michelle Sittig
3451 W. County Road 1300 S
Jasonville, IN 47438-8764

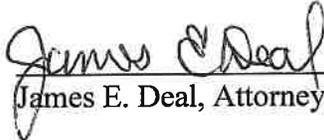
You are hereby notified that on May 5, 2025, at 9:00 A.M. the Board of Commissioners of the County of Clay will consider the petition of Amy Michelle Sittig to vacate the following streets located in Coalmont, Lewis Township, Clay County, Indiana:

All that part of Diamond Place Street in Coalmont Proper running east and west and more particularly described as follows: Beginning at the northwest corner of Lot 41 in Coalmont Proper; thence east 450 feet to the northeast corner of Lot 49; thence north 30 feet or to the southeast corner of Lot 50; thence west 450 feet to the southwest corner of Lot 58; thence south 30 feet to the place of beginning.

ALSO, all that part of an unnamed street in Coalmont Proper running north and south and more particularly described as follows: Beginning at the southeast corner of Lot 49 in Coalmont Proper; thence north 150 feet to the southeast corner of Lot 50; thence east 40 feet; thence south 150 feet; thence west 40 feet to the place of beginning.

At the hearing, any person aggrieved by the proposed vacation may object to it as provided by Indiana Code Section 36-7-3-13.

WITNESS my hand this 18th day of April, 2025.



James E. Deal, Attorney for Petitioners

STATE OF INDIANA)
)
COUNTY OF CLAY)

NOTICE TO OWNER OF LAND
ABUTTING PROPERTY PROPOSED TO BE VACATED

TO: Billy Bob Clark
6038 W. County Road 1200 S
Jasonville, IN 47438-8764

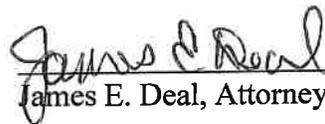
You are hereby notified that on May 5, 2025, at 9:00 A.M. the Board of Commissioners of the County of Clay will consider the petition of Amy Michelle Sittig to vacate the following streets located in Coalmont, Lewis Township, Clay County, Indiana:

All that part of Diamond Place Street in Coalmont Proper running east and west and more particularly described as follows: Beginning at the northwest corner of Lot 41 in Coalmont Proper; thence east 450 feet to the northeast corner of Lot 49; thence north 30 feet or to the southeast corner of Lot 50; thence west 450 feet to the southwest corner of Lot 58; thence south 30 feet to the place of beginning.

ALSO, all that part of an unnamed street in Coalmont Proper running north and south and more particularly described as follows: Beginning at the southeast corner of Lot 49 in Coalmont Proper; thence north 150 feet to the southeast corner of Lot 50; thence east 40 feet; thence south 150 feet; thence west 40 feet to the place of beginning.

At the hearing, any person aggrieved by the proposed vacation may object to it as provided by Indiana Code Section 36-7-3-13.

WITNESS my hand this 18th day of April, 2025.



James E. Deal, Attorney for Petitioners

STATE OF INDIANA)
)
COUNTY OF CLAY)

NOTICE TO OWNER OF LAND
ABUTTING PROPERTY PROPOSED TO BE VACATED

TO: Earnest Miller and Wilma Jo Miller, husband and wife
PO Box 31
Coalmont, IN 47845-0031

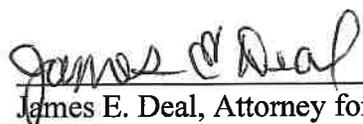
You are hereby notified that on May 5, 2025, at 9:00 A.M. the Board of Commissioners of the County of Clay will consider the petition of Amy Michelle Sittig to vacate the following streets located in Coalmont, Lewis Township, Clay County, Indiana:

All that part of Diamond Place Street in Coalmont Proper running east and west and more particularly described as follows: Beginning at the northwest corner of Lot 41 in Coalmont Proper; thence east 450 feet to the northeast corner of Lot 49; thence north 30 feet or to the southeast corner of Lot 50; thence west 450 feet to the southwest corner of Lot 58; thence south 30 feet to the place of beginning.

ALSO, all that part of an unnamed street in Coalmont Proper running north and south and more particularly described as follows: Beginning at the southeast corner of Lot 49 in Coalmont Proper; thence north 150 feet to the southeast corner of Lot 50; thence east 40 feet; thence south 150 feet; thence west 40 feet to the place of beginning.

At the hearing, any person aggrieved by the proposed vacation may object to it as provided by Indiana Code Section 36-7-3-13.

WITNESS my hand this 18th day of April, 2025.



James E. Deal, Attorney for Petitioners

STATE OF INDIANA)
)
COUNTY OF CLAY)

NOTICE TO OWNER OF LAND
ABUTTING PROPERTY PROPOSED TO BE VACATED

TO: Jeffrey Dale Crosby
12872 S. County Road 500 W
Jasonville, IN 47438-8823

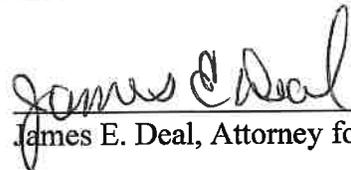
You are hereby notified that on May 5, 2025, at 9:00 A.M. the Board of Commissioners of the County of Clay will consider the petition of Amy Michelle Sittig to vacate the following streets located in Coalmont, Lewis Township, Clay County, Indiana:

All that part of Diamond Place Street in Coalmont Proper running east and west and more particularly described as follows: Beginning at the northwest corner of Lot 41 in Coalmont Proper; thence east 450 feet to the northeast corner of Lot 49; thence north 30 feet or to the southeast corner of Lot 50; thence west 450 feet to the southwest corner of Lot 58; thence south 30 feet to the place of beginning.

ALSO, all that part of an unnamed street in Coalmont Proper running north and south and more particularly described as follows: Beginning at the southeast corner of Lot 49 in Coalmont Proper; thence north 150 feet to the southeast corner of Lot 50; thence east 40 feet; thence south 150 feet; thence west 40 feet to the place of beginning.

At the hearing, any person aggrieved by the proposed vacation may object to it as provided by Indiana Code Section 36-7-3-13.

WITNESS my hand this 18th day of April, 2025.



James E. Deal, Attorney for Petitioners

STATE OF INDIANA)
) SS:
COUNTY OF CLAY)

NOTICE OF PROPOSAL TO VACATE COUNTY ROAD

TO ALL PERSONS INTERESTED:

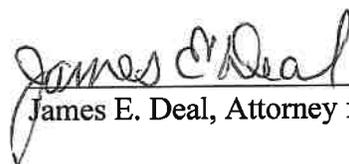
You are hereby notified that on May 5, 2025, at 9:00 A.M. the Board of Commissioners of the County of Clay will consider the petition of Amy Michelle Sittig to vacate the following streets located in Coalmont, Lewis Township, Clay County, Indiana:

All that part of Diamond Place Street in Coalmont Proper running east and west and more particularly described as follows: Beginning at the northwest corner of Lot 41 in Coalmont Proper; thence east 450 feet to the northeast corner of Lot 49; thence north 30 feet or to the southeast corner of Lot 50; thence west 450 feet to the southwest corner of Lot 58; thence south 30 feet to the place of beginning.

ALSO, all that part of an unnamed street in Coalmont Proper running north and south and more particularly described as follows: Beginning at the southeast corner of Lot 49 in Coalmont Proper; thence north 150 feet to the southeast corner of Lot 50; thence east 40 feet; thence south 150 feet; thence west 40 feet to the place of beginning.

At the hearing, any person aggrieved by the proposed vacation may object to it as provided by Indiana Code Section 36-7-3-13.

WITNESS my hand this 18th day of April, 2025.


James E. Deal, Attorney for Petitioners